

Subject: FW: Notice of Complaint No. 2020-31-RS
Date: Wednesday, September 23, 2020 at 6:02:53 PM Pacific Daylight Time
From: Robert Stoll
To: City Elections, Hansen, Louise, Scroggin, Deborah
CC: trinak3829@gmail.com
Priority: High
Attachments: Notice of Complaint 2020-31-RS 9.14.2020.pdf

Dear Mr. Sibley, Ms. Hanson and Ms Scroggin,

I received your Notice of Complaint. Respectfully, this is my response:

1. My records indicate that in February 2020 I contributed \$250 to Mayor Wheeler's May 2020 election, and after that election, I contributed \$500 on June 17 to him for the November election. However, his compliance officer [C&E Systems] refunded \$250 to me two weeks later, on July 1.
2. Until I received your Notice of Complaint, I had no knowledge of the City of Portland ordinance limiting contributions to \$500.
3. Perhaps you could tell me if that limitation applies to each election [e.g., the May election is an election separate from the November election] or to all elections for a term of office? My understanding now is that federal law and contribution limits are for *each election* vote [e.g., \$2800 limitation to a federal candidate for the primary election, and an additional \$2800 for the general election even though that candidate is running in both the primary and general elections for one term of office: if the City of Portland limitation is similar to the federal law, I would not be in violation as the first contribution of \$250 to Mayor Wheeler was for the May election, and the second contribution of \$500 was for the November election.
4. I would not knowingly violate any campaign finance law. Normally, I would rely upon the compliance firm of C&E Systems to make sure that all contributions were appropriate.
5. The City's application of its new campaign finance law seems unduly harsh and aggressive here. To the extent my contribution in June exceeded the City's campaign contribution finance limits, that error was quickly caught and remedied by C&E Systems. The City's approach does not provide an unknowing contributor such as myself the opportunity to have the potential violation cured, as the City did not give me any notice of violation until your Notice of Complaint several months later. Here, the campaign diligently and I understand promptly self-reported the potential excess contribution and returned the funds within two weeks of receiving them. From what is said in the Notice Of Complaint, the campaign complied with the intent of the law (which is to limit campaign

contributions) and none of the excess funds were used or spent for campaign purposes. Finding a violation and assessing a fine [particularly against a contributor without any knowledge or notice under this new ordinance – when contributors and campaigns have received no guidance from the City as to how the law works – seems unfair and deprivation of basic due process.

Thank you for your consideration.

Sincerely, Robert Stoll

N. Robert Stoll

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Office - (503) 227-1600; Cell -(503) 701 3341

Email: rstoll@stollberne.com

Executive Assistant: Trina Kim – 503-927-3347; email: trinak3829@gmail.com

“If not us, then who? If not now, then when?” John E. Lewis

“The test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have too little.” - FDR

Never Ever Give Up!

From: City Elections <elections@portlandoregon.gov>

Sent: Monday, September 14, 2020 10:09 AM

To: Robert Stoll <RStoll@stollberne.com>

Cc: Scroggin, Deborah <Deborah.Scroggin@portlandoregon.gov>; Hansen, Louise <Louise.Hansen@portlandoregon.gov>

Subject: Notice of Complaint No. 2020-31-RS

Importance: High

#External Email

Hello N Robert Stoll,

Please see the attached notification and related timeline for response regarding an alleged violation of the City of Portland’s campaign contribution regulations.

If you have any questions, please be in touch directly. Please note that the City Elections Officer, Louise Hansen, will be out of the office until Wednesday, September 23. Therefore, for the quickest response, email the Elections Office at elections@portlandoregon.gov.

Also, if you have a different preferred email for our office to use for correspondence, please let us know.

Sincerely,

Cody Sibley

He/Him/His

Elections Coordinator

Office of the City Auditor | City of Portland

