



P O R T L A N D
CITY AUDITOR
Elections

July 9, 2020

Mingus Mapps
409 SE 20th Avenue
Portland OR 97214

DELIVERED ELECTRONICALLY
contact@mingusmapps.com
bobdobrich@gmail.com

Mingus Mapps for Portland City Council
3321 SE 20th Avenue
Portland, OR 97202

RE: **City Campaign Finance Regulations: No Violation (2020-17-MM)**

Dear Mingus Mapps and Mingus Mapps for Portland City Council,

Complaint and Determination

On May 18, 2020, the City of Portland Auditor's Office received a complaint alleging violations of Portland's campaign finance regulations by your campaign. Specifically, the complaint alleges the aggregate contributions your campaign received during the primary elections cycle was in violation of Portland's Open and Accountable Elections (OAE) Program, and therefore in violation of the contribution limits in the City's campaign finance regulations. Because the complaint relied on an alleged violation of the OAE Program, I forwarded the complaint to the OAE Director on May 19, 2020. On June 8, 2020, the OAE Director informed me of her determination that a violation under the OAE Program had occurred and had been remedied within the OAE Program's cure period.

The OAE Director has determined that the OAE Program's violation was cured within the appropriate period. Therefore, after a careful review, I find no violation of the City's campaign finance regulations.

City Campaign Finance Regulations

Portland Charter Chapter 3, Article 3 and City Code Chapter 2.10 (collectively, the "City Campaign Finance Regulations" or "Regulations") were passed by voters in November 2018 and are administered and enforced by the City Auditor's Office. The City Campaign Finance Regulations are **mandatory** limits on campaign contributions. Portland City Code (PCC) 2.10.010 (Contributions in City Candidate Elections).¹ Candidates may also **voluntarily** participate in public campaign funding

¹ Although passed by voters in 2018, the Regulations regarding campaign contribution limits were enforced beginning May 4, 2020, following court decisions impacting the Regulations. Candidates qualified to appear on the ballot for the May 19, 2020, primary election were given notice on April 29, 2020, of the change in law, the impact of the change on the Regulations and the May 4, 2020, enforcement date.



through the OAE Program and participating candidates “may receive any amount that such system allows a participating candidate to receive.” PCC 2.10.040.

Complaint: No Violation

Complaint 2020-17-MM alleges the Mingus Mapps for Portland campaign, as a result of receiving an in-kind contribution on May 4, 2020, was in violation of the OAE Program, and therefore the in-kind contribution was unlawful under the City Campaign Finance Regulations. However, the OAE Program allows participating candidates to cure violations under certain circumstances. Here, the OAE Director found a violation and the campaign returned the value of the in-kind contribution to the OAE Program, thereby curing the violation within the prescribed cure period.² The candidate thereby retained the status of a participating candidate in the OAE Program.

Because the candidate returned the amount of the contribution that caused a violation of the OAE Program within the cure period, I find that the candidate has only received contribution amounts permitted by the OAE Program. As a result, I further find no violation of the City Campaign Finance Regulations.

Sincerely,



Deborah Scroggin
City Elections Officer

² As of May 19, 2020, the Principal Campaign Committee for Mingus Maps (Committee ID 20023) had received contributions, including an in-kind contribution, exceeding the \$250,000 limit for OAE Program candidates in the primary. PCC 2.16.040 K. 2.. As disclosed in the state’s campaign finance database (Oregon Election System for Tracking and Reporting, ORESTAR), the amount over this limit was \$13,796 and was primarily driven by an in-kind contribution of \$15,000 received on May 4, 2020 (transaction ID 3458069). Although the in-kind contribution was an acceptable type of contribution within the OAE Program, the contribution led to an excessive fundraising limit. The OAE Program allowed the overage error to be remedied and the overage amount was refunded on May 21, 2020 (transaction ID 3477964).