

[03]

Candidate Civil Penalty Appeals and Referrals

Presented By:

John Whitlock, Paralegal

June 25, 2025 Commission Meeting

[illegible]



**ALASKA PUBLIC OFFICES COMMISSION
STAFF RECOMMENDATION FOR COMMISSION ACTION**

PREPARED BY: John Grover Whitlock

DATE: June 10, 2025

RESPONDENT: Mia Costello

CIVIL PENALTY

ASSESSED UNDER: ☒ Campaign Disclosure: AS 15.13.390, 2 AAC 50.855

REASON FOR FILING: Candidate – 2024 State Election

LATE REPORT(S): • Campaign Disclosure Reports
☒ Year End Report¹

DUE DATE OF LATE FILED REPORT: February 18, 2025

REPORT FILED ON: February 20, 2025

NUMBER OF DAYS LATE: 2

DATE PENALTY ASSESSMENT SENT: February 28, 2025

DATE PENALTY APPEAL RECEIVED: March 11, 2025

MAXIMUM STATUTORY PENALTY: \$100

PENALTY ASSESSED²: \$100

RECOMMENDATION: Reduce by 50%
(See “Staff’s Recommendation Based on Standard Mitigation Criteria”)

AFFIANT’S STATEMENT OF MITIGATING FACTS:

1. Affiant states that she attempted to file her report but there was a technical issue that prevented filing. Affiant’s treasurer worked with APOC until the issue could be resolved.

¹ <https://aws.state.ak.us/ApocReports/Common/View.aspx?ID=47160&ViewType=CD>

² 2 AAC 50.855(b)(2)(B)(i).

STAFF'S ANALYSIS OF FACTS FOR COMMISSION REVIEW

1. A civil penalty may be reduced by up to 50% for a person who has a good filing history.³ The filer has no late-filed report in the previous five years and therefore qualifies for a reduction up to 50%.
2. Although the filer implies that there was a technical issue with APOCs filing system that prevented timely filing of a year end report, there were no technical issues reported or logged, and the system reflects 228 filings were submitted on February 18, 2025.
3. Based on her good filing history, staff recommends that the civil penalty be reduced by 50%.

FILER'S REPORTING HISTORY:

2024 – State Primary / State General

Year End Report (Due on 2/18/25)..... 2 Days Late (Subject to Appeal)
7 Day Report (due on 10/29)..... Timely
30 Day Report (due on 10/7)..... Timely
7 Day Report (due on 8/13)..... Timely
30 Day Report (due on 7/22)..... Timely

2022 – State Primary / State General

Year End Report (Due on 2/15/23)..... Timely
7 Day Report (due on 11/1)..... Timely
30 Day Report (due on 10/10)..... Timely
7 Day Report (due on 8/9)..... Timely
30 Day Report (due on 7/18)..... Timely
Year Start Report (due on 2/15)..... Timely

ACTIVITY ON LATE REPORT:

Beginning Balance:	\$24,827.34
Income:	\$700.00
Expenses:	\$25,527.34
Debts:	\$0.00
Ending Balance:	\$0.00

STAFF'S RECOMMENDATION BASED ON STANDARD MITIGATION CRITERIA

Staff finds the following mitigation criteria applicable to the respondent's appeal:

Criteria for up to 50% reduction of the maximum civil penalty [2 AAC 50.865(a)]:

- ☒ Good filing history (no late filings in the previous 5 years). **2 AAC 50.865(a)(1)(A)**
- ☐ Inexperienced filer.⁴ **2 AAC 50.865(a)(1)(B)**
- ☐ Technical error at APOC. **2 AAC 50.865(a)(2)**
- ☐ Reported information had a value of \$100 or less. **2 AAC 50.865(a)(3)**
- ☐ Reported information had a value between \$100 and \$1000 AND any factor listed in 2 AAC 50.865(b) also applies. **2 AAC 50.865(a)(4)**

Criteria for greater than 50% reduction, up to complete waiver [2 AAC 50.865(b)]:

- ☐ Personal catastrophe/emergency or incapacitating illness. **2 AAC 50.865(b)(1)**
- ☐ APOC Staff error. **2 AAC 50.865(b)(2)**
- ☐ Report included only administrative costs. **2 AAC 50.865(b)(3)**
- ☐ No significant harm to the public and no aggravating factors.⁵ **2 AAC 50.865(b)(4)**
- ☐ The civil penalty is significantly greater and out of proportion to the degree of harm to the public for not having the information.⁶ **2 AAC 50.865(b)(5)**
- ☐ A unique circumstance. **2 AAC 50.865(b)(6)**

⁴ Any entity or filer subject to a registration or reporting requirement for less than 365 days.

⁵ The amount missing is \$100 or less; the amount missing is more than \$100 but less than \$1,000 and the filer self-reported; or the missing information is readily available to the public through another forum.

⁶ Penalty exceeds the value of late or unreported transactions or for 24-hour and 7-day reports, the penalty exceeds twice the value of the late or unreported transactions.

Non-mitigating factors [2 AAC 50.865(c)]:

The Commission will not accept the following mitigating factors to reduce the amount of a penalty.

- ☐ Relying on another person or mailroom to mail, postmark or submit the statement on or before a due date. **2 AAC 50.865(c)(1)**
- ☐ Forgetting to file. **2 AAC 50.865(c)(2)**
- ☐ Being a volunteer. **2 AAC 50.865(c)(3)**
- ☐ Having no change in data from previous statements on file. **2 AAC 50.865(c)(4)**
- ☐ Relying on the filer's staff to remind the filer of the filing deadline or to complete the report. **2 AAC 50.865(c)(5)**
- ☐ Being too busy to file. **2 AAC 50.865(c)(6)**
- ☐ Absence caused by travel, unless the travel was unplanned or unavoidable such as travel for personal emergency or weather-related travel problems. **2 AAC 50.865(c)(7)**

Aggravating Factors [2 AAC 50.865(d)]:

- ☐ Failure to comply by omitting a significant source of income, interest in real property, loan, trust, business, or other substantial financial interest.⁷ **2 AAC 50.865(d)(1)**
- ☐ More than one late filing in the preceding 5 years. **2 AAC 50.865(d)(2)(A)**
- ☐ Evidence suggesting deliberate non-reporting. **2 AAC 50.865(d)(2)(B)**
- ☐ Failure to cooperate with staff. **2 AAC 50.865(d)(2)(C)**
- ☐ A violation under AS 15.13, AS 24.45, AS 244.60.200-260, or AS 39.50 in the preceding 5 years. **2 AAC 50.865(d)(2)(D)**

Based on the applicable standard mitigation criteria, staff recommends that the maximum civil penalty assessment be:

- ☐ **Waived**
- ☒ **Reduced by 50% to \$50**
- ☐ **Upheld at the assessed amount**

Civil Penalty Appeal Affidavit

AS 15.13 Alaska Campaign Disclosure Law

ARRIVED

MAR 11 2025

APOC - ANCH
PM HC FAX ELE

Name of Appellant: Mia Costello

Office Sought: State House Representative

Penalty issued in connection with (check box or boxes):

- | | | |
|---|---|--|
| <input type="checkbox"/> 30 Day Report | <input type="checkbox"/> 105 Day Report | <input type="checkbox"/> Statement of Contributions (15-5) |
| <input type="checkbox"/> 7 Day Report | <input checked="" type="checkbox"/> Year End Report | <input type="checkbox"/> Independent Expenditure (15-6) |
| <input type="checkbox"/> 24 Hour Report | <input type="checkbox"/> Registration | <input type="checkbox"/> Paid for By Identifier |
| <input type="checkbox"/> Other: _____ | | |

Year & Election, if late report (e.g., 2020 Primary, 2020 Muni, etc.): 2024 General

Instructions: If you send payment, you need not file this. An affidavit is required only if you are appealing the civil penalty or violation.

Statement: State why the reporting violation occurred or why you believe it did not occur and the reasons the civil penalty should not be assessed (use additional pages if needed). I do hereby swear and affirm that:

We attempted to file my report but there was a continuous loop that prevented filing. My treasurer reached out and emailed APOC until the issue could be resolved. At one point it appeared the computer issue on APOC's end was resolved but the problem persisted. We appreciate the assistance in resolving the issue, however, since the report was completed but I was unable to file it, I am appealing the fine (as required by state law.) Thank you.

Certification: I certify that the information in this Statement is, to the best of my knowledge, true, correct, and complete. By statute, a person who makes a false sworn certification which s/he does not believe to be true is guilty of perjury.

Signed/Date: Mia Costello



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Administration

ALASKA PUBLIC OFFICES COMMISSION

2221 E. Northern Lights Blvd., Rm. 128
Anchorage, AK 99508-4149
Main: 907.276.4176
Fax: 907.276.7018
www.doa.alaska.gov/apoc

February 28, 2025

Via Certified Mail, U.S. Mail, and Email

Representative Mia Costello
5512 Yukon Charlie Loop
Anchorage, AK 99502
mia@votemia.com
shivani.tiwari@dubay.bz

RE: Notice of Penalty¹
2024 Year End Report

Dear Rep. Costello:

According to our records you did not timely file your 2024 Year End Report for the 2024 State General Election that was due on February 18, 2025. Instead, the report was filed on February 20, 2025 (2 days late). By law a maximum penalty of \$50 accrues each day the report is late.² **Accordingly the assessed penalty owed is \$100.**³

You may pay the assessed penalty and avoid formal Commission action by sending payment by check or money order payable to the "State of Alaska" to our office at the address above; visiting our [website](#)⁴ to make a payment by credit card; or you may pay in cash at our offices. **Payment must be made within thirty days of the date of this letter.** If you are unable to pay the entire assessed penalty in a single payment and wish to discuss a payment plan, or have any other question concerning this matter, please contact the APOC staff.

Alternatively, you have the right to appeal staff's conclusion that a violation has occurred, or the penalty amount assessed.⁵ **If you wish to appeal you must submit the enclosed appeal affidavit to APOC within thirty days of the date of this letter.**

¹ 2 AAC 50.855(a)

² AS 15.13.390(a).

