

CITY OF PORTLAND

In the Matter of: Violations of Campaign Contribution Limits of Portland Charter Chapter 3, Article 3, and Portland City Code Chapter 2.10

No. _____

COMPLAINT

Violations of Portland Campaign Contribution Limits by "Sam Works for Portland" and Friends of Sam Adams

1. This Complaint is filed by Seth Woolley and David Delk, residents and electors of Portland.
2. This Complaint is pursuant to Portland Charter § 3-305 and Portland City Code 2.10.050.
3. The Sam Works for Portland Committee is a miscellaneous political committee registered on ORESTAR.
4. Friends of Sam Adams is registered on ORESTAR as the principal campaign committee for the campaign of Sam Adams for Portland City Council.
5. The Sam Works for Portland Committee and the Friends of Sam Adams have violated the campaign contribution limits of Portland Charter Chapter 3, Article 3, and Portland City Code Chapter 2.10 ("Portland Campaign Contribution Limits") by engaging in the coordinated expenditure of more than \$500, which constitutes a contribution to Friends of Sam Adams in excess of the \$500 limit at Portland Charter § 3-301(b)(1).
6. The coordinated expenditure consists of the creation, production and distribution of a large color brochure received by many Portland households in the mail beginning on about May 6, 2020 (attached).

A high resolution version of the brochure is available at http://bit.ly/heport_enforce. The filename is "sam works mailer.pdf"

7. Considering how many Portlanders have contacted Honest Elections about this brochure, it appears to have been widely distributed in Portland, which has over 430,000 registered voters. A brochure of this size and quality would cost at least 40 cents per piece to produce and mail. Even if it were sent to only 100,000 voters, the total cost would be on the order of \$40,000. Complainants allege that the cost of creating, producing, and distributing this brochure exceeded \$500.

8. The brochure claims that Sam Works for Portland is independent from the campaign of Sam Adams:

"This mailing is paid for the authorized by Sam Works for Portland - an independent coalition of Portland organizations and individuals focused on making Portland a city that works for working families, small businesses, and those facing challenges such as homelessness and lack of economic opportunity. this committee is independent from the Sam Adams for Portland campaign, working in compliance with the rules set by Portland's Open and Accountable Election Program. All information in this mailing is derived from publicly available resources or directly from supporters of Sam Works for Portland."

9. Sam Works for Portland registered as an Oregon miscellaneous committee on April 17, 2020. It has reported only one contribution (\$1,000 from The Standard [insurance company]) on ORESTAR, even though all contributions and expenditures must be reported within 7 days during the 42 days preceding a primary election. It has reported no expenditures.

10. The brochure displays several professional photographs of Sam Adams. These photographs earlier appeared on the "media assets" page of the website of Friends of Sam Adams. Sam Works for Portland obtained these photographs from Friends of Sam Adams. This constitutes coordination between Sam Works for Portland and the Sam Adams campaign.

11. The brochure lists the names of several hundred supporters of Sam Adams. It is not feasible that a committee created on April 17, 2020, could have accumulated these names on its own. Instead, the

only feasible source of these names is the campaign of Sam Adams or persons associated with the campaign or with Sam Adams. In fact, the exact list used by Sam Works appeared first on the website of Friends of Sam Adams (www.samadamspdx.com/endorsements). This constitutes coordination between Sam Works for Portland and the Sam Adams campaign.

12. The expenditure by Sam Works for Portland does not qualify under Oregon or Portland law as an "independent expenditure." ORS 260.005(10) defines "independent expenditure."

(10) "Independent expenditure" means an expenditure by a person for a communication in support of or in opposition to a clearly identified candidate or measure that is not made with the cooperation or with the prior consent of, or in consultation with, or at the request or suggestion of, a candidate or any agent or authorized committee of the candidate, or any political committee or agent of a political committee supporting or opposing a measure

Obtaining the professional photographs of Sam Adams and the hundreds of names of supporters of Sam Adams no doubt required the consultation with an agent or authorized committee of the candidate.

