

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 Contribution Limits by Friends of Ted Wheeler

1. Complainants David Delk, James Ofsink, Moses Ross, and Seth Woolley, residents of Portland, file this Complaint alleging violations of the campaign contribution limits of Portland Charter Chapter 3, Article 3, and Portland City Code Chapter 2.10 ("Portland Campaign Contribution Limits") by Friends of Ted Wheeler, the principal campaign committee of his campaign for Mayor of Portland.
2. The Portland Campaign Contribution Limits were enacted as party of Measure 26-200 of 2018.
3. This Complaint is pursuant to Portland Charter § 3-305.
4. Portland Charter § 3-302 sets forth the Portland Campaign Contribution Limits:

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.
5. These contribution limits went into effect on September 1, 2019, pursuant to Portland Charter § 3-305(a). No court has enjoined the implementation of the Portland Campaign Contribution Limits.
6. The \$500 contribution on June 28, 2020, by Charles Swindells (ORESTAR transaction ID 3502971) comprises a violation of the limit on individual contributions per Election Cycle, as the donor has previously contributed \$5,000 to the Friends of Ted Wheeler during the current election cycle (ORESTAR transaction ID 3348942).
7. The \$100 contribution on June 22, 2020, by Tom Drewes (ORESTAR transaction ID 3497971) comprises a violation of the limit on individual contributions per Election Cycle, as the donor has previously contributed \$1,000 to the Friends of Ted Wheeler during the current election cycle (ORESTAR transaction ID 3415234).
8. The \$500 contribution on June 22, 2020, by Paul Pedreira (ORESTAR 3497993) comprises a violation of the limit on individual contributions per Election Cycle, as the donor has previously contributed \$500 to the Friends of Ted Wheeler during the current election cycle (ORESTAR 3462411). The Friends of Ted Wheeler refunded \$500 to Paul Pedreira on July 23, 2020, but that was a refund of the additional \$500 contributed by Paul Pedreira on July 22, 2020, as indicated in the Other Information field of ORESTAR 3519915.
9. The \$500 contribution on June 17, 2020, by Warren Rosenfeld (ORESTAR 3497969) comprises a violation of the limit on individual contributions per Election Cycle, as the donor has previously contributed a net amount of \$5,000 to the Friends of Ted Wheeler during the current election cycle (ORESTAR 3440738, 3415232,

3415231). The Friends of Ted Wheeler refunded \$500 to Warren Rosenfeld on July 1, 2020 (ORESTAR 3502973), 14 days after receiving the unlawful contribution.

10. Complainants demand 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." Such fines should be levied against the Friends of Ted Wheeler and the contributors.
11. Friends of Ted Wheeler has repeatedly violated the Portland Campaign Contribution Limits, even if its conduct is limited to the period of May 4, 2020, to the present. The City Auditor has found such violations involving contributions by AFSCME and Daniel Petrusich. This complaint documents an additional 4 violations of the contribution limits. The City Auditor has also found that Friends of Ted Wheeler has 7 times violated the disclaimer requirements of Portland City Charter § 3-303. In light of these repeated violations, the City Auditor should impose the maximum available civil fines upon Friends of Ted Wheeler.
12. Complainants request that the City Auditor conduct an audit of all contributions of \$100 or less received by Friends of Ted Wheeler to ensure that only legal contributions are being reported under that label.
13. Complainants requests that all correspondence to them in this matter be addressed to:

delk@honest-elections.com
moses@honest-elections.com
ofsink@honest-elections.com
seth@honest-elections.com

Dated: July 29, 2020

/s/ David Delk
/s/ Moses Ross
/s/ Seth Woolley
/s/ James Ofsink