



REPORT ON

OPEN & ACCOUNTABLE ELECTIONS

2020 ELECTION CYCLE

2020 REGULARLY SCHEDULED and
SPECIAL ELECTIONS



ISSUED BY THE OPEN & ACCOUNTABLE ELECTIONS COMMISSION
AUGUST 5, 2021

Table of Contents

Executive Summary	3
Background	5
Unique Circumstances of 2020 Election	5
Launch.....	5
Special Election.....	6
Sudden Applicability of Contribution Limits.....	7
COVID-19 Pandemic.....	8
Goals of Open and Accountable Elections	9
Evaluation of Progress Towards Goals	11
Reduce or Eliminate Actual and Perceived Corruption.....	11
Increase and Broaden Democratic Engagement.....	15
Make the Program Optimal for Users, Stakeholders, and the Public.....	19
Participation.....	19
User Experience Research.....	19
Administrative Efficiency and Accuracy.....	20
User Experience Research	21
Individual Donor Survey Results.....	21
User Surveys and Interviews.....	23
Open and Accountable Elections Commission Recommendations	26

Executive Summary

The Open and Accountable Elections program (OAE) launched in December 2018 for elections beginning in 2020. Under the program, candidates for City office could run under the new small donor matching system. Participating candidates received a 6-to-1 match on the first \$50 they received from Portland donors, if they agreed to program contribution limits and rules. To qualify, candidates had to prove they had broad community support by collecting hundreds of small contributions from Portlanders. This system enables candidates to run for and win City office without relying on big donors. When their elected leaders rely on small contributions from all over Portland, the program can achieve its goal of reducing actual and perceived corruption by ensuring elected leaders are accountable to *all* Portlanders.

After each election cycle, the Open and Accountable Elections Commission is required to evaluate the program's performance, make recommendations on how to improve the program, and publish this in this biennial report. To evaluate the program's performance and make recommendations for improvement, the Commission considered information from a detailed [user research process](#) as well as quantitative and qualitative data from the election cycle. The key findings from this analysis include:

- Open and Accountable Elections launched in time for the 2020 election cycle and navigated several challenges successfully. *(Page 5)*
- The program made substantial progress on its primary goal, to reduce actual and perceived corruption. The program also has internal goals to be efficient and accurate, and to optimize itself for users. *(Page 9-10)*
 - **Reducing Corruption:** Because Oregonians are concerned that their elected leaders only act in the interests of big campaign donors, the metrics related to reducing actual and perceived corruption are decreasing the size of the average and median contributions and increasing and broadening democratic engagement. By reducing campaign reliance on big donors and expanding democratic engagement across the City, residents can be confident that their elected leaders are accountable to all Portlanders.
 - The average contribution per donor decreased from \$1,221 in 2016 to \$81 in 2020 and the median contribution per donor from \$250 to \$50. *(Page 11)*
 - There was an expansion in democratic engagement. Data from the election showed that lower-income neighborhoods in North, Northeast, and East Portland gave more than in previous elections, reducing the disparity between them and the wealthier areas in the city's core. A much higher percent of donors were individuals, rather than entities, which means that Portlanders from across the City were more represented in campaign fundraising. A majority of small donors reported that they had never given to a candidate for City office before. *(Pages 15-18)*
 - Based on a survey of small donors, there is a positive shift in how the public's perception of corruption and to whom elected leaders will be accountable. *(Page 13-14)*
 - **Efficiency and Accuracy:** The program met goals related to efficiency and accuracy. An internal audit found a 98.65% accuracy rate in processing transactions reported to the program. *(Page 20)*
 - **Optimizing the Program:** The program is engaged in a process to meet its third goal, which is to continually improve itself to better meet its goals, be optimal for its users, and serve the public.
 - High participation in this voluntary program in the 2020 elections suggests that the program was successful in its first election cycle by this quantitative metric. Two-thirds of competitive candidates opted in. Of the seven candidates who either won the primary outright or qualified for a run-off, six participated. Three of four winning candidates used the program. *(Pages 19)*
 - Qualitative metrics were gathered in a [user experience research project](#). *(Page 21)*

The program worked with a user experience researcher to gather comprehensive data about different types of users experiences with the program, which included surveys and interviews with candidates, campaign staff and treasurers, representatives from community organizations, journalists, and members of the public. The feedback was used to develop this Commission's recommendations. Key highlights from the [user experience research project](#) include:

- The overall program design and program staff were given high marks. The ability of the program to enable participating campaigns to raise enough to compete. The customer service, responsiveness, and level of support were particularly praised in almost every interview. *(Pages 21-25)*