³ 2 AAC 50.855(a).

⁴ <https://aws.state.ak.us/ApocReports/Paper/CommissionCivilPenalties.aspx>

PLEASE NOTE: credit card payments cannot be made by phone; they must be made online.


⁵ 2 AAC 50.831(a).

If you appeal, staff will review your affidavit and prepare a recommendation for the Commission. You will receive a copy of that recommendation and notice of when the Commission will meet to consider the matter. You will have the opportunity to participate in the meeting either in person or telephonically.

Failure to respond to this notice by either making arrangement for payment or submitting an appeal within will result in staff presenting this matter to the Commission for a final order in the amount of the assessed penalty and referral to the Attorney General's Office.⁶

A copy of this letter will be placed in your APOC file and is considered a public document. If you have any questions about this matter, please contact APOC staff.


ALASKA PUBLIC OFFICES COMMISSION


John Grover Whitlock
Paralegal II

Encl: Civil Penalty Appeal Affidavit
2 AAC 50.865

cc: 2024 Candidate File (w/o enclosures)

CERTIFICATE OF SERVICE: I hereby certify that on this date, I caused a true and correct copy of the foregoing to be delivered to:	
Rep. Mia Costello 5512 Yukon Charlie Loop Anchorage, AK 99502 mia@votemia.com shivani.tiwari@dubay.bz	<input checked="" type="checkbox"/> Certified Mail <input checked="" type="checkbox"/> U.S. Mail <input checked="" type="checkbox"/> Email

 02/28/2025

Law Office Assistant Date

9489 0178 9820 3021 1330 35

⁶ 2 AAC 50.895.



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Administration

ALASKA PUBLIC OFFICES COMMISSION

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Anchorage, AK 99508-4149
Main: 907.276.4176
Fax: 907.276.7018
www.doa.alaska.gov/apoc

June 11, 2025

VIA EMAIL & CERTIFIED MAIL

Mia Costello

5512 Yukon Charlie Loop

Anchorage, Alaska 99502

miacostelloak@gmail.com

sernouf@eclawfirm.org

RE: Commission Meeting Notice

Dear Ms. Costello:

The Commission will review the matter of the civil penalty assessed for your late filed year-end campaign disclosure report at its June 25, 2025 Commission Meeting in Anchorage, Alaska.

I have enclosed the Staff Recommendation that will be presented to the Commission at the meeting for your review.

You have a right to participate at the meeting, either in person or by telephone (1-907-202-7104, Access Code: 233147607#, in-person (2221 Northern Lights Blvd, Ste 128, Anchorage, Alaska, 99508) or via [Microsoft Teams Meeting](#)¹. Please notify our office if you intend to participate. Candidate Civil Penalty Appeals are expected to begin at **9:25 a.m. on Wednesday, June 25, 2025.**

This matter will initially be presented to the Commission on a Consent Agenda. If you do not wish to present your appeal or make a statement to the Commission, and your appeal is not removed from the agenda by a Commissioner, the Staff Recommendation will be approved without discussion or deliberation. If you do wish to present your appeal or make a statement before the Commission, please notify staff or the Commission prior to the approval of the consent agenda.

Staff will send you a copy of the Commission's final decision regarding your appeal.

¹ Meeting ID 217 752 983 222 7, Passcode qD2Eb9rH

If you have any questions, please contact our office.

ALASKA PUBLIC OFFICES COMMISSION

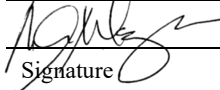
KIM STONE

Kim Stone
Campaign Disclosure Coordinator

Encl: Staff Recommendation

cc: Candidate File

CERTIFICATE OF SERVICE: I hereby certify that on this date, I caused a true and correct copy of the foregoing to be delivered to:	
Mia Costello 5512 Yukon Charlie Loop Anchorage, Alaska 99502 miacostelloak@gmail.com sernouf@eclawfirm.org	<input checked="" type="checkbox"/> Email <input checked="" type="checkbox"/> Certified Mail


Signature

06/11/2025

Date

9489 0090 0027 6610 9408 62

From: [Microsoft Outlook](#)
To: sernouf@eclawfirm.org
Subject: Relayed: RE: Commission Meeting Notice
Date: Wednesday, June 11, 2025 12:04:40 PM
Attachments: [RE Commission Meeting Notice.msg](#)

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:
sernouf@eclawfirm.org (sernouf@eclawfirm.org) <mailto:sernouf@eclawfirm.org>
Subject: RE: Commission Meeting Notice



**ALASKA PUBLIC OFFICES COMMISSION
STAFF RECOMMENDATION FOR COMMISSION ACTION**

PREPARED BY: John Grover Whitlock

DATE: June 10, 2025

RESPONDENT: James Fields

CIVIL PENALTY

ASSESSED UNDER: ☒ Campaign Disclosure: AS 15.13.390, 2 AAC 50.855

REASON FOR FILING: Candidate – 2024 State of Alaska Primary

LATE REPORT(S): • Campaign Disclosure Reports
☒ Year End Report¹

DUE DATE OF LATE FILED REPORT: February 18, 2025

REPORT FILED ON: February 24, 2025

NUMBER OF DAYS LATE: 6

DATE PENALTY ASSESSMENT SENT: March 4, 2025

DATE PENALTY APPEAL RECEIVED: March 5, 2025

MAXIMUM STATUTORY PENALTY: \$300

PENALTY ASSESSED²: \$75

RECOMMENDATION: Waive
(See “Staff’s Recommendation Based on Standard Mitigation Criteria”)

AFFIANT’S STATEMENT OF MITIGATING FACTS:

1. Affiant states that he was unaware of any filing requirements after he withdrew his candidacy for the Alaska State House of Representatives.

¹ <https://aws.state.ak.us/ApocReports/Common/View.aspx?ID=47206&ViewType=CD>.
² 2 AAC 50.855(b)(2)(B)(i).

STAFF'S ANALYSIS OF FACTS FOR COMMISSION REVIEW

1. A civil penalty may be reduced by up to 50% when a person is an inexperienced filer.³ An inexperienced filer means a person has been subject to reporting requirements for less than 365 days or is engaged in their first election cycle.⁴ Here, this was Mr. Fields's first election which qualifies him for up to a 50% reduction.
2. A civil penalty may be reduced by a percentage greater than 50% or waived entirely if the civil penalty assessed when there is no significant harm to the public for not having the information.⁵ A report does not cause significant harm when the unreported amount has a value of \$100 or less. Here, Mr. Fields reported no activity on a Year End Report with a closing balance of \$600.00. Because the reported value was less than \$100 there was no significant harm to the public.
3. Although Mr. Fields states that he forgot to file and did not think that he had a year end reporting requirement because he had withdrawn, he was sent several reminders of the deadline. Further, forgetting to file is a non-mitigating factor.⁶
4. Staff recommends that the civil penalty be waived because the Respondent is an inexperienced filer and because there was no significant harm to the public.

FILER'S REPORTING HISTORY:

2024 – State Primary / State General

Year End Report (Due on 2/18/25)..... Late by 6 days (Subject to Appeal)

7 Day Report (due on 8/13)..... Timely

30 Day Report (due on 7/22)..... Timely

ACTIVITY ON LATE REPORT:

Beginning Balance:	\$600.00
Income:	\$0.00
Expenses:	\$0.00
Debts:	\$0.00
Ending Balance:	\$600.00

³ 2 AAC 50.865(a)(1)(B).

⁴ *Id.*

⁵ 2 AAC 50.865(b)(4).

⁶ 2 AAC 50.865(c)(2).

STAFF'S RECOMMENDATION BASED ON STANDARD MITIGATION CRITERIA

Staff finds the following mitigation criteria applicable to the respondent's appeal:

Criteria for up to 50% reduction of the maximum civil penalty [2 AAC 50.865(a)]:

- ☒ Good filing history (no late filings in the previous 5 years). **2 AAC 50.865(a)(1)(A)**
- ☐ Inexperienced filer.⁷ **2 AAC 50.865(a)(1)(B)**
- ☐ Technical error at APOC. **2 AAC 50.865(a)(2)**
- ☐ Reported information had a value of \$100 or less. **2 AAC 50.865(a)(3)**
- ☐ Reported information had a value between \$100 and \$1000 AND any factor listed in 2 AAC 50.865(b) also applies. **2 AAC 50.865(a)(4)**

Criteria for greater than 50% reduction, up to complete waiver [2 AAC 50.865(b)]:

- ☐ Personal catastrophe/emergency or incapacitating illness. **2 AAC 50.865(b)(1)**
- ☐ APOC Staff error. **2 AAC 50.865(b)(2)**
- ☐ Report included only administrative costs. **2 AAC 50.865(b)(3)**
- ☒ No significant harm to the public and no aggravating factors.⁸ **2 AAC 50.865(b)(4)**
- ☐ The civil penalty is significantly greater and out of proportion to the degree of harm to the public for not having the information.⁹ **2 AAC 50.865(b)(5)**
- ☐ A unique circumstance. **2 AAC 50.865(b)(6)**

Non-mitigating factors [2 AAC 50.865(c)]:

The Commission will not accept the following mitigating factors to reduce the amount of a penalty.

- ☐ Relying on another person or mailroom to mail, postmark or submit the statement on or before a due date. **2 AAC 50.865(c)(1)**
- ☒ Forgetting to file. **2 AAC 50.865(c)(2)**
- ☐ Being a volunteer. **2 AAC 50.865(c)(3)**
- ☐ Having no change in data from previous statements on file. **2 AAC 50.865(c)(4)**
- ☐ Relying on the filer's staff to remind the filer of the filing deadline or to complete the report. **2 AAC 50.865(c)(5)**

⁷ Any entity or filer subject to a registration or reporting requirement for less than 365 days.

