

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 Disclaimer Requirements by Campaign of Keith Wilson for Portland City Council

1. Ron Buel, a resident of Portland and elector of the City of Portland, hereby files this Complaint alleging violations of the disclaimer requirements of Portland Charter Chapter 3, Article 3, and Portland City Code Chapter 2.10 ("Portland Campaign Disclaimer Requirements") by Keith for Portland, the principal campaign committee of the campaign of Keith Wilson campaign for Portland City Council.
2. This Complaint is pursuant to Portland Charter § 3-305 and Portland City Code 2.10.050.
3. Portland Charter § 3-303 provides these Portland Campaign Disclaimer Requirements:

Timely Disclosure of Large Contributions and Expenditures.

- (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).

* * *

- (b) If any of the five largest Dominant Contributors or Dominant Independent Spenders is a Political Committee (other than a Small Donor Committee) or nonprofit organization, the prominent disclosure shall include its top three funders during the current Election Cycle.
 - (c) The disclosure shall be current to within ten (10) days of the printing of printed material or within five (5) days of the transmitting of a video or audio communication.
4. Portland Charter § 3-308 provides these definitions:
- (d) "Communication" means any written, printed, digital, electronic or broadcast communications but does not include communication by means of small items worn or carried by Individuals, bumper stickers, Small Signs, or a distribution of five hundred (500) or fewer substantially similar pieces of literature within any 10-day period.
 - (f) "Dominant Contributor" means any Individual or Entity which contributes more than one thousand dollars (\$1,000) during an Election Cycle to a Candidate Committee or Political Committee.
5. These Portland Campaign Disclaimer Requirements went into effect on September 1, 2019, pursuant to Portland Charter § 3-305(a).
6. Keith for Portland has made communications to voters in violation of the Portland Campaign Disclaimer Requirements. Its website (www.keithforportland.com) appears to consist of 20 pages. None of those pages discloses "the five Dominant Contributors providing the largest amounts of funding to each such Political Committee or Entity in the current Election Cycle," as required by Portland Charter § 3-303. None of the pages names any such individual or entity nor discloses their primary businesses, as also required.

7. The Facebook site of Keith for Portland (www.facebook.com/keithforportland) appears to consist of 7 pages. None of those pages discloses any of the contributors to the campaign.
8. Nor does the Twitter page of Keith for Portland (twitter.com/KeithForPDX) disclose any of the contributors to the campaign.
9. It appears likely that Keith for Portland has engaged in other communications with voters that are subject to the Portland Campaign Disclaimer Requirements. The committee has spent \$7,418 on services from Morel Ink and \$4,062 on Cerillion N4 Partners, which produces political mail pieces.
10. Keith for Portland has received at least 5 contributions from Dominant Contributors, as defined by Portland Charter § 3-308, including these:

2020-02-27	5000	Daylight Transport
2020-01-13	5000	Keith D Wilson
2020-02-27	2005	Erich Christian
2020-01-31	2000	Delaney Christian
2020-02-28	1210.21	Off The Wall Magnetics, LLC.

Where the donor has made multiple contributions during the present Election Cycle, the table above shows the date of the most recent contribution.

11. At present, it appears that the top 5 dominant contributors to the Wheeler campaign are the 5 contributors listed above.
12. Ronald Buel requests that the City Auditor:
 - (a) Find that Keith for Portland is in violation of the Portland Campaign Disclaimer Requirements due to its failure to prominently disclose its top 5 dominant contributions on each page of its website, its Facebook site, its Twitter site, and any other sites or pages it maintains on the internet.
 - (b) Investigate and determine whether Keith for Portland is engaged in other communication with voters in violation of the Portland Campaign Disclaimer Requirements.
 - (c) Pursuant to Portland Charter § 3-305(h), "determine the true original sources of the Contributions and/or Independent Expenditures used

to fund the Communication at issue" and "immediately issue a statement to all interested parties and news organizations containing all of the information about the involved donor(s) required by Section 3-303 above."

13. Ronald Buel requests that the City Auditor apply the fines required by Portland Charter § 3-305(b): "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." The amount of the unlawful expenditure is the amount spent by Keith for Portland to create and maintain its sites and pages on the internet and to otherwise communicate with voters in violation of the Portland Campaign Disclaimer Requirements.
14. Ronald Buel requests that all correspondence to him in this matter be addressed to buel@honest-elections.com.

Dated: April 17, 2020

/s/ Ronald Buel

Ronald Buel