

We received your letter dated August 16, 2024, stating that you are investigating a potential campaign contribution violation related to edits made to my Wikipedia page. For reasons explained below, there was no improper campaign contribution or use of my office's funds and your investigation should be closed.

Background. The Wikipedia page was created in late 2022, organically by the Wikipedia community without involvement of our campaign or city. I requested some changes to the page in 2022 as the campaign was winding down, but neither I nor anyone from the campaign has made requested changes to the page following my term beginning in 2023.

After nearly a year in service, our office initiated an evaluation of vendor that could assist the office in training staff and updating the Wikipedia page to reflect my time in office and general context in which I have served. The vendor was chosen based on cost and experience and was approved through standard city practices with involvement of city accounting (see our separate answers on approval process).

Wikipedia pages of elected officials have some similarities and differences from other social media platforms. Traditionally mail newsletters have generally been replaced with social media for communicating with constituents. On platforms such as Twitter, Facebook, and Instagram, and email newsletters, it is possible to have separate accounts for campaign and city activities, and in each case, I have separate campaign and city accounts on each of those platforms with separated staff.

Because Wikipedia pages are often created by the community (as was the case here), there is no clear way for city offices to provide a separate page or platform. Yet Wikipedia is an important platform

for documenting the history of government and policy and is often a trusted source of information for constituents and researchers. In an online world filled with misinformation that undermines real dialogue about important issues, trusted sources are important for elected officials. The importance of the platform is precisely why the staff of so many elected officials have been involved in changes to elected officials' pages over the years (see below for discussion of requests to Wikipedia pages on behalf of prominent elected officials, including President Biden).

No campaign staff have directed or have been involved in the June 2024 Wikipedia requested changes or engaged with the vendor.

On their face, these complaints should be dismissed.

The Complaint Does not Provide Sufficient Detail to Afford Candidate an Opportunity to Respond. As a threshold matter, the complaints don't specify who the donor is that made a contribution in excess of allowed amounts. This puts a campaign in an impossible situation to guess who the purported donor is while responding and violates basic principles of due process.

Office Communications Do not Constitute a Campaign Contribution. Further, nothing here meets the definition of contribution. City elected officials regularly retain staff and professional help in communicating with the public. This includes utilizing in-house resources and staff for social media, communication as well as outside consultants and vendors for public relations, polling, photography, and assistance on social media. In fact, elected officials addressing Wikipedia is incredibly common: one study found over a thousand edits by IP addresses

allocated to the House of Representatives or the Senate.¹ The following is a partial list of U.S. Senator biographies on Wikipedia edited by Senate employees²:

- While a US Senator, President Biden's page had a major edit removing significant criticism;
- Senator Conrad Burns' page was edited to remove negative comments as positive comments were added;
- Senator Norm Coleman's page was also edited to remove negative comments while positive comments were added;
- Senator Robert Byrd's page was vandalized;
- Senator Tom Harkin's criticism section was deleted, a major section removed and later vandalized by a different IP address.

There is also evidence that staff or contractors of other city commissioners have edited Wikipedia pages, including Chloe Eudaly and Jo Ann Hardesty.³

Further, elected officials regularly use taxpayer dollars to communicate with constituents, even in years when they are running for office.⁴ For example, Representative Salinas is expected to spend nearly \$40,000 in taxpayer money for radio ads this summer, ahead of her November election.

¹ Wikipedia editors made a fairly extensive survey of edits from Congressional IP ranges: "*Wikipedia:Congressional Staffer Edits.*" *Wikipedia*. Retrieved June 22, 2006.

https://en.wikipedia.org/wiki/Wikipedia:Congressional_staffer_edits

² <https://arstechnica.com/uncategorized/2006/01/6079-2/>

³ [https://en.wikipedia.org/wiki/Talk:Rene_Gonzalez_\(politician\)](https://en.wikipedia.org/wiki/Talk:Rene_Gonzalez_(politician)). "There's been previous City of Portland connected PR editing. I'm not sure if it was city communications staff or a vendor that time around though. See EAOC97 (talk · contribs) and their edits, who polished PBOT and Eudaly. Dove3579 (talk · contribs) similarly polished Hardesty and PBOT. Although I can't say with more specificity per WP:OUTING, there's enough off-wiki evidence that the latter user is city government connected and very likely committed undisclosed paid editing by making editing as part of their work related role. Graywalls (talk) 19:12, 8 August 2024 (UTC)".

⁴ <https://www.oregonlive.com/politics/2024/08/republican-seeking-to-unseat-1st-term-oregon-democrat-in-congress-cries-foul-over-taxpayer-funded-ad.html>

Commissioner Rubio, one of my opponents in the upcoming mayoral election, regularly touts her accomplishments on platforms supported by city staff or use city resources in the months leading up to the election.⁵ She has sent no fewer than eight city email newsletters using city resources since announcing her run for mayor. Some examples from her newsletter:

- “Under my direction, Prosper Portland and the Portland Housing Bureau have been exploring new Tax Increment Financing (TIF) districts in East Portland and the Central City.”
- “Due to the foresight of the [changes](#) I passed at City Council in November 2022 and the thoughtful work of the PCEF Committee, PCEF was able to step in and fund climate work across the entire city enterprise.”

Any of those communications could be characterized as benefiting her campaign with taxpayer dollars.

She also doubled her communication staff with taxpayer dollars in the run-up to the mayoral election. Those investments could be characterized as helping her campaign.

If the City of Portland chooses to regulate incumbents’ communications with constituents or use of city dollars in doing so because of concerns that it may help their campaign indirectly, the City should adopt rules similar to what Congress has adopted with clear blackout dates and approval processes. However, retroactively characterizing such communications as a donation is not an appropriate way to regulate those communications or use of city resources – it provides incumbents with no proactive guidance to adhere to. Doing so in a complaint system is particularly problematic – incumbents who face opposition from more activists-

⁵ <https://commrubio.substack.com/p/investing-in-east-portland-and-central>

oriented communities (and that are more likely to file election complaints) are held to a different standard than those who are supported by activists-oriented communities.

The Complaint is Based on An Error-Filled News Article. The Oregonian article that serves as the basis of the complaint was filled with numerous factual errors. When the errors were called to their attention, the Oregonian stated *“Correction: This article has been corrected to reflect that Commissioner Rene Gonzalez’s office, not WhiteHatWiki, submitted the proposed changes to Wikipedia on June 25. The original article incorrectly said WhiteHatWiki had done so. The Oregonian/OregonLive regrets publication of the error.”* Chief of State Shah Smith has put the Oregonian on notice that their corrections are not sufficient and that further corrections are warranted. The factual basis for this complaint is problematic.

The Complaint is Politically Motivated. Portland for All, which has publicized their filing of the complaint in question here, has made clear for some time their commitment to preventing my election as the next mayor of Portland. See the attached email they sent on June 27, 2024, weeks before any public discussion of our Commissioner Office’s spend. In it they say:

*“It’s up to voters like us to stop Rene Gonzalez from causing any more harm. *****We cannot let Rene Gonzalez become our next Mayor.”*

In the weeks leading up to the Oregonian Article, social media accounts have regularly attacked Rene Gonzalez. Recently, they have endorsed one of my opponents in the mayoral race.

This complaint is nothing more than a political hit job, intended to distract and damage a campaign.