- Most candidates felt that the experience of running under the program was positive and would participate again in the future. (*Pages 21-25*)
- The most universal feedback was that the program needs to be simplified. Simplifying the rules makes it easier for campaigns to participate in without accidentally violating program rules and incurring a penalty that could impact their election or their personal finances. Simplification is not just a matter of ease of use. It also has implications for how inclusive the program is for people new to politics and who don't have the resources to easily pay for professional compliance consultants. (*Page 21-25*)

While the Open and Accountable Elections program's first election cycle was a success, there are areas for improvement. Public financing programs must be updated each election cycle to keep up with a constantly changing campaign finance climate. Based on the lessons learned from its operation, and feedback gathered through the [user research process](#), there were numerous proposed ideas for how to adjust the program. The Commission carefully considered each proposal over the course of months, engaging users and stakeholders throughout the process. These are all detailed towards the end of the report. (*Pages 26-28*) Highlights from the list of recommended improvements include:

- Change the 6-to-1 match on the first \$50 to a 9-to-1 match on the first \$20.
- Narrow the allowances for in-kind contributions from \$20,000 per campaign per election to \$5,000 per donor per election from small donor organizations or for democracy building activities only.
- Change the name to Small Donor Elections, to reduce confusion as to what the program does compared to other campaign finance reforms, Rename the Open and Accountable Elections Commission the Portland Elections Commission. This is in alignment with a recommendation to amend the charter to create an independent commission to house the program, that could also take on handling other elections related reforms such as Honest Elections contribution limits and disclosure.
- Align the program with some limits in Honest Elections, such as limiting individual seed money contributions to \$500 per donor and permitting campaigns to take on no more than a \$5,000 loan.
- A series of other recommendations, most of which serve to simplify the program and align it with how campaigns operate.

Overall, the assessment is that the first election cycle of the program was a success, despite many challenging circumstances. With the recommended changes, the Commission believes the program can be optimized to achieve program goals, work for users, and serve the public more effectively.

1. Background

Open and Accountable Elections was established by the Portland City Council in 2016. Portlanders are growing increasingly concerned about the role of big money in politics, particularly its corrupting influence, the high cost of running for office, and the sense that their voices are being drowned out by large donors and special interests. Open and Accountable Elections was designed to meet those concerns by ensuring that candidates could raise enough to win by focusing on small donations from lots of Portlanders from across the city.

There are over 30 public financing of elections programs throughout the country, including fourteen states and many cities, such as Los Angeles, San Francisco, Seattle, New York City, and Albuquerque¹.

Open and Accountable Elections is a small-donor matching program for candidates running for city office. If candidates for Mayor, Commissioner, or Auditor agree to contribution limits - \$250 per donor per election from human donors, as opposed to business or other entities, with a few exceptions - the City will match the first \$50 from Portlanders 6-to-1. For example, if a resident gave a participating candidate a \$25 donation, the City would provide \$150 to that candidate. Then the candidate would have \$175 for their campaign. By multiplying small contributions with public funds, candidates participating in Open and Accountable Elections can raise enough to compete with candidates not participating in the program and not be subject to program contribution limits. Participating candidates can raise enough to compete in city elections without taking any large contributions. The intent is to give Portlanders confidence that their government is accountable to all Portlanders, not just big donors.

This is not the first public financing program in Portland's history. Portland ran a 5-year trial of a grant-based public financing program called Voter Owned Elections. In 2010, voters decided by a narrow margin to let the experiment expire, after the program experienced a high-profile case of fraud and experienced other implementation setbacks. Open and Accountable Elections seeks to learn from the City's experience with Voter Owned Elections.

2. Unique Circumstances of the 2020 Election Cycle

While the 2020 election cycle gave the City some valuable lessons from one cycle of implementation and data, it was also an unusual one for several reasons:

- The program was given less time than needed to launch, and thus was launched while program policies and structures were still being built.
- In January of 2020, a special election was called to fill a vacancy in the Commissioner 2 seat. Special elections are rare and not budgeted for. Partial additional funding was provided but the match caps for participating campaigns in the special election had to be lowered to ensure the program remained solvent through the election cycle and could distribute promised amounts through election day.
- A few weeks before the May 2020 primary, the Oregon Supreme Court ruled that contribution limits for non-participating candidates would go into effect.
- In March of 2020, the country began a lockdown due to the Covid-19 pandemic that would last in some form through the end of the election cycle and beyond, dramatically changing how campaigns raised money and communicated with voters.