13. As the expenditure for the brochure does not qualify as an "independent expenditure," it is an in-kind contribution to the principal campaign committee of the Sam Adams campaign--Friends of Sam Adams.
14. Friends of Sam Adams has reported no in-kind contributions from Sam Works for Portland.
15. Regardless of the violations of Oregon contribution and expenditure reporting requirements by Sam Works for Portland and Friends of Sam Adams, the brochure clearly violates the Portland Campaign Contribution Limits, because it is an in-kind contribution to Friends of Sam Adams by a political committee in excess of \$500 during the current election cycle.
16. The penalty for violation of the Portland Campaign Contribution Limits is "imposition of a civil fine which is not less than two nor

more than twenty times the amount of the unlawful Contribution or Expenditure or Independent Expenditure at issue." Portland City Charter § 3-305(b).

17. The "amount of the unlawful Contribution or Expenditure or Independent Expenditure at issue" is the amount spent by Sam Works for Portland to create, produce, reproduce, print, and distribute the offending brochure.
18. Complainants request that the City Auditor:
 - (a) Find that Sam Works for Portland is in violation of the Portland Campaign Contribution Limits Requirements;
 - (b) Find that Friends of Sam Adams is in violation of the Portland Campaign Contribution Limits Requirements, which apply to both the giving and the receiving of the unlawful contribution; and
 - (c) Impose the lawfully-required penalties for this violation upon both violators.
19. Complainants request that all correspondence to them in this matter be addressed to delk@honest-elections.com and to seth@honest-elections.com.

