

## 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 Mingus Mapps for Portland City Council Committee

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. "Mingus Mapps for Portland City Council" is registered on ORESTAR as the principal campaign committee for the campaign of Mingus Mapps for Portland City Council.
4. The Mingus Mapps for Portland City Council Committee 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:

#### **3-302 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. These contribution limits went into effect on September 1, 2019, pursuant to Portland Charter § 3-305(a).
  7. As of May 15, 2020, the Mingus Mapps for Portland City Council Committee has raised \$219,321.67 in cash during 2020 and \$32,073.01 in cash during 2019.
  8. Similarly, in 2019 and 2020, Mingus Mapps for Portland City Council raised \$216.00 and \$15,000.00 in in-kind contributions, respectively.
  9. The time period of all these transactions are within OAE's "Primary election period" as defined in Portland City Code § 2.16.010 X "Primary election period" relating to Open and Accountable Elections. See this link for the amount raised for 2020:

<https://secure.sos.state.or.us/orestar/publicAccountSummary.do?filerId=20023>

To see 2019, click the "Prev" button on the above link, after observing the 2020 data.

10. Mingus Mapps for Portland City Council filed a number of returned contributions, totaling \$3440.00 as of May 15, 2020.

<https://secure.sos.state.or.us/orestar/cneSearch.do?cneSearchButtonName=search&cneSearchFilerCommitteeId=20023>

To see the returned contributions, click the triangle next to the Sub Type column header twice.

11. The total amount raised as reported to ORESTAR, within the "Primary election period," as of the date of this complaint is \$219,321.67 + \$32,073.01 + \$216.00 + \$15,000.00 - \$3440.00 for a total of: \$263,170.68.
12. Portland City Code § 2.16.040 K.2. specifies that candidates for Portland City Commissioner, such as Mingus Mapps, are limited to a total of \$250,000 in contributions which includes "allowable contributions, public contributions, seed money and in-kind contributions."
13. The total amount raised by the Mingus Mapps for Portland City Council Committee is \$13,170.68 over the \$250,000 limit.
14. The Mingus Mapps for Portland City Council Committee received an in-kind contribution of \$15,000 from Keep Portland Safe PAC on May 4, 2020. The only reason that this contribution was not in violation of the Portland Campaign Contribution Limits is because Portland City Charter § 3-304 states:

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.

15. Due to the \$15,000 in-kind contribution, the Mingus Mapps for Portland City Council Committee has exceeded the \$250,000 allowed by Portland City Code Chapter 2.16 by \$13,170.68.
16. Consequently, \$13,170.68 of the \$15,000 in-kind contribution is a violation of the Portland Campaign Contribution Limits, because it is in excess of the limits set forth in Portland City Charter § 3-301 and is not "an amount that such [public funding] system allows a participating candidate to receive."
17. In the alternative, the May 8, 2020, payment of \$56,487 to the Mingus Mapps for Portland City Council Committee from the City of Portland Open and Accountable Elections Program caused the campaign to exceed the \$250,000 ceiling. Consequently, \$13,170.68 of the \$56,487 payment from the City is a violation of the Portland Campaign Contribution Limits, because it is in excess of the

limits set forth in Portland City Charter § 3-301 and is not "an amount that such [public funding] system allows a participating candidate to receive."

18. 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).
19. Complainant requests that the City Auditor:
  - (a) Find that the Mingus Mapps for Portland City Council Committee is in violation of the Portland Campaign Contribution Limits Requirements;
  - (b) Impose the lawfully-required penalties for this violation upon both violators.
20. Complainant requests that all correspondence in this matter be addressed to [seth@honest-elections.com](mailto:seth@honest-elections.com).

Dated: May 15, 2020

*/s/ Seth Woolley*

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Seth Woolley