⁸ The amount missing is \$100 or less; the amount missing is more than \$100 but less than \$1,000 and the filer self-reported; or the missing information is readily available to the public through another forum.

⁹ Penalty exceeds the value of late or unreported transactions or for 24-hour and 7-day reports, the penalty exceeds twice the value of the late or unreported transactions.

- ☐ Being too busy to file. **2 AAC 50.865(c)(6)**
- ☐ Absence caused by travel, unless the travel was unplanned or unavoidable such as travel for personal emergency or weather-related travel problems. **2 AAC 50.865(c)(7)**

Aggravating Factors [2 AAC 50.865(d)]:

- ☐ Failure to comply by omitting a significant source of income, interest in real property, loan, trust, business, or other substantial financial interest.¹⁰ **2 AAC 50.865(d)(1)**
- ☐ More than one late filing in the preceding 5 years. **2 AAC 50.865(d)(2)(A)**
- ☐ Evidence suggesting deliberate non-reporting. **2 AAC 50.865(d)(2)(B)**
- ☐ Failure to cooperate with staff. **2 AAC 50.865(d)(2)(C)**
- ☐ A violation under AS 15.13, AS 24.45, AS 244.60.200-260, or AS 39.50 in the preceding 5 years. **2 AAC 50.865(d)(2)(D)**

Based on the applicable standard mitigation criteria, staff recommends that the maximum civil penalty assessment be:

- ☒ **Waived**
- ☐ **Reduced by**
- ☐ **Upheld at the assessed amount of \$50**

¹⁰

Value greater than \$1000.

ARRIVED

MAR 05 2025

W APOC - ANCH
PM HC FAX ELE

Civil Penalty Appeal Affidavit

AS 15.13 Alaska Campaign Disclosure Law

Name of Appellant: James Fields

Office Sought: Representative

Penalty issued in connection with (check box or boxes):

- | | | |
|---|---|--|
| <input type="checkbox"/> 30 Day Report | <input type="checkbox"/> 105 Day Report | <input type="checkbox"/> Statement of Contributions (15-5) |
| <input type="checkbox"/> 7 Day Report | <input checked="" type="checkbox"/> Year End Report | <input type="checkbox"/> Independent Expenditure (15-6) |
| <input type="checkbox"/> 24 Hour Report | <input type="checkbox"/> Registration | <input type="checkbox"/> Paid for By Identifier |
| <input type="checkbox"/> Other: _____ | | |

Year & Election, if late report (e.g., 2020 Primary, 2020 Muni, etc.): 2024 year end report

Instructions: If you send payment, you need not file this. An affidavit is required only if you are appealing the civil penalty or violation.

Statement: State why the reporting violation occurred or why you believe it did not occur and the reasons the civil penalty should not be assessed (use additional pages if needed). I do hereby swear and affirm that:

The reporting violation occurred because I had no idea I was required to file anything further. My plan was to pull out before the November election but I was out hunting and returned on a holiday assuming that, like most other 'deadlines, when landing on a holiday they are moved to next business day. I called in to remove my name and was informed that that date had to be a hard date cause the statute says it has to be a certain number of days before election day. So I couldn't pull my name. I am on the Alaska state board of Education which I found out that you aren't supposed to be running for an office and being on the board, so after talking to the Governor's office I informed them that will not be actively running and will tell those that contact me to not waste a vote but vote for another candidate.

All this to say this was not on my radar as I stopped running at all in August of 2024. Please consider my oversight and save me the \$150.

Thank you.

Certification: I certify that the information in this Statement is, to the best of my knowledge, true, correct, and complete. By statute, a person who makes a false sworn certification which s/he does not believe to be true is guilty of perjury.

Signed/Date: 



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Administration

ALASKA PUBLIC OFFICES COMMISSION

2221 E. Northern Lights Blvd., Rm. 128
Anchorage, AK 99508-4149
Main: 907.276.4176
Fax: 907.276.7018
www.doa.alaska.gov/apoc

March 4, 2025

Via Certified Mail, U.S. Mail, and Email

James Fields
PO Box 397
Glennallen, AK 99588
fieldsforhouse@gmail.com

RE: Notice of Penalty – 2024 Year End Report

Mr. Fields:

According to our records you did not timely file your Year End Report that was due on February 18, 2025. Instead, the report was filed on February 24 (6 day late). By law a maximum penalty of \$50.00 accrues each day the report is late.¹ The maximum penalty the Alaska Public Offices Commission could assess you is \$300.00.²

Staff is reducing the penalty to 25% of the maximum civil penalty that could have been assessed because this is your first election cycle and first late-filed report.³ **Accordingly, the assessed penalty owed is \$75.00.**

Additionally, please be advised:

- 1) You may pay the assessed penalty and avoid formal Commission action by sending payment by check or money order payable to the "State of Alaska" to our office at the address above; visiting our [website](#)⁴ to make a payment by credit card; or you may pay in cash at our offices. **Payment must be made within thirty days of the date of this letter.** If you are unable to pay the entire assessed penalty in a single payment and wish to discuss a payment plan, or have any other question concerning this matter, please contact the APOC staff.

¹ AS 15.13.390(a).

² 2 AAC 50.855(a).

³ 2 AAC 50.855(b)(2)(B)(i).

⁴ <https://aws.state.ak.us/ApocReports/Paper/CommissionCivilPenalties.aspx>

PLEASE NOTE: credit card payments cannot be made by phone; they must be made online.

- 2) Alternatively, you have the right to appeal staff's conclusion that a violation has occurred or the penalty amount assessed.⁵ **If you wish to appeal you must submit the enclosed appeal affidavit to APOC within thirty days of the date of this letter.**

If you appeal, staff will review your affidavit and prepare a recommendation for the Commission. You will receive a copy of that recommendation and notice of when the Commission will meet to consider the matter. You will have the opportunity to participate in the meeting either in person or telephonically.

Failure to respond to this notice by either making arrangement for payment within thirty days or submitting an appeal within thirty days will result in staff presenting this matter to the Commission for a final order in the amount of the assessed penalty and referral to the Attorney General's Office.⁶

A copy of this letter will be placed in your APOC file and is considered a public document. If you have any questions about this matter, please contact APOC staff.

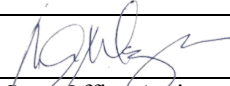
ALASKA PUBLIC OFFICES COMMISSION

John Whitlock
John Grover Whitlock
Paralegal II

Encl: Civil Penalty Appeal Affidavit
2 AAC 50.865

cc: 2024 Candidate File (w/o enclosures)

CERTIFICATE OF SERVICE: I hereby certify that on this date, I caused a true and correct copy of the foregoing to be delivered to:	
James Fields PO Box 397 Glennallen, AK 99588 fieldsforhouse@gmail.com	<input checked="" type="checkbox"/> Certified Mail <input checked="" type="checkbox"/> U.S. Mail <input checked="" type="checkbox"/> Email



Law Office Assistant

03/04/2025

Date

9489 0178 9820 3021 1330 73

⁵ 2 AAC 50.831(a).

⁶ 2 AAC 50.895.



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Administration

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Fax: 907.276.7018
www.doa.alaska.gov/apoc

June 11, 2025

VIA EMAIL & CERTIFIED MAIL

James Fields
PO Box 397
Glennallen, Alaska 99588
fieldsforhouse@gmail.com

RE: Commission Meeting Notice

Dear Mr. Fields:

The Commission will review the matter of the civil penalty assessed for your late filed year-end campaign disclosure report at its June 25, 2025 Commission Meeting in Anchorage, Alaska.

I have enclosed the Staff Recommendation that will be presented to the Commission at the meeting for your review.

You have a right to participate at the meeting, either in person or by telephone (1-907-202-7104, Access Code: 233147607#, in-person (2221 Northern Lights Blvd, Ste 128, Anchorage, Alaska, 99508) or via [Microsoft Teams Meeting](#)¹ Please notify our office if you intend to participate. Candidate Civil Penalty Appeals are expected to begin at **9:25 a.m. on Wednesday, June 25, 2025.**

This matter will initially be presented to the Commission on a Consent Agenda. If you do not wish to present your appeal or make a statement to the Commission, and your appeal is not removed from the agenda by a Commissioners, the Staff Recommendation will be approved without discussion or deliberation. If you do wish to present your appeal or make a statement before the Commission, please notify staff or the Commission prior to the approval of the consent agenda.

Staff will send you a copy of the Commission's final decision regarding your appeal.

If you have any questions, please contact our office.

¹ Meeting ID 217 752 983 222 7, Passcode qD2Eb9rH

ALASKA PUBLIC OFFICES COMMISSION

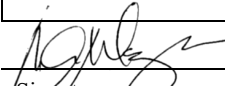
KIM STONE

Kim Stone
Campaign Disclosure Coordinator

Encl: Staff Recommendation

cc: Candidate File

CERTIFICATE OF SERVICE: I hereby certify that on this date, I caused a true and correct copy of the foregoing to be delivered to:	
James Fields PO Box 397 Glennallen, Alaska 99588 fieldsforhouse@gmail.com	<input checked="" type="checkbox"/> Email <input checked="" type="checkbox"/> Certified Mail


Signature

06/11/2025

Date

9489 0090 0027 6610 9408 79

From: [Microsoft Outlook](#)
To: fieldsforhouse@gmail.com
Subject: Relayed: RE: Commission Meeting Notice
Date: Wednesday, June 11, 2025 12:09:04 PM
Attachments: [RE Commission Meeting Notice.msg](#)

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:
fieldsforhouse@gmail.com (fieldsforhouse@gmail.com) <<mailto:fieldsforhouse@gmail.com>>
Subject: RE: Commission Meeting Notice



**ALASKA PUBLIC OFFICES COMMISSION
STAFF RECOMMENDATION FOR COMMISSION ACTION**

PREPARED BY: John Grover Whitlock

DATE: June 10, 2025

RESPONDENT: Leslie Hajdukovich

CIVIL PENALTY

ASSESSED UNDER: ☒ Campaign Disclosure: AS 15.13.390, 2 AAC 50.855

REASON FOR FILING: Candidate – 2024 State of Alaska Primary

LATE REPORT(S): • Campaign Disclosure Reports
☒ 24-hour Report¹

DUE DATE OF LATE FILED REPORT: October 30, 2024
REPORT FILED ON: November 1, 2024
NUMBER OF DAYS LATE: 2
DATE PENALTY ASSESSMENT SENT: March 11, 2025
DATE PENALTY APPEAL RECEIVED: March 17, 2025
MAXIMUM STATUTORY PENALTY: \$1,000
PENALTY ASSESSED²: \$1,000
RECOMMENDATION: Waive
(See “Staff’s Recommendation Based on Standard Mitigation Criteria”)

AFFIANT’S STATEMENT OF MITIGATING FACTS:

1. Affiant states that the \$260.25 that was reported late was actually a gross donation of \$250 and would not require a 24 hour report be filed. The campaign used a third party vendor to process credit card donations. If a donor agreed to pay the fees associated with using a credit card, the donor would be charged \$250 for their donation and charged an extra \$10.25 for covering the bank fee. If a donor wanted to make a \$250 donation but decided not to pay the bank fees, the donor would still be charged \$250

¹ <https://aws.state.ak.us/ApocReports/Common/View.aspx?ID=45802&ViewType=CD>.
² 2 AAC 50.855(b)(2)(B)(i).

and the campaign would receive \$240 and would have to pay the \$10.60 bank fee out of the campaign account.