Launch

By law, the program was to be launched in time for the 2020 regularly scheduled election cycle. The primary goal of the program was to launch successfully. Though it was passed into law in December 2016, the City did not approve funding or hiring authority until 2018. The Director was hired in June 2018. The 2020 regularly scheduled election cycle started on December 21, 2018. The Open & Accountable Elections Commission was appointed in January 2019. Launching in time was a serious challenge.

¹ https://www.demos.org/sites/default/files/publications/Public_Financing_Factsheet_FA%5B4%5D.pdf

To rise to the challenge, the program staff and the Open and Accountable Elections Commission took extraordinary steps to get the program launched in time. Back up plans were in place in case ambitious goals were not achievable in time. First, the program could only operate efficiently with technology to collect information about the tens of thousands of contributions and expenditures from participating campaigns. Using this technology, the program could carry out its duties of ensuring they were in compliance with program rules and both quickly and accurately calculating matching payments to campaigns. But the City's procurement process for technology proved too lengthy and costly. The city's technology bureau estimated \$1,000,000 or more for the technology needed using the city's procurement process and typical vendors. They also estimated a year-long timeframe to write and post and close an RFP to find a vendor, plus more time for the vendor to build the software. For the 2020 election cycle, the program would have had to use a manual process to handle the reported campaign finance transactions, which would have been slow, inefficient, and costly in additional staff time.

Instead, the program partnered with Civic Software Foundation's Hack Oregon project to build custom software for the program to utilize its CIVIC platform. Civic Software Foundation agreed to a fast timeline to build and launch the software. Civic Software Foundation began the design process with the program as the City finalized a contract, which took months. Once the contract was finalized, the building began in March 2019, and they built the software for launch by September 2019. Rather than use manual reporting, the program delayed reporting from campaigns that would have started in July 2019 to the software launch in September 2019. The technology launch, while not without small glitches, was a success and the program operated quickly and efficiently compared to the manual alternative. The technology will save the program hundreds of thousands of dollars each election cycle through efficient administration. It is also faster for campaigns to report data to the City and results in faster processing and matching payments to campaigns. It cost a small fraction of the anticipated cost if we had chosen other vendors, the software is open source, and is hosted on the CIVIC Platform, to which the program pays a small membership fee for maintenance.

A second challenge in the fast launch timeline was making substantive program decisions quickly enough to carry them out in time for the program launch. The Open and Accountable Elections Commission could not be appointed until January 2019. The program was ready with phases of program decisions for the Commission to make recommendations on as soon as they started meeting. The Commission met monthly for extended 2-hour meetings and made substantive decisions very rapidly. Program staff carried out Commission recommendations - with a few exceptions where the Elected-In-Charge differed from Commission recommendations - very rapidly, enabling a July 2019 program launch with approved Administrative Rules and program forms, policies, and practices.

Special Election

Commissioner Nick Fish's death on January 2nd, 2020 created an unexpected vacancy on the City Council. Immediately, the program had to create and release an entirely new timeline for candidates who wanted to participate in this program. And since the primary was only scheduled four-and-a-half-months before the election date, that timeline would need to be more compressed than the regularly scheduled election timeline. The Open and Accountable Elections Commission met this challenge by establishing a subcommittee, which met to draw up a timeline that would still enable candidates to have a reasonable amount of time to sign up, gather their necessary qualifying donations, get certified for public matching, and receive enough matching funds to compete in a citywide election.

A second challenge was that special elections are typically rare and therefore not budgeted for. The program had to request additional funds to cover the cost of the special election. A large number of individuals declared their candidacy for the open seat. The special election primary was set to coincide with the regularly scheduled primaries on May 19th, but the runoff was scheduled for August 11th by the Portland City Council. The number of candidates had a significant impact on the program's budget. Initially, thirteen candidates² signed up to participate in the program. If each of those candidates received the maximum public match of \$200,000, that would result in the program spending as much as \$2.6 million in matching funds, which was more than what was spent on the three regularly scheduled races together.

