

AUDITOR'S OFFICE DISCLOSURE OF POLITICAL ACTIVITY POLICY

Auditor's Office employees may engage in political activity in accordance with Auditor's Office Administrative Rule ("ARA") 3.11 – Ethical Conduct, Chapter VI: Political Activity. Auditor's Office employees may also engage in outside employment in accordance with Auditor's Office Administrative Rule ("ARA") 3.11 - Ethical Conduct, Chapter VII: Outside Employment and Volunteer Activities. Those who perform volunteer activities for another City office or bureau, that are related to a City Council campaign, or that could create a potential or actual conflict of interest must disclose those activities. Further, those who fulfill certain roles in the Auditor's Office and engage in activities listed below must make additional disclosures to ensure independent administration, investigation and audit work.

A. Definitions

1. **Covered Contribution:** a monetary or in-kind contribution in support or opposition to any City candidate or City measure, whether the contribution is (a) directly to an individual candidate or a campaign committee, or (b) to a political action committee, to a political committee (that must be registered with the Secretary of State), or to a petition committee where such committee solicits contributions for the purpose of supporting or opposing one or more City candidates or City measures in an election cycle or where the employee intends their contribution will be used for the purpose of supporting or opposing one or more City candidates or City measures in an election cycle.
2. **Covered Expenditure:** an independent expenditure made by an individual or a combination of persons for the purpose of supporting or opposing one or more City candidates or City measures in an election cycle.
3. **Covered Group:** a political action committee, a political committee (that must be registered with the Secretary of State), a petition committee, a corporation, a labor organization or a membership organization where such entity solicits contributions for the purpose of supporting or opposing one or more City candidates or City measures in an election cycle or makes expenditures for the purpose of supporting or opposing one or more City candidates or City measures in an election cycle.
4. **Supporting or Opposing a City Candidate or Measure:** The activities that could be considered to support or oppose a candidate or measure are varied and this term should be broadly construed. However, casting a vote for or against a candidate or measure is not supporting or opposing the candidate or measure. Likewise, making a financial contribution or expenditure in support of an opponent of a candidate who ultimately wins the election is not in and of itself enough to constitute "opposing" the candidate that wins the election. (For example, suppose Candidate X is running against Candidate Q for mayor. Candidate X loses; Candidate Q wins. Elections staff may be required to disclose a contribution made to Candidate X if investigating Candidate Q for campaign finance violations during the course of the election. But elections staff would not have to disclose the mere fact that they contributed to Candidate X if, after the election when Candidate Q is in office, they are investigating Candidate (now Mayor) Q for a lobbying investigation.)

B. Elections Office

1. Elections Office staff may be required to disclose in writing to their supervisor the following activities:
 - i. The making of a covered contribution or covered expenditure.
 - ii. Volunteering time to: (a) any campaign for City Council, Mayor, or the Auditor; or (b) to any covered group's political activities with respect to City elections.

- iii. Any other activities that pertain to supporting or opposing a City candidate or a City measure.
2. The Elections Officer and Elections and Special Projects Manager must disclose any time they engage in any of the activities identified in (1).
3. All other elections staff must disclose before:
 - i. Processing paperwork relating to a contest or measure with respect to which the staff member has engaged in one of the forms of activity outlined in (1).
 - ii. Investigating or reviewing a campaign finance complaint or potential violation relating to a contest or measure with respect to which they have engaged in one of the forms of activity outlined in (1).
 - iii. Participating in a lobbying or political consultant investigation involving an elected official that they supported or opposed in one of the forms outlined in (1).
4. The City Auditor, Chief Deputy, and General Counsel must disclose before:
 - i. Supervising or advising on one of the forms of activity outlined in (3) if they have engaged in one of the forms of activity outlined in (1).
5. Questions about necessary disclosures should be raised by Elections personnel with the Chief Deputy, General Counsel or City Auditor.

C. Audit Services Division

1. The City Auditor, General Counsel, Audit Services Director, Deputy Director, and Audit Services Division staff must disclose the following activities:
 - i. The making of a covered contribution of \$100 or more, unless the contribution is made to a candidate or candidate committee for City Auditor, or the contribution is made to a committee formed solely to support or oppose a candidate for City Auditor.
 - ii. The making of a covered expenditure of \$100 or more, unless the expenditure is to support a candidate or candidate committee for City Auditor.
 - iii. Volunteering time to: (a) any campaign for City Council or Mayor; or (b) to any covered group if the time or services volunteered relate to the covered group's political activities with respect to City elections (except the City Auditor election).
 - iv. Activities that otherwise pertain to supporting or opposing a candidate for Mayor or City Council or a City measure.
2. The City Auditor, General Counsel, Audit Services Director, Deputy Director, and Audit Services Division staff must disclose when:
 - i. Completing the annual independence statement and, for all of the above-mentioned staff excluding General Counsel, on a continuous basis using the independence considerations log, including after reports to which they contributed are issued. (The Auditor will not have access to the independence considerations log used by Audit Services Division staff.)
3. Audit Services Division staff must also disclose when:
 - ii. Being considered for assignments (e.g. audits, contract management, hotline investigation, recommendation follow-up).
 - iii. Completing the project-specific independence statement at the time of assignment.
4. Questions about necessary disclosures should be raised by Audit Services Division staff and General Counsel with the City Auditor, Audit Services Director or Deputy Director.

Note: The City Auditor, General Counsel, Audit Services Director, Deputy Director, and Audit Services Division staff must also disclose activities outlined in (1) that pertain to a candidate for Multnomah County Commission or a County measure relating to the Joint Office of Homeless Services.

D. Ombudsman Office

1. Ombudsman Office staff may be required to disclose in writing to the City Ombudsman the following activities:
 - i. The making of a covered contribution of \$100 or more, unless the contribution is made to a candidate or candidate committee for City Auditor, or the contribution is made to a committee formed solely to support or oppose a candidate for City Auditor.
 - ii. The making of a covered expenditure of \$100 or more, unless the expenditure is to support a candidate or candidate committee for City Auditor.
 - iii. Volunteering time to: (a) any campaign for City Council or Mayor; or (b) or to any covered group if the time or services volunteered relate to the covered group's political activities with respect to City elections (except the City Auditor election).
 - iv. Activities that otherwise pertain to supporting or opposing a candidate for Mayor or City Council or a City measure.
2. Ombudsman Office staff must disclose when:
 - i. Being considered for assignments (e.g. investigations, reviews)
3. The City Ombudsman, General Counsel, and City Auditor must disclose before conducting or contributing to investigations or reviews if they have engaged in one of the forms of activity outlined in (1).
4. Questions about necessary disclosures should be raised by Ombudsman Office staff and General Counsel with the City Auditor or City Ombudsman.

E. Inadvertent Violations

1. The Auditor's Office recognizes that there may be situations when an employee inadvertently violates this policy despite operating in good faith and with reasonable diligence. For example, an organization that the employee has contributed to or volunteered with may take action that renders it a political committee even if engaging in political activity is not a significant part of its day-to-day operations. So long as employees use reasonable care in determining whether a contribution (of money, or time, or services) or expenditure qualifies as one that needs to be disclosed under this policy, there will be no basis for discipline against the employee for inadvertent violations of this policy.