2. Affiant requested that the penalty be waived in its entirety under provisions outlined in 2 AAC 50.865(b)(4)(A).

STAFF'S ANALYSIS OF FACTS FOR COMMISSION REVIEW

1. A civil penalty may be reduced by up to 50% when a person who is an inexperienced filer.³ An inexperienced filer is a person that has been subject to reporting requirements for less than 365 days or is engaged in their first election cycle.⁴ This was the filer's first campaign cycle and she qualifies for reduction as an inexperienced filer.
2. A civil penalty may be reduced by up to 50% for a person who has a good filing history.⁵ Here, this was the filer's first campaign and first late filed report, and she qualifies for a reduction up to 50%.
3. A civil penalty may be reduced by greater than 50% if the civil penalty is greater and out of proportion to the degree of harm to the public for not having the information.⁶ Here the amount of the assessed penalty, \$1,000, is almost four times the value of the transaction that was reported late, \$260.25. Because it was a 24 hour report and the penalty more than exceeds twice the value of the transaction reported late, the respondent qualifies for a reduction greater than 50%.
4. The Respondent argues that a 24 hour report was not required because the net donation was \$250 and 24 hour reports are only required for contributions that exceed \$250.⁷ However, in addition to the \$250 contribution to the campaign the contributor also gave \$10.25 as a non-monetary contribution when they paid the associated credit card processing fee. In total, during the nine day period prior to election, the contributor gave \$260.50 which required a 24 hour report.
5. The Respondent states there was no significant harm to the public.⁸ However, to qualify for this reduction the error must be self-reported. Self-reported means the filer notified staff of the late filing; filing the late report without notifying staff does not constitute self-reporting. The filer did not self-report the late report.
6. In any event, staff recommends the civil penalty be waived based on the filer's inexperience, good filing history, and because the civil penalty is greater and out of proportion to the degree of harm to the public for not having the information. Additionally, the reporting error subject to this appeal, while late, was still disclosed during the 9-day 24 hour reporting period and was accessible to members of the public prior to election day.

³ 2 AAC 50.865(a)(1)(B).

⁴ *Id.*

⁵ 2 AAC 50.865(a)(1)(A).

⁶ 2 AAC 50.865(b)(5)

⁷ 2 AAC 50.321(h)

⁸ 2 AAC 50.865(b)(4)(A)

FILER'S REPORTING HISTORY:

2024 – State Primary / State General

Year End Report (Due on 2/18/25)..... Timely
24 Hour Report (due on 10/30)..... Late by 2 days (subject to appeal)
7 Day Report (due on 10/29)..... Timely
24 Hour Report (due on 10/29)..... Timely
30 Day Report (due on 10/7)..... Timely
24 Hour Report (due on 8/20) Timely
24 Hour Report (due on 8/19) Timely
7 Day Report (due on 8/13)..... Timely
24 Hour Report (due on 8/12) Timely
30 Day Report (due on 7/22)..... Timely
Year Start Report (due on 2/18/25)..... Timely

ACTIVITY ON LATE REPORT:

Contribution:	\$ 260.25
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STAFF'S RECOMMENDATION BASED ON STANDARD MITIGATION CRITERIA

Staff finds the following mitigation criteria applicable to the respondent's appeal:

Criteria for up to 50% reduction of the maximum civil penalty [2 AAC 50.865(a)]:

- ☒ Good filing history (no late filings in the previous 5 years). **2 AAC 50.865(a)(1)(A)**
- ☒ Inexperienced filer.⁹ **2 AAC 50.865(a)(1)(B)**
- ☐ Technical error at APOC. **2 AAC 50.865(a)(2)**
- ☐ Reported information had a value of \$100 or less. **2 AAC 50.865(a)(3)**
- ☐ Reported information had a value between \$100 and \$1000 AND any factor listed in 2 AAC 50.865(b) also applies. **2 AAC 50.865(a)(4)**

⁹ Any entity or filer subject to a registration or reporting requirement for less than 365 days.

Criteria for greater than 50% reduction, up to complete waiver [2 AAC 50.865(b)]:

- ☐ Personal catastrophe/emergency or incapacitating illness. **2 AAC 50.865(b)(1)**
- ☐ APOC Staff error. **2 AAC 50.865(b)(2)**
- ☐ Report included only administrative costs. **2 AAC 50.865(b)(3)**
- ☐ No significant harm to the public and no aggravating factors.¹⁰ **2 AAC 50.865(b)(4)**
- ☒ The civil penalty is significantly greater and out of proportion to the degree of harm to the public for not having the information.¹¹ **2 AAC 50.865(b)(5)**
- ☐ A unique circumstance. **2 AAC 50.865(b)(6)**

Non-mitigating factors [2 AAC 50.865(c)]:

The Commission will not accept the following mitigating factors to reduce the amount of a penalty.

- ☐ Relying on another person or mailroom to mail, postmark or submit the statement on or before a due date. **2 AAC 50.865(c)(1)**
- ☐ Forgetting to file. **2 AAC 50.865(c)(2)**
- ☐ Being a volunteer. **2 AAC 50.865(c)(3)**
- ☐ Having no change in data from previous statements on file. **2 AAC 50.865(c)(4)**
- ☐ Relying on the filer's staff to remind the filer of the filing deadline or to complete the report. **2 AAC 50.865(c)(5)**
- ☐ Being too busy to file. **2 AAC 50.865(c)(6)**
- ☐ Absence caused by travel, unless the travel was unplanned or unavoidable such as travel for personal emergency or weather-related travel problems. **2 AAC 50.865(c)(7)**

Aggravating Factors [2 AAC 50.865(d)]:

- ☐ Failure to comply by omitting a significant source of income, interest in real property, loan, trust, business, or other substantial financial interest.¹² **2 AAC 50.865(d)(1)**
- ☐ More than one late filing in the preceding 5 years. **2 AAC 50.865(d)(2)(A)**
- ☐ Evidence suggesting deliberate non-reporting. **2 AAC 50.865(d)(2)(B)**
- ☐ Failure to cooperate with staff. **2 AAC 50.865(d)(2)(C)**

¹⁰ The amount missing is \$100 or less; the amount missing is more than \$100 but less than \$1,000 and the filer self-reported; or the missing information is readily available to the public through another forum.

¹¹ Penalty exceeds the value of late or unreported transactions or for 24-hour and 7-day reports, the penalty exceeds twice the value of the late or unreported transactions.

¹² Value greater than \$1000.

☐ A violation under AS 15.13, AS 24.45, AS 244.60.200-260, or AS 39.50 in the preceding 5 years. **2 AAC 50.865(d)(2)(D)**

Based on the applicable standard mitigation criteria, staff recommends that the maximum civil penalty assessment be:

☒ **Waived**

☐ **Reduced**

☐ **Upheld at the assessed amount of**

ARRIVED

MAR 17 2025

APOC - ANCH
PM HC FAX ELE

Civil Penalty Appeal Affidavit
AS 15.13 Alaska Campaign Disclosure Law

Name of Appellant: Leslie Hajdukovich

Office: Alaska State Senate

Penalty issued in connection with (check box or boxes):

- | | | |
|--|--|--|
| <input type="checkbox"/> 30 Day Report | <input type="checkbox"/> 105 Day Report | <input type="checkbox"/> Statement of Contributions (15-5) |
| <input type="checkbox"/> 7 Day Report | <input type="checkbox"/> Year End Report | <input type="checkbox"/> Independent Expenditure (15-6) |
| <input checked="" type="checkbox"/> 24 Hour Report | <input type="checkbox"/> Registration | <input type="checkbox"/> Paid for By Identifier |
| <input type="checkbox"/> Other: _____ | | |

Specify year & election, if late report (e.g., 04 Primary, 03 Muni, etc.): 2024 General

Instructions: If you send payment, you need not file this form. An affidavit is required only if you are appealing the civil penalty assessment. An affidavit must be self-certified or notarized by any person authorized to administer oaths.

Statement:

I do hereby swear and affirm that this statement of facts is offered in mitigation of the civil penalty issued in connection with a violation of the AS 15.13, the Alaska Campaign Disclosure Law.

State the reasons why the reporting violation occurred and any reasons why the civil penalty should not be assessed:

SEE ATTACHED DOCUMENT.

Certification:

I, the undersigned, certify that the information in this Statement is, to the best of my knowledge, true, correct, and complete. By statute, a person who makes a false sworn certification which s/he does not believe to be true is guilty of perjury.