² Commissioner Dan Ryan, Former County Commissioner Loretta Smith, James Davis, Metro Councilor Sam Chase, Margot Black, Julia DeGraw, Cynthia Castro, Rachelle Dixon, Ronault Catalani, Jeff Lang, Robin Castro, Ryan Farmer, and Tera Hurst

With guidance from the Open and Accountable Elections Commission, the Director decided to adapt to this challenge with several approaches. First, the program asked the City Council for an emergency allocation. In March, the City Council allocated an additional \$750,000 to the program's budget. Second, the program asked the City Council to amend the Code to permit the program to reduce the match cap in the special election if the program funds were insufficient. After discussion and solicitation of input from campaigns, community-based organizations, and the public, the program lowered the maximum amount in matching funds that a special election candidate could receive from \$200,000 to \$150,000. This solution helped to avoid budget overruns, while still ensuring that candidates could raise enough resources to communicate their messages. And lowering the match cap instead of the match rate (\$6-to-\$1 on the first \$50) would eliminate the need for two different match rates between the special election and regularly-scheduled election candidates, which would have been confusing to donors and the public. Ultimately, the program was able to match all qualifying donations and keep within the amount of funding appropriated to the program. Possibly due to lower than usual fundraising as a result of the pandemic, the program did not need the additional \$750,000 allotted to it for the special election and returned those funds to help the City's budget shortfall also caused by the pandemic.

Sudden Applicability of Contribution Limits

One of the other unusual circumstances in the program's first election cycle was the sudden implementation of the contribution limits passed under the name Honest Elections. Though it passed by Portland voters in 2018, the Honest Elections law created a new set of campaign finance requirements for candidates running for city council, including limiting contributions to \$500 and requiring that campaigns list the top donors on their campaign ads. The law was challenged on constitutional grounds and its enforcement of the contribution limits was struck down at the trial court level while appeals worked their way through the court system. The disclosure requirements were upheld and enforced immediately by the Auditor's office.

However in early 2020, the Oregon Supreme Court ruled that contribution limits were constitutional in a similar case. The City of Portland asked the Court for guidance as to whether that means the City should start enforcing the Honest Elections contribution limits. The Court determined that the City should enforce the contribution limits weeks before the May 2020 primary.

Candidates using public financing programs like Open and Accountable Elections were carved out of Honest Elections contribution limits, so they only applied to candidates not participating in Open and Accountable Elections. Nonetheless, this created two challenges. First, Open and Accountable Elections had to adopt rules to clarify which candidates were participating and non-participating over various timelines and circumstances, which it did. Second, the Open and Accountable Elections program was designed assuming participating candidates would be running against non-participating candidates who didn't have any contribution limits.

Another area of confusion was that the Open and Accountable Elections office runs the Open and Accountable Elections program and the Auditor's Office enforces Honest Elections contribution limits and disclosure requirements. First, campaigns did not know which office to talk to about which issues. Second, it was confusing who had to follow which rules. Third, and most importantly, enforcement of rules relating to contributions often applied to both programs at once, with identical complaints being filed with both offices. For legal reasons, it is critical that the City not contradict itself in how those complaints are enforced. Close coordination between the offices is necessary. At the beginning of the 2020 election cycle, the Auditor's office would refer any complaints of a candidate participating in Open and Accountable Elections to the Open and Accountable Elections office, and defer to the program's decision on whether the candidate violated Open and Accountable Elections law or rules. After a staff change in the Auditor's office, the Auditor's office adopted a policy of making their own independent assessment as to whether candidates participating in Open and Accountable Elections violated program law or rules, while the Open and Accountable Elections program was making that determination as well, introducing a potential for conflict and confusion for participating candidates and the public. In fact, a local newspaper reported that a candidate was cleared of wrongdoing when she was cleared by the Open and Accountable Elections program Director, but was not yet cleared by the Auditor's office of wrongdoing for the exact same activity. This was shortly before an election when ballots were at homes and residents were voting. It caused frustration among many to not have clarity on this issue. Many program users and stakeholders expressed hope that in the future, both programs can be handled from the same office.

Covid-19 Pandemic

The Covid-19 pandemic provided a unique set of challenges to the candidates running under Open and Accountable Elections. Due to stay-at-home orders and the public's desire to limit in-person interactions for safety reasons, both the program and campaigns had to figure out how to carry out their activities remotely.

The pandemic affected campaigns more than the program. Campaigns were not able to rely on many traditional methods of collecting donations. Candidates could not hold in-person fundraisers, or canvas door-to-door to collect donations. That posed significant difficulties for "grassroots candidates," who often rely on attending public events and utilizing canvassers to help raise their profile--and they struggled at the expense of candidates who already had wide name-recognition and large email lists from previous campaigns. Additionally, the pandemic monopolized media coverage, which made it challenging for candidates to receive media coverage to gain awareness of their candidacy, get their message out, or even make the public aware that a local election was coming up. Although it was a significant challenge, many candidates were able to adjust and raise enough funds to compete in the election.

