



P O R T L A N D
CITY AUDITOR
Elections

June 3, 2020

Keith Wilson
4404 NE 32nd Ave.
Portland OR 97211

DELIVERED ELECTRONICALLY
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campaign@keithforportland.com

Keith for Portland
7623 SE 17th Ave.
Portland, OR 97202

RE: Campaign Regulations Complaint: 2020-16-KW

Dear Keith Wilson and Keith for Portland,

On May 15, 2020, the City of Portland Auditor's Office received a complaint by a member of the public alleging your campaign violated the City's Campaign Regulations. The complaint claimed a lack of required prominent disclosures¹ on a television ad that aired on May 14, 2020.

After an investigation, I have identified two violations of City Campaign Regulations and am issuing this letter of warning and education.

The required disclosure was missing from television ads directed at Portland voters. Although the political committee that paid to provide the ad was present, respective Dominant Contributors² were not disclosed, as required. As a result, the lack of disclosures constitutes two violations of City Campaign regulations ([City Code 2.10.030](#)).

City Campaign Regulations

Portland Charter Chapter 3, Article 3 and Portland City Code Chapter 2.10 (collectively, the "City Campaign Finance Regulations" or "Regulations") were passed by voters in November 2018 and are administered and enforced by the City Auditor's Office. The City Campaign Regulations require certain campaign contributors and their respective sources of income to be prominently listed on campaign communication to voters, including digital and electronic communications ([PCC 2.10.030](#)). The Regulations specifically require disclosures for video communications.

¹ See PCC 2.10.030 Timely Disclosures of Large Contributions and Expenditures
<https://www.portlandoregon.gov/citycode/article/711260>

² See PCC 2.10.080.F <https://www.portlandoregon.gov/citycode/article/711265>



City Campaign Regulations regarding campaign disclosures were upheld and have been in effect and enforceable for all candidates as of September 1, 2019.³ Additionally, candidates qualified to appear on the ballot for the May 19, 2020, Primary Election were given notice of the City Campaign Regulations and guidance at the time of candidacy determination.⁴

Voter communications, including videos, that require disclosure of political committees and top Dominant Contributors and associated sources of income, are required to be disclosed, as follows (PCC 2.10.030 A, in relevant part):

A. Each Communication to voters related to a City of Portland Candidate Election shall Prominently Disclose the true original sources of the Contributions and/or Independent Expenditures used to fund the Communication, including:

- 1.** The names of any Political Committees and other Entities that have paid to provide or present it; and
- 2.** For each of the five Dominant Contributors providing the largest amounts of funding to each such Political Committee or Entity in the current Election Cycle:
 - a.** The name of the Individual or Entity providing the Contribution.
 - b.** The types of businesses from which the maker of the Contribution has obtained a majority of income over the previous 5 years, with each business identified by the name associated with its 6-digit code of the North American Industry Classification System (NAICS). (PCC 2.10.030 A.)

Violation of City Campaign Regulations

Two video communications lacking funding disclosures:

Two television ads did not prominently disclose the top five Dominant Contributors of the political committee that paid to provide the communication. The campaign confirms lack of disclosures.

Under City Campaign Regulations, a video communication is required to disclose political committees or entities that paid to provide or present the communication as well as their respective Dominant Contributors and income sources for each. The campaign confirmed that the sole political committee responsible for the communication in question was Keith for Portland.

The lack of timely, prominent disclosure of the largest Dominant Contributors to the campaign anywhere on the videos, as required, violates the City Campaign Regulations.

True Sources of Funding

Each communication must properly disclose that it was paid for by Keith for Portland. I have determined below, and the campaign has confirmed, the top Dominant Contributors providing the largest amounts of funding to that political committee. The sources of funding are as follows:

Keith for Portland (Candidate Political Committee);

³ See *In re. Validation Proceeding to Determine the Legality of City of Portland Charter Chapter 3, Article 3 and Portland City Code Chapter 2.10 Regulating Campaign Finance and Disclosure* (Multnomah County Circuit Court Case No. 19CV06544).

⁴ See email and letter including guidance on the City Campaign Regulations sent by the City Elections Office to candidate Keith Wilson on January 6, 2020 (Candidacy Determination: Wilson).

Dominant Contributors:

1. Keith Wilson (LTL long-distance freight trucking)
2. Daylight Transport (LTL long-distance freight trucking)
3. Dina Dargis (LTL long-distance freight trucking)
4. Delany Christian (advertising agency consulting services)
5. Erich Christian (industrial engineering services)

Appeals

Appeals for this decision can be made to the Multnomah County Circuit Court within 30 days, as provided by PCC 2.10.050 I.

Sincerely,

A handwritten signature in cursive script, appearing to read "Deborah Scroggin".

Deborah Scroggin
City Elections Officer