Signed/Date: Leslie Hajdukovich 3/13/25

Leslie Hajdukovich
229 Iditarod Avenue
Fairbanks, Alaska 99701

March 12, 2025

Alaska Public Offices Commission
2221 E. Northern Lights Blvd., Rm 128
Anchorage, Alaska 99508-4149

RE: Notice of Penalty Assessment – 24 Hour Campaign Disclosure Report Appeal

To Whom It May Concern:

The campaign used WinRed to process all credit cards donations. When making a donation the donor is asked whether or not they would like to pay the credit card fees to be able to directly net the campaign a specific donation.

For example if a donor would like to donate \$250.00 and they selected the option to pay the fees associated then their credit card would be charged \$260.25 and the candidate would receive \$250.00. If they selected the \$250.00 donation but decided not to pay directly for the fees then the donor credit card would be charged \$250.00 and the campaign would receive \$240.00 (250.00 - \$10.00 bank fee).

While we put the amount charged to Brad's credit card as 260.25, the net to the campaign was \$250.00 which does require a report.

Leslie could only use the net amount provided to the campaign of \$250.00.

We consistently reported the gross amount of credit card transactions so we could balance to an actual charge for a donor and then that amount was offset in the expense portion of the filing by recording the bank fees charged by WinRed. In a 24 hour report scenario, you would not have seen the associated offset of bank fees of \$10.25 as those would be reported in the other reports.

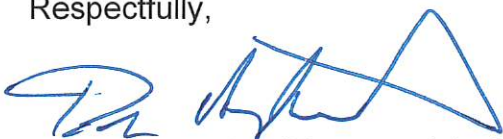
It was determined by us that since the amount donated by Brad, which in this case was \$250.00, would not require a report.

We request that the penalty be waived in its entirety under provisions provided by 1AAC 50.865(b)(4)(A) and/or because the net to the campaign was \$250.00 which does not require a 24 hour report which is the basis by which we did not report it.

If it is determined that we failed to correctly interpret the net/gross issue, then it was done inadvertently and consistently and not to avoid a filing requirement.

Please do not hesitate to call me for any clarifications.

Respectfully,



Bob Hajdukovich (Treasurer) for Leslie Hajdukovich



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Administration

ALASKA PUBLIC OFFICES COMMISSION

2221 E. Northern Lights Blvd., Rm. 128
Anchorage, AK 99508-4149
Main: 907.276.4176
Fax: 907.276.7018
www.doa.alaska.gov/apoc

March 11, 2025

Via Certified Mail, U.S. Mail, and Email

Leslie Hajdukovich
229 Iditarod Avenue
Fairbanks, AK 99701
lhajdukovich@me.com

RE: Notice of Penalty Assessment – 24 Hour Campaign Disclosure Report

Ms. Moran:

According to our records you did not timely file a 24 Hour Report for the 2024 State General Election. During the 9 days prior to an election (Oct. 27th - Nov. 4th), candidates are required to disclose contributions that exceed \$250 within 24 hours of receipt.

You were required to disclose a contribution through a 24 Hour Report, no later than October 30, 2024.¹ Instead, this contribution was disclosed on a 24 Hour Report on November 1, 2024 (2 days late).² By law a maximum penalty of \$500 accrues each day the report is late.³ The maximum penalty the Alaska Public Offices Commission has assessed you is **\$1,000**.⁴

Additionally, please be advised:

- 1) You may pay the assessed penalty and avoid formal Commission action by sending payment by check or money order payable to the "State of Alaska" to our office at the address above; visiting our [website](#)⁵ to make a payment by credit card; or you may pay in cash at our offices. **Payment must be made within thirty days of the date of this letter**. If you are unable to pay the entire assessed penalty in a single payment and wish to discuss a payment plan, or have any other question concerning this matter, please contact the APOC staff.

¹ AS 15.13.110(b).

² Brad Spees, Received 10/29/24, Credit Card, \$260.25.

³ AS 15.13.390(a)(1).

⁴ 2 AAC 50.855(a).

⁵ <https://aws.state.ak.us/ApocReports/Paper/CommissionCivilPenalties.aspx>

PLEASE NOTE: credit card payments cannot be made by phone; they must be made online.

- 2) Alternatively, you have the right to appeal staff's conclusion that a violation has occurred or the penalty amount assessed.⁶ **If you wish to appeal you must submit the enclosed appeal affidavit to APOC within thirty days of the date of this letter.**

If you appeal, staff will review your affidavit and prepare a recommendation for the Commission. You will receive a copy of that recommendation and notice of when the Commission will meet to consider the matter. You will have the opportunity to participate in the meeting either in person or telephonically.

Failure to respond to this notice by either making arrangement for payment within thirty days or submitting an appeal within thirty days will result in staff presenting this matter to the Commission for a final order in the amount of the assessed penalty and referral to the Attorney General's Office.⁷

A copy of this letter will be placed in your APOC file and is considered a public document. If you have any questions about this matter, please contact APOC staff.

ALASKA PUBLIC OFFICES COMMISSION

John Whitlock
John Grover Whitlock
Paralegal II

Encl: Civil Penalty Appeal Affidavit
2 AAC 50.865

cc: 2024 Candidate File (w/o enclosures)

CERTIFICATE OF SERVICE: I hereby certify that on this date, I caused a true and correct copy of the foregoing to be delivered to:	
Leslie Hajdukovich 229 Iditarod Avenue Fairbanks, AK 99701 lhajdukovich@me.com	<input checked="" type="checkbox"/> Certified Mail <input checked="" type="checkbox"/> U.S. Mail <input checked="" type="checkbox"/> Email

[Signature]
Law Office Assistant

03/11/2025

Date

9489 0090 0027 6610 9655 37

⁶ 2 AAC 50.831(a).

⁷ 2 AAC 50.895.



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Administration

ALASKA PUBLIC OFFICES COMMISSION

2221 E. Northern Lights Blvd., Rm. 128
Anchorage, AK 99508-4149
Main: 907.276.4176
Fax: 907.276.7018
www.doa.alaska.gov/apoc

June 11, 2025

VIA EMAIL & CERTIFIED MAIL

Leslie Hajdukovich
229 Iditarod Avenue
Fairbanks, AK 99701
lhajdukovich@me.com
bobhajduk@mac.com

RE: Commission Meeting Notice

Dear Ms. Hajdukovich:

The Commission will review the matter of the civil penalty assessed for your late filed 24-hour campaign disclosure report at its June 25, 2025 Commission Meeting in Anchorage, Alaska.

I have enclosed the Staff Recommendation that will be presented to the Commission at the meeting for your review.

You have a right to participate at the meeting, either in person or by telephone (1-907-202-7104, Access Code: 233147607#, in-person (2221 Northern Lights Blvd, Ste 128, Anchorage, Alaska, 99508) or via [Microsoft Teams Meeting](#)¹ Please notify our office if you intend to participate. Candidate Civil Penalty Appeals are expected to begin at **9:25 a.m. on Wednesday, June 25, 2025.**

This matter will initially be presented to the Commission on a Consent Agenda. If you do not wish to present your appeal or make a statement to the Commission, and your appeal is not removed from the agenda by a Commissioner, the Staff Recommendation will be approved without discussion or deliberation. If you do wish to present your appeal or make a statement before the Commission, please notify staff or the Commission prior to the approval of the consent agenda.

Staff will send you a copy of the Commission's final decision regarding your appeal.

¹ Meeting ID 217 752 983 222 7, Passcode qD2Eb9rH

If you have any questions, please contact our office.

ALASKA PUBLIC OFFICES COMMISSION

KIM STONE

Kim Stone
Campaign Disclosure Coordinator

Encl: Staff Recommendation

cc: Candidate File

CERTIFICATE OF SERVICE: I hereby certify that on this date, I caused a true and correct copy of the foregoing to be delivered to:	
Leslie Hajdukovich 229 Iditarod Avenue Fairbanks, AK 99701 lhajdukovich@me.com bobhajduk@mac.com	<input checked="" type="checkbox"/> Email <input checked="" type="checkbox"/> Certified Mail

 Signature	06/11/2025 Date
9489 0090 0027 6610 9408 86	



**ALASKA PUBLIC OFFICES COMMISSION
STAFF RECOMMENDATION FOR COMMISSION ACTION**

PREPARED BY: John Grover Whitlock

DATE: June 10, 2025

RESPONDENT: Brandy Pennington

CIVIL PENALTY

ASSESSED UNDER: ☒ Campaign Disclosure: AS 15.13.390, 2 AAC 50.855

REASON FOR FILING: Candidate – 2024 State Primary Election

LATE REPORT(S): • Campaign Disclosure Reports
☒ 24-hour Report¹

DUE DATE OF LATE FILED REPORT: August 13, 2024

REPORT FILED ON: March 10, 2025

NUMBER OF DAYS LATE: 156

DATE PENALTY ASSESSMENT SENT: March 24, 2025

DATE PENALTY APPEAL RECEIVED: April 3, 2025

MAXIMUM STATUTORY PENALTY: \$10,950²

PENALTY ASSESSED: \$78,000³

RECOMMENDATION: Reduce by 98%
(See “Staff’s Recommendation Based on Standard Mitigation Criteria”)

AFFIANT’S STATEMENT OF MITIGATING FACTS:

1. Affiant states that she is an inexperienced filer.
2. Affiant states that she has a good filing history.
3. Affiant states there was no significant harm to the public.

¹ <https://aws.state.ak.us/ApocReports/Common/View.aspx?ID=47316&ViewType=CD>.

² 2 AAC 50.855(b)(5).

³ In reviewing this filer’s appeal, it was noted that the civil penalty for the late-filed 24-hour report was not correctly calculated. The correct assessment should have been \$10,950 (7 days @ \$500/day + 149 days @ \$50/day).

4. Affiant believes that the late filing was due to a technical and/or staff error. She states that she was given incorrect oral information by staff.
5. Affiant states that the commission staff reviewed and approved her filings in real time on the day that it was due without mentioning the missing form.
6. Affiant states the violation was self-reported.
7. Affiant states that the contribution was disclosed to the public within 24 hours.
8. Affiant cited unique circumstances.

