

Samantha Gladu
333 SE 2nd Ave.
Portland, OR 97214
303.667.7264
samantha@nextuporegon.com



October 28, 2020

Office of the City Auditor - Elections Division
Deborah Scroggin, Cody Sibley, Louise Hansen
1221 SW 4th Avenue, Room 310
Portland, OR 97204

Dear Mr. Sibley:

Next Up Action Fund is a 501c4 social welfare organization previously known as the Bus Project. The purpose of Next Up Action Fund is to engage the next generation of Oregon's leaders to build political power and fight for a more just and equitable Oregon. Accordingly, we organize, mobilize voters, and sometimes endorse candidates. This year, we enacted a community based endorsement process which uplifted the voices and decision making power of young people in our organization, in line with these statements:

- Next Up Action Fund has a goal of supporting young Oregonians to be leaders in their community. Therefore, we are prioritizing candidates who are aligned with [our values](#), and who are under 35 years old. We are also prioritizing candidates who identify as: BIPOC (Black, Indigenous, and People of Color), LGBTQIA+, people living with disabilities, womxn, people that are low income, and people from underserved communities regardless of age. We are also only considering endorsements in the following geographic regions: Multnomah County, Clackamas County, Washington County, Marion County, and statewide races. We may proactively decide to engage with candidates who meet these criteria.
- Candidates who were endorsed by Next Up Action Fund in the primary election, are considered endorsed in the general election.

Our endorsement committee, composed of staff, volunteers, and board members elected to endorse Teresa Raiford in both the primary election and the general election. In both instances, we have not contributed resources to the Raiford campaign. Our support has included social media and earned media, and communications to our supporters. Communication with our supporters are not considered campaign contributions. Moreover, the amount of time spent announcing and posting our endorsements was de minimus. Therefore, there were no campaign contributions or

expenditures to report.

Given these facts, we were extremely surprised to receive notice of this anonymous and meritless complaint. While the complainant used a fake email address, the screenshot from @writeinterestsaraiford's Instagram has a clear image of James Ofsink's Instagram profile image. Ofsink is the treasurer for Sarah Iannorone's campaign. On September 2nd, 2020, Ofsink sent Next Up a direct message on Twitter stating "I think mayoral endorsement for a candidate whose not even running is a big mistake. But I respect differences of opinion. Can you help me understand how next up is even legally going to spend or report activity supporting this write in campaign?" The screenshot is included below.

This complaint is baseless. As evidence of a violation, Ofsink provided screenshots of earned media - not a reportable activity - and a text message from the campaign that does not identify our organization. We are in the midst of getting out the vote for the most important election of our lives, and are having to spend valuable time and resources to address this complaint. Our organization and our budget are small, and this meritless complaint is eating into our mission and incurring legal fees.

These types of complaints -- baseless and purely political -- threaten our democracy by contributing to the sense that engaging in this work is too risky, which is why so few organizations work in this realm. This complaint is a deliberate threat to our organization and the young people we work alongside, as it alleges wrongdoing when there was none and harms our reputation. It is an insult to young people fighting to be heard. We are gravely disappointed that the complainant would engage this tactic, as it is contradictory to the complainant and the Iannorone campaign's *professed* values. We are deeply concerned about this complaint as it is an instance of weaponizing the elections system to silence political opponents.

In response to elections complaint 2020 46-NU, Next Up Action Fund is providing the following information:

- 1. Please describe the types of activities, if any, Next Up Portland has engaged in to promote candidate Teresa Raiford for the 2020 Primary and General Election.**

We have endorsed Teresa Raiford both election cycles through a community led decision making process, have shared the endorsement on our website, social media, communication to our supporters, and in earned media. See: [OPB, Portland Mayor Finds Himself Politically Squeezed By Months of Protests](#)

- 2. Please provide an accounting of any expenditures made by Next Up Oregon in relation to the answer(s) provided to Question 1.**

The costs were de minimis -- we did not do paid ads or paid media, or any field organizing on behalf of the candidate.

- 3. Please provide an accounting of all expenditures made by Next Up Oregon**

in support or opposition of any City election candidates for the 2020 Primary and General Election.

At the time of this complaint, Next Up Action Fund had spent no significant time on city candidate races. We endorsed candidates and updated our website to reflect those endorsements. We then made a post to social media. I estimate that this activity took no more than one hours of staff time altogether.

We also included our endorsement in a newsletter to our supporters. In addition, we called on Mayor Wheeler to resign, via social media and a press conference. These activities are not deemed a “contribution” and, in any event, also did not involve a significant amount of staff time. Our organization’s focus through both election cycles is to engage young people, as Oregon’s next generation doing democracy right. An estimation of our expenditures for communications related to our endorsements and the amount dedicated to City candidates is de minimis.

On 10/25/2020 we made an in kind contribution to Chloe for Portland in the amount of \$1,133.10 for staff time and technology, which was reported to her campaign treasurer on 10/28/2020.

4. **Please confirm whether the text message sent by "Emily" (see PDF titled “2020-46-NU Complaint”) was sent by Next Up Oregon.**

It was not.

5. **If Next Up Oregon did send the text message, please confirm whether the text message (or a substantially similar text) was sent to more than 500 recipients.**

Not Applicable

Complaint 2020 46-NU is grasping at straws, and we believe it to be motivated by the complainant’s disappointment that we did not endorse his preferred candidate for Mayor. This is a poor use of City and Next Up resources, and we request that it be dismissed.

Please do not hesitate to reach out if you have additional questions.

Best Regards,

Samantha Gladu
Executive Director



James Ofsink

James Ofsink @JamesOfsink

Portlander. Civic nerd. PDX Resistance, Portland Forward. Tax Supervising Cmsr representing the people of MultCo. Advocate for equity. Cyclist. Dreamer. he/him

1,255 Following **1,405** Followers

Joined May 2016

I think mayoral endorsement for a candidate whose not even running is a big mistake. But I respect differences of opinion. Can you help me understand how next up is even legally going to spend or report activity supporting this write in campaign?



09/02/20, 8:39 AM



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Statement of Organization for Candidate Committee

Committee Information	
Name: Friends of Sarah for Portland	ID: 17697 Help
Filing Effective From: 09/14/2020 to present	Filing Type: Amendment
Address: 333 SE 2nd Portland, OR 97206	Campaign Phone: (503)310-7762
Treasurer Information	
Name: James OfSink	Work Phone: (503)208-4082
Mailing Address: 4417 SE Windsor Court Portland, OR 97206	Home Phone:
Email Address: james@ofsink.today	Fax:
Candidate Information	
Name: Sarah lannarone	Party Affiliation: Nonpartisan
Election/Office: 2020 General Election Mayor, City of Portland	Work Phone:
Candidate Address: 333 SE 2nd Ave Portland, OR 97214	Home Phone: (503)310-7762
Mailing Address: PO Box 86212 Portland, OR 97286	Fax:
Email Address: sarah@sarah2020.com	
Occupation: Urban Policy and Best Practices Consultant (not working due to COVID-19)	
Employer: Self Employed	
Additional Committee Information	
Prior Statement of Organization	Persons Associated with Committee
Campaign Finance Activity	Printer-Friendly Version
	Election Activity Log
	History
	Account Summary