



P O R T L A N D
CITY AUDITOR
Elections

May 28, 2020

Sam Works for Portland
3321 SE 20th Avenue
Portland, OR 97202

PO Box 42307
Portland, OR 97242

RE: Campaign Regulations Complaint: 2020-14-SWP

Dear Sam Works for Portland,

On May 12, 2020, the City of Portland Auditor's Office received a complaint alleging violation of Portland City Charter Section 3-301, "Contributions in City of Portland Candidate Elections." An updated complaint was received on May 15, 2020.

Specifically, the complaint alleges that a campaign mailer paid for by Sam Works for Portland constituted a coordinated expenditure and contribution to Friends of Sam Adams in excess of the \$500 limits set forth in Portland Charter Section 3-301. According to the complaint, the mailer's use of photographs and supporter names that had been posted on the Friends of Sam Adams website constituted coordination between Sam Works for Portland and Friends of Sam Adams, and the mailer was therefore an in-kind contribution to Friends of Sam Adams that exceeded contribution limits.

After careful review, I find that Sam Works for Portland used publicly available photos and supporter information to develop the mailer, and that Sam Works for Portland produced the mailer independently of and without coordination with Friends of Sam Adams. The expenditures for the mailer therefore qualify as independent expenditures. Charter Section 3-302 and Portland City Code Section 2.10.020 set forth expenditure limits, but based on recent legal proceedings, the expenditure requirements are invalid and are not enforced by the Auditor's Office.¹

This letter shall act as a decision on the complaint and no further action will be taken regarding this matter.

Complaint Decision: No violation.

¹ See also Auditor's Office Administrative Rule 13.02 Campaign Finance: Complaint Process, Section D(2), <https://www.portlandoregon.gov/auditor/article/760087> (expenditure violations will not be subject to investigation and enforcement by the Auditor's Office until the expenditure limits are found to be constitutional).



Appeals Process: The complainant or anyone who is the object of the complaint may appeal to the Multnomah Circuit Court, per Portland Charter Section 3-305(i).

If you have any questions, please be in touch directly.

Sincerely,

A handwritten signature in blue ink, appearing to read 'JM IV', is positioned above the typed name.

Joshua McNeal IV
Business Operations Manager