

I. Complainant Contact Information

* The Auditor's Office strongly encourages you to provide your **email address**, especially in light of modified practices implemented by our office in response to the COVID-19 crisis.

First and Last Name	
Date (mm/dd/yyyy)	
Email (preferred)	
Mailing Address	

Would you like your contact information to remain confidential?

Please note: If a complainant requests that their name and contact information be kept confidential, the Auditor's Office will protect identifying information from disclosure unless ordered otherwise by a court authority.

II. Subject(s) of the Complaint

Name or entity

Violation Type

Please select all that apply

Name or entity	Violation Type	ORESTAR	Payroll
<i>For additional complaint subjects, complete a new complaint form.</i>	Timely Disclosure	Campaign Contribution Limit	Registration Deduction
1.			
2.			
3.			
4.			

III. Complaint Summary

In the space provided, provide a detailed summary of the alleged violation(s). Attach additional pages, as necessary.

IV. Supporting Documentation

Complainants are encouraged to submit any supporting documentation with their complaint. Supporting documents may include pictures, multi-media, paper documents, spreadsheets, or anything else that supports the complaint, such as:

- ORESTAR transactions or other evidence of contributions
- Screenshots and photos of voter communications
- Videos of voter communications

If you are unable to upload documentation to this form, please email the documentation, along with the associated complaint form, to elections@portlandoregon.gov.

V. Submit

By sending your complaint, you certify the information provided on and in connection with this form is true and correct to the best of my knowledge.

When you have provided all the necessary information, click on the submit button below. If you have trouble submitting your complaint form, please save it as a PDF and email the form to elections@portlandoregon.gov.

MEMORANDUM

TO: Office of the City Auditor, City of Portland

FROM: United for Portland

DATE: 28 October 2020

SUBJECT: Complaint regarding a Sarah Iannarone for Mayor campaign advertisement distributed in violation of Portland City Code § 2.10.030

On October 27, 2020, Friends of Sarah for Mayor posted to the campaign's official Twitter account a digital video campaign advertisement ("the Ad") that failed to comply with Article 3 of the Portland City Charter and Portland City Code § 2.10.030. The campaign's Twitter account can be found online at:

<https://twitter.com/sarah2020>

We submit this formal complaint alleging that the Ad failed to comply with City Code by failing to include the required "disclosure" language in the final seconds of the Ad's runtime as shown in this screenshot:



As of mid-afternoon today, the Ad was still being displayed in the campaign's Twitter account:

<https://twitter.com/sarah2020/status/1321167206944632833?s=19>

We believe the Ad violates City Code § 2.10.030 for at least three reasons:

1. The Ad is a "communication to voters" and thus subject to the requirements of PCC § 2.10.030 because it is a digital communication. See PCC § 2.10.080 D.
2. The "disclosure" language indicates that no one was paid to create the Ad, but the creation of the Ad itself is nonetheless a "contribution" under PCC § 2.10.080 E. That provision incorporates the state-law definition of "contribution" found in ORS 260.005(3) and ORS 260.007, which includes in-kind contributions. Under ORS 260.005(3), a gift of services for which no compensation was given and rendered for purposes of influencing an election for public office is a "contribution" unless any of the exclusions found in ORS 260.007 apply. None of the exclusions found in ORS 260.007 apply to the Ad.
3. As a result, whatever individual or entity created the Ad made the contribution to Sarah Iannarone's mayoral campaign that effectively funded the Ad, and that contribution must be disclosed pursuant to City law. See PCC § 2.10.030 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[.]").

We respectfully request that the City Auditor investigate the allegations contained in this formal complaint and take the appropriate remedial action. Given the proximity of Election Day and the volume of mail-in ballots already submitted, your office's immediate attention to this matter is greatly appreciated.

If you have any questions, or need any further information, please contact Joel Corcoran, the Treasurer for United for Portland, at 503-381-5251 or joel.corcoran@gmail.com.