

From: [James Ofsink](#)
To: [City Elections](#)
Cc: [Seth Alan Woolley](#); [Jason Kafoury](#)
Subject: Campaign Regulations Complaint: 2020-36-JH
Date: Friday, August 14, 2020 2:07:20 PM

August 14, 2020

Louise Hansen
City Elections, City of Portland
1221 SW 4th Avenue, Room 130
Portland, OR 97204

RE: Campaign Regulations Complaint: 2020-36-JH

Dear Louise Hansen, City Elections Officer,

As campaign finance experts who were involved in the initial drafting of the Measure 26-200 that installed the current disclosures regulations, we wanted to weigh in on several of the issues posed in Complaint 2020-36-JH.

Portland Charter Section 3-303 requires each communication to voters related to a City of Portland Candidate Election to prominently disclose the true original sources of the Contributions and/or Independent Expenditures used to fund the Communication, including: the names of any entities that have paid to provide or present it and each of the five Dominant Contributors providing the largest amounts of funding to each such entity in the current Election Cycle.

Timing

We understand the definition in 3-308 (h) for “Election Cycle” to apply to the election period for the candidate being promoted as opposed to the election period for the candidate who is doing the promotion. Using this interpretation makes it such that the provisions apply consistently to both candidate and non-candidate committees supporting candidates.

Using this interpretation of the election cycle (applying to candidate Ryan’s election) makes the relevant definition 3-308 (h)(3). The election cycle in question thus began January 8, 2020 (with resolution 37472).

Dominant Contributors

The other important definition for the communication in question is 3-308(f), which defines “Dominant Contributor” as any Individual or entity which contributes more than \$1,000

during an Election Cycle to a Candidate Committee or Political Committee.

Reviewing campaign finance activity in ORESTAR for the political action committee Jo Ann for Portland City Council since January 8, 2020 there are no contributors exceeding \$1,000. Thus, communications from this entity for this election cycle do not have Dominant Contributors to disclose. The only required disclosure is the names of any entities that have paid to provide or present the communication.

We recommend this complaint be dismissed.

If any further discussion would assist in your determination, please do not hesitate to contact us at james@ofsink.today.

Sincerely,
James Ofsink
Seth Woolley
Jason Kafoury