Dated: May 12, 2020

Respectfully Submitted,

/s/ David Delk

David Delk

/s/ Seth Woolley

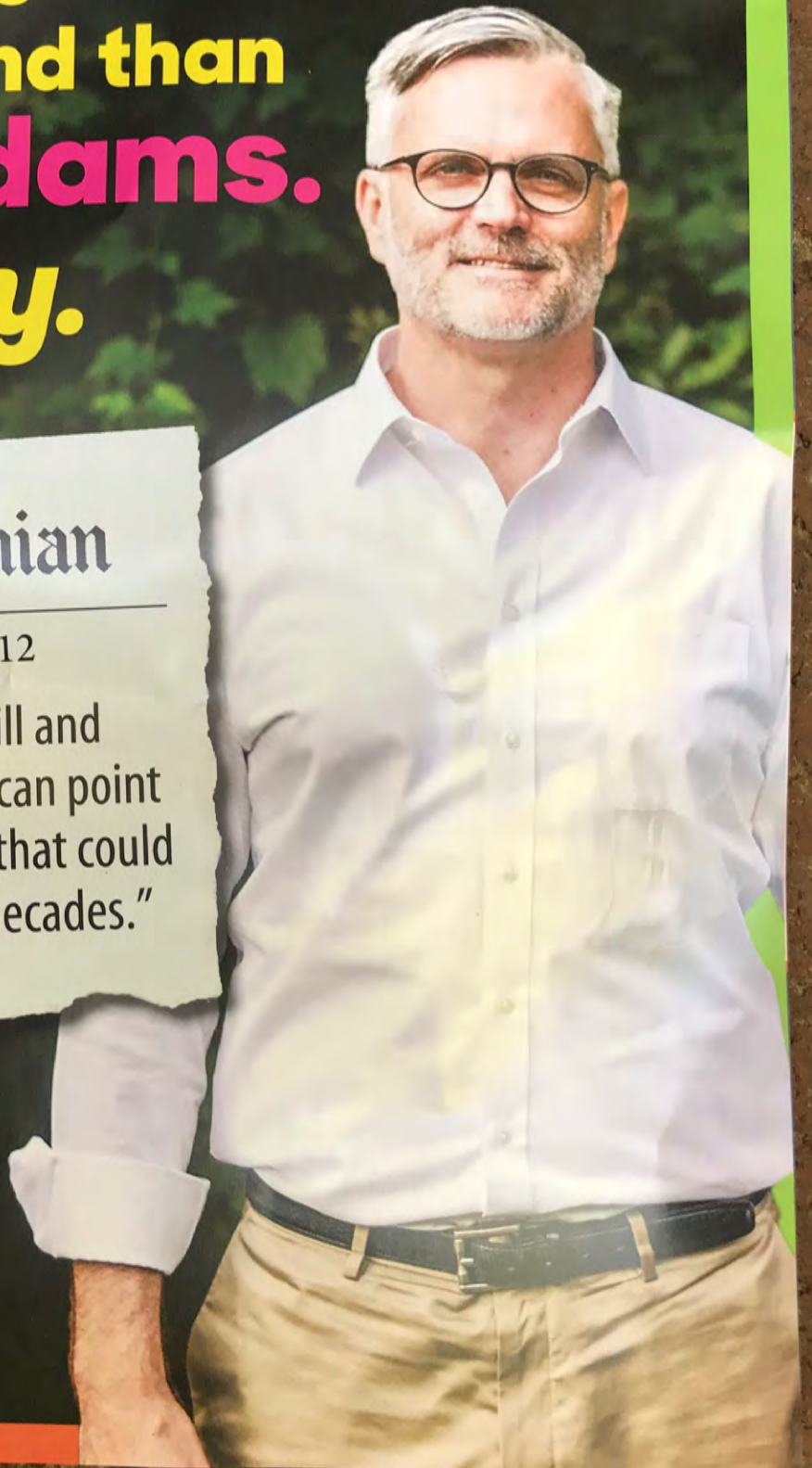
Seth Woolley

**Nobody fights harder
for Portland than
Sam Adams.
Nobody.**

The Oregonian

December 23, 2012

"...through sheer will and hard work...Adams can point to accomplishments that could reshape the city for decades."



Creating Opportunity



"Sam grew up in tough circumstances and has never forgotten what it's like for a kid struggling for acceptance and opportunity. I don't know of any Portland leader who has done more to give young people a better chance in life. From guaranteeing Tri-Met passes for students who had no other way to get to school to supporting job training programs to having the backs of homegrown entrepreneurs who create living-wage jobs, Sam delivers in ways that we are all going to really need right now."

Michael Burch

Board Member, All Hands Raised and Constructing Hope

A Real Plan for Housing



"Sam Adams is the clear choice for any Portlander who cares about seriously addressing affordable housing and homelessness. Not only is he the only candidate in this race with a comprehensive, detailed, and realistic plan, he is the only one who has shown the leadership skills to make it happen. I worked, and sometimes disagreed, with Sam over the years. But I could always count on his honest, pragmatic approach to working with everyone to solve Portland's problems."

Justin Wood

Owner, Fish Construction NW Inc.

Leadership for the Toughest Challenges



"Floods, snowstorms, riots, recessions... Sam has helped guide Portland through it all, as a strong and steady leader. We need that city council experience now."

Mike Reese

Multnomah County Sheriff

A Champion for Portland's Small Businesses



"Small business is the economic backbone of Portland, creating the most jobs and our entrepreneurial vitality. Right now, that back is being broken by the pandemic. I don't know of any Portland leader who has done more for small businesses. Sam is the only one in this race who knows what Portland small businesses need and has shown that he will do what it takes to support us."

