



P O R T L A N D
CITY AUDITOR
Elections

June 1, 2022

Portland United PAC
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Portland, OR 97204

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Notice of Determination Written Warning and Education

Campaign Regulation Complaint No.: 2022-02-PU

Dear Portland United PAC:

The Auditor's Office received a complaint May 13, 2022 alleging that Portland United PAC did not properly disclose required funding information on its website. The complaint alleged Portland United PAC did not prominently disclose required funding information on its website. The complaint alleged the website used a font of insufficient size and contrast and information was hidden from view on mobile devices. The complaint alleged a violation of [Portland City Charter Section 3-303](#) and corresponding [Portland City Code Section 2.10.030](#). We determined that one violation occurred.

Investigation and Findings

A Notice of Complaint was sent to political committee Portland United PAC on May 17, 2022. The City Elections Office conducted an investigation of this complaint, and the findings of fact are as follows:

Font Size

Portland United PAC asserts the disclosure information, provided in 10-point font on its website, was readily comprehensible to persons with average reading and vision faculties. However, City Code Section 2.10.080 O.4. specifies that prominent disclosure of funding information means the information must be "readily comprehensible" to a person of average reading and vision faculties and that the font is in "contrasting color" and "the same size or larger" as the "majority of text" on the website. We find that the 10-point font used on the website for the funding disclosure was significantly smaller than the majority of text on the remaining website in violation of City Charter Section 3-303 and corresponding City Code Section 2.10.030.



Font Contrast

Portland United PAC said its website used a contrasting color for the font of the disclosure information. It also said it was unaware of any display issues on mobile devices because its workers did not encounter white text on white background when viewing the website on their own devices.

We find that the font color used for the disclosure text sufficiently contrasted with the website's background to support being readily comprehensible to a person of average reading and vision faculties. In addition, we viewed the website on various mobile devices and did not observe white disclosure text on a white background. Although the Complainant submitted an image of the mobile device display issue, the totality of the evidence was insufficient to support that any display issue resulted from the font contrast selected by the political committee. Therefore, we do not find any violation of City Charter Section 3-303 or corresponding City Code Section 2.10.030.

Outcome

We find the evidence substantiated one violation of City Charter Section 3-303 and corresponding City Code Section 2.10.030. As a result, we are issuing this letter as a Written Warning and Education.

Of note, the Portland United PAC website is currently inactive. Should the website be reinstated, the Portland United PAC is required to remedy the violation regarding font size within 10 business days of website reinstatement. Failure to do so may result in civil penalties including, but not limited to, a \$3,000 fine for each violation.

Education

The City Auditor's Office administers and enforces [City Charter Chapter 3, Article 3](#) and [City Code Chapter 2.10](#) ("City campaign finance regulations"), which were passed by voters in November 2018. The regulations require certain campaign contributors and their respective sources of income to be prominently listed on campaign communications, including websites. See [City Code Sections 2.10.030](#) and [2.10.080 O.4](#).

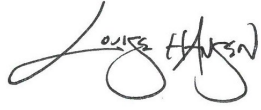
City campaign finance regulations require:

- "Each Communication to voters related to a City of Portland Candidate Election shall Prominently Disclose the true original sources of the Contributions and/or Independent Expenditures used to fund the Communication...." [City Code Section 2.10.030 A](#).
- "'Communication' means any written, printed, digital, electronic or broadcast communications[.]" [City Code Section 2.10.080 D](#).
- "'Prominently Disclose' means that the disclosure shall be readily comprehensible to a person with average reading, vision, and hearing faculties, with.... any website or email message in type of a contrasting color in the same or larger font size as used for the majority of the text in the message[.]" [City Code Section 2.10.080 O.4](#).

Appeals

An appeal may be filed with the Multnomah County Circuit Court within 30 days of the issuance of a decision, as described in [City Code Section 2.10.050 I](#).

Sincerely,

A handwritten signature in black ink that reads "Louise Hansen". The signature is fluid and cursive, with the first name "Louise" written in a larger, more prominent script than the last name "Hansen".

Louise Hansen
City Elections Officer