STAFF'S ANALYSIS OF FACTS FOR COMMISSION REVIEW

1. A civil penalty may be reduced by up to 50% for a person who is an inexperienced filer.⁴ An inexperienced filer means a person has been subject to reporting requirements for less than 365 days or is engaged in their first election cycle.⁵ Here, it was the filer's first election cycle and her status as an inexperienced filer qualifies for up to a 50% reduction.
2. A civil penalty may be reduced by up to 50% for a person who has a good filing history.⁶ This is the filer's second late-filed report and therefore does not qualify for a reduction up to 50% for this mitigating factor.
3. A civil penalty may be reduced by greater than 50% if the civil penalty is greater and out of proportion to the degree of harm to the public for not having the information.⁷ Here the amount of the assessed penalty, \$78,000, is over one-hundred times the value of the transaction that was reported late, \$500. Also because this was a late 24 hour report and the penalty more than exceeds twice the value of the transaction that was reported late, it qualifies for a reduction greater than 50%.
4. Filer states that before she submitted her filings, two APOC employees looked at her report and her supporting documents and said it looked good. None of them mentioned a 24 hour report as a requirement. Filer has come to the APOC office on multiple occasions to discuss compliance issues. These in person contacts included meetings with Mike Sargent and Dyne Chung, individuals who left APOC prior the deficient filing at issue.
5. Prior to the February 18, 2025, year end report deadline, the filer came to the APOC offices and spoke with staff about the deadline. The filer stated that she would go home to get her figures together to file the report but did not do so until 20 days after the deadline. On March 10, 2025, when the report was filed, is when the contribution, that should have been disclosed on a 24 hour report back in August was first identified. And although the filer states that she was not aware of a 24 hour reporting requirement, it is

⁴ 2 AAC 50.865(a)(1)(B).

⁵ *Id.*

⁶ 2 AAC 50.865(a)(1)(A).

⁷ 2 AAC 50.865(b)(5)

a candidate's responsibility to ensure they comply with reporting requirements. Additionally, staff sent multiple reminders of deadlines, including one week prior to the 7 day report deadline and on the due date of the 7 day report. Both of these reminders included notice of the 24 hour reporting period.⁸

6. The filer states that the violation was self-reported, however, the late filed 24 hour disclosure was discovered by staff during a review of year end reports for compliance with 24 hour reporting requirements. Filing late or missing information without notifying the staff of the error does not constitute self-reporting.⁹
7. Affiant cited unique circumstances and mentioned issues with stalking and illness, but did not provide a timeline as to when these took place or any additional details as to why or how these circumstances lead to the filing deficiencies.
8. In any event, staff recommends that the maximum civil penalty of \$10,950 be reduced by 98% based on her status as an inexperienced filer and because the civil penalty is greater and out of proportion to the degree of harm to the public. This results in a penalty of \$219.

FILER'S REPORTING HISTORY:

2024 – State Primary / State General

Year End Report (Due on 2/18/25).....Late – Filed on 3/10/25

24 Hour Report (due on 8/13).....Late by 156 days (subject to appeal)

7 Day Report (due on 8/13).....Timely

30 Day Report (due on 7/22).....Timely

ACTIVITY ON LATE REPORT:

Contribution:	\$ 500.00
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STAFF'S RECOMMENDATION BASED ON STANDARD MITIGATION CRITERIA

Staff finds the following mitigation criteria applicable to the respondent's appeal:

Criteria for up to 50% reduction of the maximum civil penalty [2 AAC 50.865(a)]:

- ☐ Good filing history (no late filings in the previous 5 years). **2 AAC 50.865(a)(1)(A)**
- ☒ Inexperienced filer.¹⁰ **2 AAC 50.865(a)(1)(B)**
- ☐ Technical error at APOC. **2 AAC 50.865(a)(2)**

⁸ Exhibit 1, Email exchanges with filer re reporting deadlines and a link a training video specific to 24 hour reporting.

⁹ See 2 AAC 50.855(b)(B)(ii)

¹⁰ Any entity or filer subject to a registration or reporting requirement for less than 365 days.

- ☐ Reported information had a value of \$100 or less. **2 AAC 50.865(a)(3)**
- ☐ Reported information had a value between \$100 and \$1000 AND any factor listed in 2 AAC 50.865(b) also applies. **2 AAC 50.865(a)(4)**

Criteria for greater than 50% reduction, up to complete waiver [2 AAC 50.865(b)]:

- ☐ Personal catastrophe/emergency or incapacitating illness. **2 AAC 50.865(b)(1)**
- ☐ APOC Staff error. **2 AAC 50.865(b)(2)**
- ☐ Report included only administrative costs. **2 AAC 50.865(b)(3)**
- ☐ No significant harm to the public and no aggravating factors.¹¹ **2 AAC 50.865(b)(4)**
- ☒ The civil penalty is significantly greater and out of proportion to the degree of harm to the public for not having the information.¹² **2 AAC 50.865(b)(5)**
- ☐ A unique circumstance. **2 AAC 50.865(b)(6)**

Non-mitigating factors [2 AAC 50.865(c)]:

The Commission will not accept the following mitigating factors to reduce the amount of a penalty.

- ☐ Relying on another person or mailroom to mail, postmark or submit the statement on or before a due date. **2 AAC 50.865(c)(1)**
- ☐ Forgetting to file. **2 AAC 50.865(c)(2)**
- ☐ Being a volunteer. **2 AAC 50.865(c)(3)**
- ☐ Having no change in data from previous statements on file. **2 AAC 50.865(c)(4)**
- ☐ Relying on the filer's staff to remind the filer of the filing deadline or to complete the report. **2 AAC 50.865(c)(5)**
- ☐ Being too busy to file. **2 AAC 50.865(c)(6)**
- ☐ Absence caused by travel, unless the travel was unplanned or unavoidable such as travel for personal emergency or weather-related travel problems. **2 AAC 50.865(c)(7)**

¹¹ The amount missing is \$100 or less; the amount missing is more than \$100 but less than \$1,000 and the filer self-reported; or the missing information is readily available to the public through another forum.

¹² Penalty exceeds the value of late or unreported transactions or for 24-hour and 7-day reports, the penalty exceeds twice the value of the late or unreported transactions.

Aggravating Factors [2 AAC 50.865(d)]:

- ☐ Failure to comply by omitting a significant source of income, interest in real property, loan, trust, business, or other substantial financial interest.¹³ **2 AAC 50.865(d)(1)**
- ☐ More than one late filing in the preceding 5 years. **2 AAC 50.865(d)(2)(A)**
- ☐ Evidence suggesting deliberate non-reporting. **2 AAC 50.865(d)(2)(B)**
- ☐ Failure to cooperate with staff. **2 AAC 50.865(d)(2)(C)**
- ☐ A violation under AS 15.13, AS 24.45, AS 244.60.200-260, or AS 39.50 in the preceding 5 years. **2 AAC 50.865(d)(2)(D)**

Based on the applicable standard mitigation criteria, staff recommends that the maximum civil penalty assessment be:

- ☐ **Waived**
- ☒ **Reduce by 98% to \$219**
- ☐ **Upheld at the assessed amount of**

¹³

Value greater than \$1000.

From: [Whitlock, John G \(DOA\)](#)
To: [Whitlock, John G \(DOA\)](#)
Cc: [Chung, Dyane \(DOA\)](#); [Hebdon, Heather R \(DOA\)](#); [Sargent, Mike David \(DOA\)](#)
Bcc:

[REDACTED]

[om; info@brandyforalaska.com;](#)

Subject: APOC Candidate 2024 State Primary Election - Seven Day Campaign Disclosure Report - Due IN ONE WEEK, August 13, 2024.
Date: Tuesday, August 6, 2024 5:43:00 PM

Dear State Candidates and Treasurers,

Your 7 Day Report (covering activity from July 20, 2024 – August 10, 2024) is due in ONE WEEK, Tuesday, August 13, 2024. (Instructions for locating your 7 Day Report online are provided below.)*

Sunday, August 11, 2024 will be the start of 24 Hour Reporting period for the Primary Election. Nine days before the election, from **August 11 – August 19, 2024**, each contribution that exceeds \$250 must be reported by date, amount, and contributor within 24 hours of receipt. AS 15.13.110(b). This includes both monetary, non-monetary, and candidate contributions; as well as contributions that aggregate over \$250 from a single source during this period. Please carefully monitor the contributions received (including online donations) during this timeframe to ensure timely disclosure. You may need to report each day during this period, or you may not have to report at all.

(Instructions for locating a 24 Hour Report online are provided below.)**

Please note that failure to timely file reports automatically results in the assessment of civil penalties. The penalty accrual rate for 7 Day and 24 Hour Reports is **\$500 for each day the report is late.**

The Alaska Public Offices Commission's offices will be open regular business hours during this time frame and would be glad to assist you with any questions. ([907-276-4176](tel:907-276-4176))

*To locate your Seven Day Report online:

Log into [myAlaska](#) and select "Candidate Forms".

1. There will be a table that lists the reports, the election, the reporting period, and the status of the report. Ensure that the year listed is for 2024 and it is for the correct campaign.

**To file a 24-Hour Report online:

Log into [myAlaska](#) and select "Campaign Disclosure Forms"

1. Select "Start New Form", this will appear as a red button near the top of the page.
2. Once you are on page 4/10, select "2024 – State Primary Election". Then, under "Report Type" select the appropriate type of 24-hour report:
 0. "2024 – 24 Hour Report – Group/Candidate (Received \$250+ during 9 days prior to election" or,
3. Complete the form as needed. At the end, you will be asked to certify the report in a signing ceremony where you will type in your myAlaska password.

The Alaska Public Offices Commission's offices will be open regular business hours during this time frame and would be glad to assist you with any questions. ([907-276-4176](tel:907-276-4176)).

