

## CITY OF PORTLAND

In the Matter of: Violations of the Disclaimer Requirements of Portland Charter Chapter 3, Article 3, and Portland City Code Chapter 2.10	No. _____  <b>COMPLAINT</b>  <b>Violations of Portland Campaign Disclaimer Requirements by Committee to Elect Loretta Smith: Tiny Disclaimer Text on 4-page Brochure</b>
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1. This Complaint is filed by Seth Woolley, resident and elector of Portland.
2. This Complaint is pursuant to Portland Charter § 3-305 and Portland City Code 2.10.050.
3. The Committee to Elect Loretta Smith ("CELS") is the official campaign committee for candidate Loretta Smith for Portland City Commission.
4. CELS has violated the disclaimer requirements of Portland Charter Chapter 3, Article 3, and Portland City Code Chapter 2.10 ("Portland Campaign Disclaimer Requirements") by failing to include qualifying disclaimers on a 4-page brochure mailed to untold thousands of Portland voters. Exhibit 1.
5. The main message on the front of the brochure is "A Progressive Champion for Portland."
6. The brochure's disclaimer does not meet the requirements of Portland City Charter §3-308(o), which requires a "printed disclosure appearing in a type of contrasting color and in the same or larger font size as used for the majority of text in the printed material." The disclaimer is printed in an extremely small font that is in fact smaller than all of the other text in the printed material.
7. The Auditor can readily determine how many persons likely received this brochure by requiring CELS disclose that data.
8. Each receipt of this brochure is a separate violation of the disclaimer requirements.
9. The penalty for violation of the disclaimer requirements 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).

10. The "amount of the unlawful Contribution or Expenditure or Independent Expenditure at issue" is the amount spent by CELS to create, produce, re-produce, print, and distribute the brochure.
11. Complainants request that the City Auditor:
  - (a) Find that CELS is in violation of the Portland Campaign Disclaimer Requirements;
  - (b) Impose the lawfully-required penalty for this violation.
12. Complainants request that all correspondence to them in this matter be addressed to [seth@honest-elections.com](mailto:seth@honest-elections.com).

Dated: July 24, 2020		Respectfully Submitted,  <i>/s/ Seth Woolley</i>
		Seth Woolley