Debbie Kitchin

Former Alliance Board Chair and Owner, InterWorks LLC

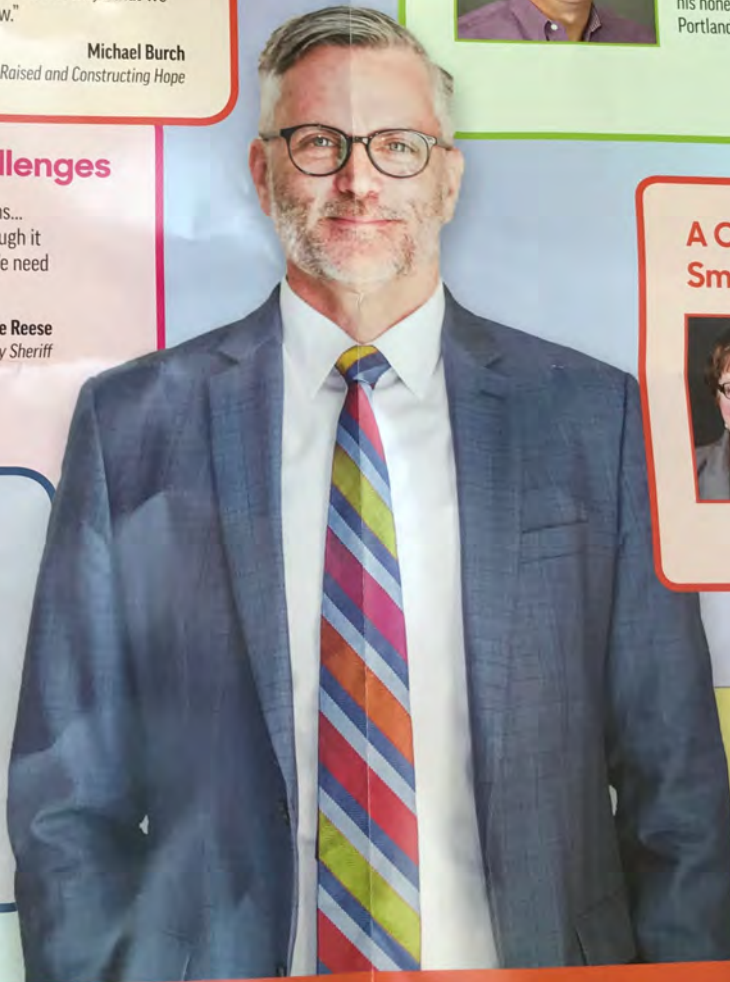
Speaking for Those Without a Voice



"Most politicians respond to the loudest voices. Sam Adams is a champion for working people like me - people who are too often underrepresented, talked over, and left behind. I don't think Sam ever missed a Justice for Janitors rally, and he was critical in winning health care for families of low-wage workers in Portland. Who speaks for those with no voice? Sam Adams does."

Renato Quintero

SEIU 49, Vice-President of Property Services



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Sam Works for Portland
PO Box 42307
Portland, OR 97242



PRSR STD
US POSTAGE
PAID
CAMPAIGN MAIL

From every part of our community, from every walk of life, people are coming together to say:

"Sam Adams Works for Portland"