Thank you,

John Grover Whitlock
Paralegal

Alaska Public Offices Commission
2221 E. Northern Lights Blvd., Rm. 128
Anchorage, Alaska 99508
Phone: (907) 276-4176
Fax: (907) 276-7018

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From: [Whitlock, John G \(DOA\)](#)
To: [Brandy Pennington](#)
Cc: [Chung, Dyane \(DOA\)](#); [Hebdon, Heather R \(DOA\)](#); [Sargent, Mike David \(DOA\)](#)
Subject: RE: APOC Candidate 2024 State Primary Election - Seven Day Campaign Disclosure Report - Due IN ONE WEEK, August 13, 2024.
Date: Wednesday, August 7, 2024 1:47:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Hello Ms. Pennington,

Thanks for following up here. The 7 day report is picking up where your 30 day report left off. According to your last report, you have a \$702.05 surplus. The seven day report would document all contributions and expenditures made from 7/20 through 8/10.

Enclosed below are screenshots that show you how to get to your 7 day report. Here is a [link](#) to a video that discusses the 24 Hour Reporting requirement.

Let me know if you have any additional questions. I would also be willing to meet with you in person by appointment as well.

You can find your 7-day report form by going to the APOC Forms Online page and selecting the "Candidate Forms" tab.

State of Alaska

myAlaska My Government Resident Business in Alaska Visiting Alaska State Employees

APOC Online Forms APOCMASTER Logout

-- TEST -- POFD/LFD GROUPS/ENTITIES **CANDIDATES** LOBBYING INDEPENDENT EXPENDITURES ADMINISTRATION

State of Alaska > Department of Administration > APOC > Online Forms

Next Maintenance: No Maintenance Scheduled.

WELCOME TO APOC FORMS ONLINE

Public Official / Legislative Official Financial Disclosure Form (POFD/LFD)

If you are a:

- Public Official
- Candidate
- Member of a State Board or Commission
- Legislator

Who is required to file a Financial Disclosure form under AS 39.50 or AS 24.60

Group / Entity Forms

View or file Group / Entity forms. View Assigned Expectations.

Candidate Forms

View or file Candidate forms. This includes Municipal/Judicial Exemption forms. View Assigned Expectations.

Campaign Disclosure Forms

View or file a Campaign Disclosure form after registering.

NEW As a result of Ballot Measure 2, additional disclosure requirements went into effect February 28, 2021.

Statement of Contributions Forms 15-5

View or file a Statement of Contributions form for contributions to ballot groups and initiative application groups.

NEW As a result of Ballot Measure 2, additional disclosure requirements went into effect February 28, 2021.

Independent Expenditure Forms 15-6

View or file an Independent Expenditure form for independent expenditures supporting or opposing a Candidate or Ballot Proposition.

Administrative Access

Allow or deny access to your Group/Candidate forms.

Help

View help, frequently asked questions, and form templates.

After that, you would "start" tab to begin your Seven day report.

State of Alaska

[myAlaska](#)
[My Government](#)
[Resident](#)
[Business in Alaska](#)
[Visiting Alaska](#)
[State Employees](#)

APOC Online Forms

APOCMASTER
[Logout](#)

-- TEST --
POFD/LFD
GROUPS/ENTITIES
CANDIDATES
LOBBYING
INDEPENDENT EXPENDITURES
ADMINISTRATION

State of Alaska > Department of Administration > APOC > Online Forms > Candidates

CANDIDATES

ASSIGNED REPORTS

Candidate Profile:
2024 - Chung, Dyane (State General)

Year	Report	Election	Begin Date	End Date	Due Date	Status	Actions
2024	Thirty Day Report	State General	2/2/2024	10/4/2024	10/7/2024	Filed	View
2024	Seven Day Report	State General	10/5/2024	10/26/2024	10/29/2024	Not Filed	Start
2024	Year End Report	State General		2/1/2025	2/18/2025	Not Filed	

[Click Here](#) to add these to your schedule (use Import in Outlook and choose the .ics file)

REGISTRATION FORMS

Letter of Intent Forms

The Letter of Intent permits you to make campaign expenditures prior to declaring with the Division of Elections or filing for office with your municipal clerk. If it is less than 18 months before the election, the Letter of Intent also permits you to accept campaign contributions.

[AS 15.13.100](#); [AS 15.13.072](#); [2 AAC 50.274](#)

Candidate Registration Forms

All State Candidates* and Non-Exempt Municipal Candidates must file a Candidate Registration within 15 days (for state office) or 7 days (for municipal office) after filing a declaration of candidacy or a nominating petition. The Candidate Registration provides your campaign contact information, designates your campaign committee, and your campaign depository. **Until a candidate files their registration designating a Treasurer or Deputy Treasurers, only the candidate may accept/expend campaign funds.** Candidates may amend registrations as needed. Registered candidates must file campaign disclosure reports for the duration of their campaign.

[AS 15.13.060](#); [2 AAC 50.282](#); [2 AAC 50.298](#)

**Judicial Retention Candidates are the only State Candidates who may file a Municipal/Judicial Exemption Statement to exempt themselves from further campaign disclosure reporting requirements.*

Municipal/Judicial Exemption Forms

Municipal or judicial retention candidates that anticipate spending/receiving less than \$5,000, including any personal funds they may use, may file a Municipal/Judicial Exemption Form. The Exemption Form exempts candidates from filing campaign disclosure reports for the

From: Brandy Pennington <info@brandyforalaska.com>
Sent: Tuesday, August 6, 2024 10:55 PM
To: Whitlock, John G (DOA) <john.whitlock@alaska.gov>
Cc: Chung, Dyane (DOA) <dyane.chung@alaska.gov>; Hebdon, Heather R (DOA) <heather.hebdon@alaska.gov>; Sargent, Mike David (DOA) <mike.sargent@alaska.gov>
Subject: Re: APOC Candidate 2024 State Primary Election - Seven Day Campaign Disclosure Report - Due IN ONE WEEK, August 13, 2024.

You don't often get email from info@brandyforalaska.com. [Learn why this is important](#)

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

can we meet with someone in person to take care of this? I need help walking through this

On Tue, Aug 6, 2024 at 5:43 PM Whitlock, John G (DOA) <john.whitlock@alaska.gov> wrote:

Dear State Candidates and Treasurers,

Your 7 Day Report (covering activity from July 20, 2024 – August 10, 2024) is due in ONE WEEK, Tuesday, August 13, 2024. (Instructions for locating your 7 Day Report online are provided below.)*

Sunday, August 11, 2024 will be the start of 24 Hour Reporting period for the Primary Election. Nine days before the election, from **August 11 – August 19, 2024**, each contribution that exceeds \$250 must be reported by date, amount, and contributor within 24 hours of receipt. AS 15.13.110(b). This includes both monetary, non-monetary, and candidate contributions; as well as contributions that aggregate over \$250 from a single source during this period. Please carefully monitor the contributions received (including online donations) during this timeframe to ensure timely disclosure. You may need to report each day during this period, or you may not have to report at all. (Instructions for locating a 24 Hour Report online are provided below.)**

Please note that failure to timely file reports automatically results in the assessment of civil penalties. The penalty accrual rate for 7 Day and 24 Hour Reports is **\$500 for each day the report is late.**

The Alaska Public Offices Commission's offices will be open regular business hours during this time frame and would be glad to assist you with any questions. ([907-276-4176](tel:907-276-4176))

*To locate your Seven Day Report online:
Log into [myAlaska](#) and select "Candidate Forms".

1. There will be a table that lists the reports, the election, the reporting period, and the status of the report. Ensure that the year listed is for 2024 and it is for the correct campaign.

**To file a 24-Hour Report online:
Log into [myAlaska](#) and select "Campaign Disclosure Forms"

1. Select "Start New Form", this will appear as a red button near the top of the page.
2. Once you are on page 4/10, select "2024 – State Primary Election". Then, under "Report Type" select the appropriate type of 24-hour report:
 1. "2024 – 24 Hour Report – Group/Candidate (Received \$250+ during 9 days prior to election" or,
3. Complete the form as needed. At the end, you will be asked to certify the report in a signing ceremony where you will type in your myAlaska password.

The Alaska Public Offices Commission's offices will be open regular business hours during this time frame and would be glad to assist you with any questions. ([907-276-4176](tel:907-276-4176)).

Thank you,

John Grover Whitlock
Paralegal

Alaska Public Offices Commission
2221 E. Northern Lights Blvd., Rm. 128
Anchorage, Alaska 99508
Phone: (907) 276-4176
Fax: (907) 276-7018

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ARRIVED

APR 03 2025

APOC - ANCH
PM HC FAX ELE

Civil Penalty Appeal Affidavit

AS 15.13 Alaska Campaign Disclosure Law

Name of Appellant:

Brandy Kennington

Office:

APOC

Penalty issued in connection with (check box or boxes):

☐ 30 Day Report

☐ 105 Day Report

☐ Statement of Contributions (15-5)

☐ 7 Day Report

☒ Year End Report

☐ Independent Expenditure (15-6)

☒ 24 Hour Report

☐ Registration

☐ Paid for By Identifier

☐ Other:

Specify year & election, if late report (e.g., 04 Primary, 03 Muni, etc.):

Instructions: If you send payment, you need not file this form. An affidavit is required only if you are appealing the civil penalty assessment. An affidavit must be self-certified or notarized by any person authorized to administer oaths.

Statement:

I do hereby swear and affirm that this statement of facts is offered in mitigation of the civil penalty issued in connection with a violation of the AS 15.13, the Alaska Campaign Disclosure Law.

State the reasons why the reporting violation occurred and any reasons why the civil penalty should not be assessed:

Please see the attached form

Certification:

I, the undersigned, certify that the information in this Statement is, to the best of my knowledge, true, correct, and complete. By statute, a person who makes a false sworn certification which s/he does not believe to be true is guilty of perjury.

