

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 Committee to Elect Loretta Smith
--	---

1. This Complaint is filed by Seth Woolley, a resident and elector of Portland.
2. This Complaint is pursuant to Portland Charter § 3-305 and Portland City Code 2.10.050.
3. "Committee to Elect Loretta Smith" [hereinafter CELS] is registered on ORESTAR as the principal campaign committee for the campaign of Loretta Smith for Portland City Council.
4. CELS has violated the campaign contribution limits of Portland Charter Chapter 3, Article 3, and Portland City Code Chapter 2.10 ("Portland Campaign Contribution Limits") by accepting contributions in excess of those allowed by Portland Charter § 3-301.
5. Portland Charter § 3-301 provides:

3-301. Contributions in City of Portland Candidate Elections.

- (a) An Individual or Entity may make Contributions only as specifically allowed to be received in this Article.
- (b) A Candidate or Candidate Committee may receive only the following Contributions during any Election Cycle:
 - (1) Not more than five hundred dollars (\$500) from an Individual or a Political Committee other than a Small Donor Committee;
 - (2) Any amount from a qualified Small Donor Committee;

- (3) A loan balance of not more than five thousand dollars (\$5,000) from the candidate;
- (4) No amount from any other Entity, except as provided in Section 3-304 below.

6. Portland Charter § 3-304 provides:

3-304. Coordination with Public Funding of Campaigns.

A candidate participating in a government system of public funding of campaigns (including the Public Election Fund established under Portland City Code Chapter 2.16) may receive any amount that such system allows a participating candidate to receive.

7. These contribution limits went into effect on September 1, 2019, pursuant to Portland Charter § 3-305(a).
8. All dates referred to are in 2020.
9. On June 17, CELS filed on ORESTAR transaction 3491308, the receipt of an in-kind contribution of \$9,111.95 from Local 48 Electricians PAC on June 10.
10. On June 30, CELS filed on ORESTAR transaction 3501342, the receipt of an in-kind contribution of \$15,000 from United Food and Commercial Workers Local 555 (UFCW) on June 26.
11. Both of the above in-kind contributions were received within the special runoff election period. Together they total \$24,111.95.
12. Receiving an aggregate of more than \$20,000 of in-kind contributions during a special runoff period is prohibited by Portland City Charter § 3-301 and is not allowed under Portland City Charter § 3-304, because it is not allowed under the Public Election Fund established under Portland City Code Chapter 2.16).
13. CELS has violated the campaign contribution limits of Portland City Code § 2.16.040(D):

Participating and certified candidates may accept in-kind contributions valued at no more than \$20,000 for the primary election period or special nominating election period and no

more than \$20,000 for the general election period or special runoff election period.

14. The \$24,111.95 received of in-kind contributions during the special runoff election period exceeded the allowable limit by \$4,111.95.
15. 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).
16. Complainant requests that the City Auditor:
 - (a) Find that CELS is in violation of the Portland City Charter §§ 3-301 and 3-304;
 - (b) Impose the lawfully-required penalties for this violation upon CELS.
17. Considering the large size of this violation, the appropriate fine would be 20 times the amount of the unlawful contribution(s).

Please direct all correspondence in this matter to Seth Alan Woolley at seth@honest-elections.com.