Aaron Boren • Aaron Simpson • Ahmed Abidine • Aisling Coghlan • Alacia Lauer • Albert Kaufman • Alema McCrea • Alex Cousins • Alex Laws • Alfred Thieme • Ali Bond Glass • Alice Wiewel • Allison Picard • Portland Public Schools Board Chair Amy Kohnstamm • Amy Stephens • Andrea Berkley • Andrea Fouks • Andrea Smith • Andree Tremoulet • Andrew Bernstein • Andrew Burnett • Andrew McCough • Andrew Purkey • Andy Fraser • Dr. Anita Chan • Anna Roberts • Annie Morin • Anthony Johnson • April Hasson • April Severson • Austin Ragione • Austin Rojo • Barbara Regan • Barrett Stambler • Barry Smith • Benjamin Beatty • Benjamin West • Betty Chan • Bill Barry • Bill Dickey • Billy Ladd • Bradford Duval • Bradford Nase • Brian Floyd • Brian Gard • Brian Johnson • Brian Owendoff • Brian Wilson • Brice Barrett • Bridget Bayer • Broc Nelson • Bruce Murray • Bruce Watts • Bruce Zuckerman • Bryan Grimes • Bryan Hockaday • Byron Beck • Carl Halvorson • Former Metro Councilor Carlotta Collette • Carmel Siler • Carol Swanson • Carolyn Lynch • Casandra Kerr • Cat Rambo • Catherine Levi • Catherine Millar • Celeste Mitchell • Celeste Trapp • Chandra Brown • Charles Frasier • Charles Hinkle • Charlie Makinney • Chelsea Cain • Cheryl Dillinger • Cheryl Meyers • Cheryl Perrin • CM Hall • Chip Hudson • Chris Bidwell • Chris Campbell • Chris Delaney • Chris Edmonds • Chris Gibbons • Chris Hagerman • Chris Liddle • Christina Davis • Christopher Ed-Calton • Christopher Murray • Claire Hall • Clay Neal • Clifton Chestnut • Collin Ledford • Constance Ashbrook • Constance Hirke • Cora Potter • Corky Collier • Cosmin Bisorca • Craig Boretz • Crystal Lamb • Cyndi Wending • Cynthia Fuhrman • Cynthia Rose • Cyrus Mansoori • Dale Johannes • Dan Kent • Dan Volkmer • Dana Comella • Danielle Romain • Daniel Anderson • Daniel Field • Daniel Manning • Daniel Roman • Daniel Yates • Daniel Young • Darlene Carlson • Darren Stowell • David Blair • David Blasher • David Cress • David DeMoss • David Hill • David Hopkins • David Horvath • David Jones • David Kyle • David Manfield • David Marshall • David Matthews • David Peterson • David Sawyer • Dawn Arrieta • Deane Funk • Debbie McCabe • Deborah Burke • Deborah Galardi • Debra Brown • Denise Frisbee • Denise Mullen • Dennis Johnson • Devon Downey-Smith • Diane Betzner • Diane Buckshnis • Diane Walton • Diego Palma • Don Baack • Don Williams • Donald Carlson • Donald Francis • Donald Krahmer Jr. • Doreen Binder • Doug Bates • Doug Kenck-Crispin • Doug Wells • Douglas Dollars • Douglas Fashing • Douglas Hartman • Douglas Meyer • Dwight Adkins • E. Barrett Anderson • Earline Penson • Ed McNamara • Eddie Passadore • Edmund Sherman • Eduardo Moreno • Edward Tylicki • Elisa Dozono • Elizabeth Leach • Elizabeth Milesnick • Elizabeth Zuckerman • Elizabeth M King • Eloise Damrosch • Emily Gilliland • Eric Friederwald-Fishman • Eric Hovee • Eric Sandstrom • Eric Schnell • Eric Shaw • Eric Zimmerman • Erik Swanson • Dr. Erik Szeto • Erin Livengood • Faye Burch • Felicia Tripp • Francie Royce • Frank Dixon • Frank Dufay • Fred Ross • Fred Sanchez • Fred Wearn • Garrett Stephenson • Gary Bostwick • Former Multnomah County Commissioner Gary Hansen • Gary Hollands • Gary Mattei • Geoffrey Wren • George Nicola • Gerald Baugh • Gina Kaplan • Gina Whitehill-Bazuk • Glen Gilbert • Grace Zarpak • Grant Thurston • Grayson Hart • Greg Eddie • Greg Wallinger • Gregg Moreland • Gregg Snyder • Gregory Benison • Gregory Butler Passadore • Gretchen Rowell • Guri Denhart • H Dwayne Davis • Hala Gores • Hans-Michael Vermeersch • Harold Burnworth • Heather Kent • Heidi McBride • Heidi Snellman • Henry Harris • Hermanno Collas, Jr. • Iben Nylund • Inna Levin • J. Bradford Shiley • Jack Hoffman • Jaime Lim • Jake M. Kindrachuk • James Burgess • James Harter • James Jardoe-Borquist • James Long • James Mayer • James Oberholtzer • James Paulson • James Van Dyke • James Wyatt • Jamie Beckland • Jamie Elsbury • Jana Fay Ragsdale • Jane Ames • Former State Senator Jane Coase • Jane Harzen • Jane Sage • Jasmine Deschaine • Jason Bergstrom • Jason Wilder • Jason Zidell • Jay Bloom • Jeanis Delamarter • Jeana Woolly • Jeff Hilber • Jeff Joslin • Jeff Miller • Jeff Stookey • Jeffrey Hawthorne • Jeffrey Marchant • Jennifer Feely • Jennifer Grahn • Jennifer Marfori • Jeri Jimenez • Jerry Hutchison • Jesse Cornett • Jesse Davis • Jessica Grant • Jim Desmond • Jim Kean • Jim Kincaid • Jim Langlois • Dr. Jim Lindsay • Jim Lowenstein • Joe Wirtheim • Joel Corcoran • Joel Fishman • "Timber" Joey Webber • John Andrews • John Baker • John Drik-Mead • John Gainer • John Haines • John Halseth • John Lehman • John Naekel • John Petherbridge • John Taran • John Stuart May • Jon Down • Jon Gustafson • Jon Hurwitz • Jon Kneuse