Signed/Date:

[Signature]

Brandy Pennington

1302 W 31st Ave

Anchorage AK 99503

brandy@brandypennington.com

907-227-6682

March 25th 2025

To:

Department of Administration

PO Box 110222, Juneau, AK 99811-0222

To Whom It May Concern,

I accept responsibility for the \$250 fine in relation to the delay in submitting my end-of-year filing. In all honesty, I did not realize I was still required to file an end-of-year report, considering I had withdrawn after the primaries. I can only say I am sorry. I meant no disrespect.

Unfortunately, the bad news doesn't end there. I've also received a second fine for failing to submit a 24-hour report by August 13, 2024. The contribution in question was made on August 12, 2024, and it was disclosed in the 105-day report on March 10, 2025—effectively 156 days late. I understand the bylaw outlines a maximum penalty of \$500 per day for each day the report is late. As a result, the Alaska Public Offices Commission has assessed a penalty of \$78,000, which I simply cannot afford.

I'm disheartened and confused over the matter, particularly since I self-reported. Two years ago, I expressed interest in running. While some individuals I contacted were helpful, most were dismissive. In May 2024, I decided not to run. However, I was approached by a group called the Campbell Creek Group, who insisted they could handle everything for my campaign—including all legal filings with the state.

A few weeks into the campaign, I parted ways with Campbell Creek. From that point on, I did my best to stay in contact with the Alaska Public Offices Commission. This was my first campaign, and I genuinely tried to make sure all filings were handled correctly. Although I am inexperienced, I believed I had properly reported the contribution through my APOC account.

I tried to find someone who could help me with my reporting but there was no one. Therefore I filed my report entries sitting in the conference room of APOC where I was offered a computer or the option to file from my laptop. While online, there were no prompts or alerts about the need for a 24-hour report. (In today's digital world, one would expect an intuitive system with alerts or blocks from formal submission for something this significant.) ***Before I submitted my filings, two APOC employees looked at my report and my supporting documents and said it looked good. None of them mentioned a 24 hour report. They are the authority and they said my filing looked good.***

Please consider that the public had access to my full report. The contribution was logged into and made immediately available for review. The 24 hour report form is a secondary form I didn't know existed nor was I advised about. This situation is unique and in no way intentional.

As per the fine notification it may also be helpful to note that I had no support from the Republican Party or its associates. Because of my interest in running my children were harassed in public places — and I ended up with a stalker as a result of my campaign efforts. On top of that, I developed a serious medical condition that required approximately six hours of treatment per week. I'm happy to provide a doctor's note. I'm still recovering and just trying to stay afloat.

This situation has caught me off guard considering I had met with the APOC office three times and asked them to review my filings—each time I was told everything looked fine. I thought I had fulfilled my obligations and submitted the form via their website in the APOC office.

As for the delay in filing versus when I self-reported the discovery to APOC, MyAlaska was down and by the time I reconnected with the individual helping me audit my account, several days had passed.

I respectfully request a full waiver of all fines and fees under AAC 50.865.

Mitigating and aggravating factors:

- I have a good filing history.
- I filed late as part of a self-audit which led to the discovery of the error.
- I am an inexperienced filer.
- I believe the late filing was due to a technical and/or staff error.
- The unreported value was over \$100 but under \$1,000. Was reported but on the wrong form.
- The violation was self-reported.
- **Most significantly, commission staff reviewed and approved my filings in real time. On the day it was due without mentioning the missing form.**
- I was given incorrect oral information (Section B).
- There was no significant harm to the public (Section D). The donation. **It was available at the time to the public within 24 hours.**
- This is a unique circumstance justifying waiver under section six of notification.

Thank you so much for your time and consideration.

Respectfully submitted,



Brandy Pennington



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Administration

ALASKA PUBLIC OFFICES COMMISSION

2221 E. Northern Lights Blvd., Rm. 128
Anchorage, AK 99508-4149
Main: 907.276.4176
Fax: 907.276.7018
www.doa.alaska.gov/apoc

March 24, 2025

Via Certified Mail, U.S. Mail, and Email

Brandy Pennington
1302 W 31st Ave.
Anchorage, AK 99503
info@brandyforalaska.com

RE: Notice of Penalty – 2024 Year End Report
Notice of Penalty – Did not file 24-Hour Report

Ms. Pennington:

First, you did not timely file your Year End Report that was due on February 18, 2025. Instead, the report was filed on March 10, 2025 (20 days late). By law a maximum penalty of \$50.00 accrues each day the report is late.¹ The maximum penalty the Alaska Public Offices Commission could assess you is \$1,000.00.²

Staff is reducing the penalty to 25% of the maximum civil penalty that could have been assessed because this is your first election cycle and first late-filed report.³ **Accordingly, the assessed penalty owed is \$250.00.**

Second, you were required to disclose a contribution through a 24 Hour Report, no later than August 13, 2024.⁴ Instead, a contribution made on August 12, 2024 was disclosed on a 105 Day Report on March 10, 2025 (156 days late).⁵ By law a maximum penalty of \$500 accrues each day the report is late.⁶ The maximum penalty the Alaska Public Offices Commission has assessed you is **\$78,000.**⁷

Additionally, please be advised:

- 1) You may pay the assessed penalty and avoid formal Commission action by sending payment by check or money order payable to the "State of Alaska" to our office at

¹ AS 15.13.390(a).
² 2 AAC 50.855(a).
³ 2 AAC 50.855(b)(2)(B)(i).
⁴ AS 15.13.110(b).
⁵ Charles Condlin, Received 8/12/24, Check, \$500.
⁶ AS 15.13.390(a)(1).
⁷ 2 AAC 50.855(a).

the address above; visiting our [website](#)⁸ to make a payment by credit card; or you may pay in cash at our offices. **Payment must be made within thirty days of the date of this letter.** If you are unable to pay the entire assessed penalty in a single payment and wish to discuss a payment plan, or have any other question concerning this matter, please contact the APOC staff.

- 2) Alternatively, you have the right to appeal staff's conclusion that a violation has occurred or the penalty amount assessed.⁹ **If you wish to appeal you must submit the enclosed appeal affidavit to APOC within thirty days of the date of this letter.**

If you appeal, staff will review your affidavit and prepare a recommendation for the Commission. You will receive a copy of that recommendation and notice of when the Commission will meet to consider the matter. You will have the opportunity to participate in the meeting either in person or telephonically.

Failure to respond to this notice by either making arrangement for payment within thirty days or submitting an appeal within thirty days will result in staff presenting this matter to the Commission for a final order in the amount of the assessed penalty and referral to the Attorney General's Office.¹⁰

A copy of this letter will be placed in your APOC file and is considered a public document. If you have any questions about this matter, please contact APOC staff.


ALASKA PUBLIC OFFICES COMMISSION


John Grover Whitlock
Paralegal II

Encl: Civil Penalty Appeal Affidavit
2 AAC 50.865

cc: 2024 Candidate File (w/o enclosures)

CERTIFICATE OF SERVICE: I hereby certify that on this date, I caused a true and correct copy of the foregoing to be delivered to:	
Brandy Pennington 1302 W 31st Ave. Anchorage, AK 99503 info@brandyforalaska.com	<input checked="" type="checkbox"/> Certified Mail <input checked="" type="checkbox"/> U.S. Mail <input checked="" type="checkbox"/> Email


Law Office Assistant

03/24/2025
Date

9489 0090 0027 6610 9416 78

⁸ <https://aws.state.ak.us/ApocReports/Paper/CommissionCivilPenalties.aspx>

PLEASE NOTE: credit card payments cannot be made by phone; they must be made online.

⁹ 2 AAC 50.831(a).

¹⁰ 2 AAC 50.895.



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Administration

ALASKA PUBLIC OFFICES COMMISSION

2221 E. Northern Lights Blvd., Rm. 128
Anchorage, AK 99508-4149
Main: 907.276.4176
Fax: 907.276.7018
www.doa.alaska.gov/apoc

June 11, 2025

VIA EMAIL & CERTIFIED MAIL

Brandy Pennington
1302 W 31st Avenue
Anchorage, Alaska 99503
brandy@brandyforalaska.com

RE: Commission Meeting Notice

Dear Ms. Pennington:

The Commission will review the matter of the civil penalty assessed for your 24-hour campaign disclosure report at its June 25, 2025 Commission Meeting in Anchorage, Alaska.

I have enclosed the Staff Recommendation that will be presented to the Commission at the meeting for your review.

You have a right to participate at the meeting, either in person or by telephone (1-907-202-7104, Access Code: 233147607#, in-person (2221 Northern Lights Blvd, Ste 128, Anchorage, Alaska, 99508) or via [Microsoft Teams Meeting](#)¹ Please notify our office if you intend to participate. Candidate Civil Penalty Appeals are expected to begin at **9:25 a.m. on Wednesday, June 25, 2025.**

This matter will initially be presented to the Commission on a Consent Agenda. If you do not wish to present your appeal or make a statement to the Commission, and your appeal is not removed from the agenda by a Commissioner, the Staff Recommendation will be approved without discussion or deliberation. If you do wish to present your appeal or make a statement before the Commission, please notify staff or the Commission prior to the approval of the consent agenda.

Staff will send you a copy of the Commission's final decision regarding your appeal.

If you have any questions, please contact our office.

¹ Meeting ID 217 752 983 222 7, Passcode qD2Eb9rH

ALASKA PUBLIC OFFICES COMMISSION

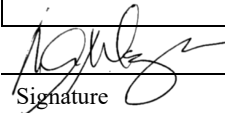
KIM STONE

Kim Stone
Campaign Disclosure Coordinator

Encl: Staff Recommendation

cc: Candidate File

CERTIFICATE OF SERVICE: I hereby certify that on this date, I caused a true and correct copy of the foregoing to be delivered to:	
Brandy Pennington 1302 W 31st Avenue Anchorage, Alaska 99503 brandy@brandyforalaska.com	<input checked="" type="checkbox"/> Email <input checked="" type="checkbox"/> Certified Mail


Signature

06/11/2025

Date

9489 0090 0027 6610 9409 16