Jonathan Singer • Jonna Papaefthimiou • Joseph Cleary • Josh Billeter • Josh Friedman • Joshua Alpert • Joshua Brooking • Joshua Kletzkun • Joshua Ryan • Joyce Beedle • JP Palanuk • Judith Farmer • Judith Huck • Former Multnomah County Commissioner Judy Shiprack • Jules Renaud • Juli Hamdan • Julia Acker • Juliana Lukasik • Julie Leuvre • Julie Mancini • Julie Park • Julie Rawls • Justin Delaney • Kane MacAniff • Karalie Adams • Karen Pelland • Karri Adams • Kat West • Kate Krebs • Kate Marx • Kate Sokoloff • Dr. Katharine Zuckerman • Katherine Querin • Kathleen Boniface • Kathleen Lewis • Kathryn Rebagliati • Kathryn Whalen • Kathy Baker • Keenan McCune • Keith Daly • Kelley Dodd • Ken Salaman • Kendall McDonald • Kenneth Zuckerman • Kent Snyder • Kevin Cook • Kevin Spellman • Kim Wilcox • Kristen Erbes • Kristena Cox • Kristin Kelley • Kylene Williams • Lake James Perriguet • Lance Welch • Lansing Blanks • Larry Johnson • Laura Dellinger • Laurel Jones • Lauren Fox • Lauren Johnson • Lauren Nixar • Lauri Adams Sax • Lenny Levin • LeRoy Edwards Sr. • Leslee Lewis • Lesli Goodlow • Leslie Johnson • Lew Bowers • Linda Andrews • Linda Frank • Linda Stimac • Lindsey Oben • Lisa Frisch • Lisa Gribby • Lisa Schroede • Lisa Sedlar • Lisa Watson • Lise Glancy • Louise Beaudreau • Marc Tobl Marcel Hermans • Marcine Kment • Mari Watanabe • Former Multnomah County Commissioner Maria Rojo de Steffey • Maria Thi Mai • Maria (Li) Garcia Seabold • Maria Gracia Cabanilla • Marilyn Clint • Marilyn Cox • Marjorie Kafoury • Dr. Mark Aldape • Mark Ginsberg • Mark Holloway • M Mersky • Marlon Basel • Marna Stalcup • Marshall Meadows • Martha Du • Martha Pellegrino • Marti K. Anderson • Martin Gibbons • Martin Medei • Martin Muller • Mary Bishop • Mary Fetsch • Mary Hart • Mary LeVini • Mary Macpherson • Mary Ann Pastene • Maryhelen Kincaid • Matth Koren • Maura White • Meara McLaughlin • Mel Birge • Meryl Redisc • Michah Camden • Michael Burdick • Michael Feves • Michael Freed • Mich Fuller • Michael Marshall • Michael Radway • Multnomah County Sheriff Michael Reese • Michael Rosen • Michael Sorenson • Michael Francescor • Michelle Cardinal • Michelle Lagos • Michelle Moreno • Miguel Cobian • Mike Golu • Mike Leloff • Mike Neal • Missi Baker • Mitsuo Yamazaki • Molly Cliff Hills • Montana Contreras • Nancy Thorn • N Rosch • Neil Simon • Nicole Edner • Nitin Rai • Olivia Clark • Paddy McGuire • Pam Knowles • Pamela Ferguson • J McCormick • Patricia Wagner • Patrick Fisher • Paul Del Vecchio • Paul Niedergang • Paul Peterson • Paul Rumme • Penelope Okamoto • Peter Parisot • Peter Ricoy • Peter Zuckerman • Phil Beyl • Philip Marshall • Philip Smith • Phyllis Reynold • Rachel Gribby • Raihana Ansary • Randolph Miller • Randy Lauer • Former Portland City Commissioner Randy Leonard • Rae Bounbousque • Rayleen McMillan • Reba Akin • Rebecca Lee • Rebecca Porter • Reese Lord • Renee Gorham • Renee Mitch • Rich Rodgers • Richard Ferguson • Richard Freimark • Richard Voss • Rob Boss • Rob Schulberg • State Senator Rob Wagner • Robert Gandolfi • Robert Huff • Robert Krum • Rob Milesnick • Robert Seltz • Robert Sweeney • Rob Castro • Robin Denburg • Robyn Williams • R Hardesty • Roland Chlapowski • Ron Beltz • Ros McCallard • Russell Barnett • Ruth Ann Barrett • Olsen • Ryan Pawley • Ryan Robinson • Ryan Sr Sachin Tharakan • Sallie Aldapie • Samir Raad • S Duff • Sasha Buchert • Scott Anderson • Andrews • Scott Breen • Scott Bruun • Scott F Scott Rokus • Scott Seibert • Scott Showalter • South • Serena Stoudamire Wesley • Seth M Sharron Gibbons • Shauna Ballo • Shaw Miller • Shawn Levy • Shawn Menashe • Shazia Abdulla • Sir Robin R Hixson • Sofia Chavier • Sorin Garber • Spencer Williams • S McHenry • Stanley Penkin • Stefan Krupelak • Stephanie Vardavas • Stephen Baugh • Stephen Cassell • Stephen Conser • Su Ying • Steve Clark • Steve Clem • Steve Hess • Steve Holwerda • Steve Vaneck • Steven Lien • Storm Large • Susan Bladholm • Hammer • Susanne Penkin • Susie LaSene • Suzanne Deakins • Sylvia Rodemeyer • T.J. McHugh • Tara McHenry • Teresa Terry Richardson • Thomas Buell • Thomas Imeson • Thomas Marfitt • Thomas Munteer • Thomas Wells • Tiffani Penson • T Tim Cowles • Tim Leavitt • Tim OBrien • Timothy Drilling • Timothy Williams • Todd Diskin • Tom Barreto • Tom Hughes • Tom • Tom Kervin • Tomi Douglas • Tracey Turkoly • Travis Wall • Ty Stober • Tyler King • Vadim Mozysky • Valarie Smith • Valeri • Valerium Pereira • Vicki Nakashima • Wade Lange • Wally Van Valkenburg • Walt Nichols • Wayne Hooke • Wendy B Whitney Pettigrew • William Buettner • William Hannon • William Hart • William Hawkins II • William McNamee • William Wyndham Cleveriger • Wynne Wakkila



"[Sam Adams] managed to accomplish great things . . . extraordinarily capable. . . [W]e are endorsing a man . . . who has built coalitions, negotiated complex deals — and been humbled by his mistakes" April 29, 2020