While we were able to collect some valuable data this election cycle, multiple election cycles of data are necessary to evaluate the performance and long-term implications of any public financing of elections program. And because of the uniqueness of this election cycle, the data from the 2020 election cycle is different from what was initially anticipated.

3. Goals of Open and Accountable Elections

There are three goals of the Open and Accountable Elections program:

- Reduce or eliminate actual and perceived corruption,
- Increase and broaden democratic engagement in Portland, and
- Make the program optimal for users, stakeholders, and the public.

The first goal, reducing or eliminating corruption, is the primary goal. The second goal of increasing and broadening democratic engagement serves the first goal. Actual and perceived corruption is reduced or eliminated when Portlanders understand that elected officials are acting in the best interests of and are accountable to all Portlanders, not just big donors. By bringing more people into the democracy who are more representative of the City as a whole rather than a small and skewed class of donors, the program increases the degree to which elected officials are funded by and therefore are accountable to and are perceived as accountable to all Portlanders. The final goal should be the goal for all City functions, which is to continuously improve efficiency and user friendliness.

Reduce or Eliminate Actual and Perceived Corruption

Oregonians are deeply concerned about corruption. A 2018 poll found that 87% of Oregonians agree that “large political campaign donations buys special access and influence, which diminishes voter confidence and fosters corruption.”³ Portlanders are anxious that local and state leaders are susceptible to special interests, since candidates traditionally rely on their donations to fund their campaigns. One method to decrease actual and perceived corruption is to reduce candidate reliance on large contributions to fund campaigns and increase reliance on other sources, such as small contributions and City matching funds. There are both quantitative metrics by which we can analyze whether this occurred in the 2020 election cycle and qualitative metrics by which we can measure perception of decreased corruption. The program gathered both. We evaluated how candidates were raising their money in 2020 versus the last similar election before the program was in place in 2016. We also surveyed program users - both campaigns who interacted with voters regularly and small donors to campaigns - to ask about their assessment of the program reducing actual and perceived corruption.

Increasing and Broadening Democratic Engagement

The second goal of the Open and Accountable Elections program was to bring more people into our City’s democracy, so that elected officials are both funded by and accountable to all Portlanders, not a select few, and candidates spend their campaign time talking to all sorts of Portlanders, as opposed to on the phone with a small number of wealthy donors soliciting large contributions. The program incentivizes candidates to spend more time campaigning among all communities across the City, since their donations are the ones that get matched. If successful, this invites more Portlanders to the civic conversation and keeps them engaged in our democracy over time. The match also can help residents feel that their contributions matter to candidates, as opposed to being overwhelmed by very large contributions by a small number of donors. By funding campaigns without large contributions being necessary, residents often perceive that a person like them, who likely does not have a network of wealthy donors, could run for office as a viable candidate. Quantitative data can analyze the degree to which candidates are increasing and broadening their donor base and qualitative data can measure public perception of whether this is happening and whether they think it makes a difference to their value to their elected leaders. The program gathered both.

Make the Program Optimal for Users, Stakeholders, and the Public

The third goal was ensuring that the program is optimal for users, stakeholders, and the public. Users and stakeholders include candidates and campaign staff and vendors, as well as donors, journalists, and the public.

While all public programs should strive to be optimal for users, stakeholders, and the public, it is especially important for Open and Accountable Elections to be user friendly to candidates and campaigns staff and vendors because the program is optional, and the program must have high utilization in order to meet its goals. The most effective ways to ensure that the

³ Page 15: https://www.policyinteractive.org/public/T1_T2Toplines2.6.19.pdf

program can attract candidates is to provide enough matching funds for candidates to be able to run a full campaign, and make it intuitive enough that candidates and their staff can navigate it with ease. Candidates will not participate if they believe doing so will make it harder for them to win their race than not participating.

We can measure whether or not the program achieved these goals by evaluating 1) how many of the competitive candidates opted to participate in the program, 2) how many of those candidates achieved certification for public matching, 3) how much the candidates raised compared to competitive candidates running for those seats in the last election, and 4) how many candidates either made it to a runoff election or won outright. And we can also cite the results from our [user research interviews](#) with candidates, campaigns, and people who have engaged with the program.

In addition, the program is optimal for the public when it is run efficiently, making accurate payments to campaigns, being administered in a politically neutral manner so as not to influence the outcome of an election (intentionally or unintentionally), and as a good steward of public funds.

4. Evaluation of Progress Toward Goals

Progress toward each goal must be assessed both after each election cycle and over multiple election cycles. Both quantitative and qualitative metrics should be used to assess each goal.

Goal #1: Reduce or Eliminate Actual and Perceived Corruption

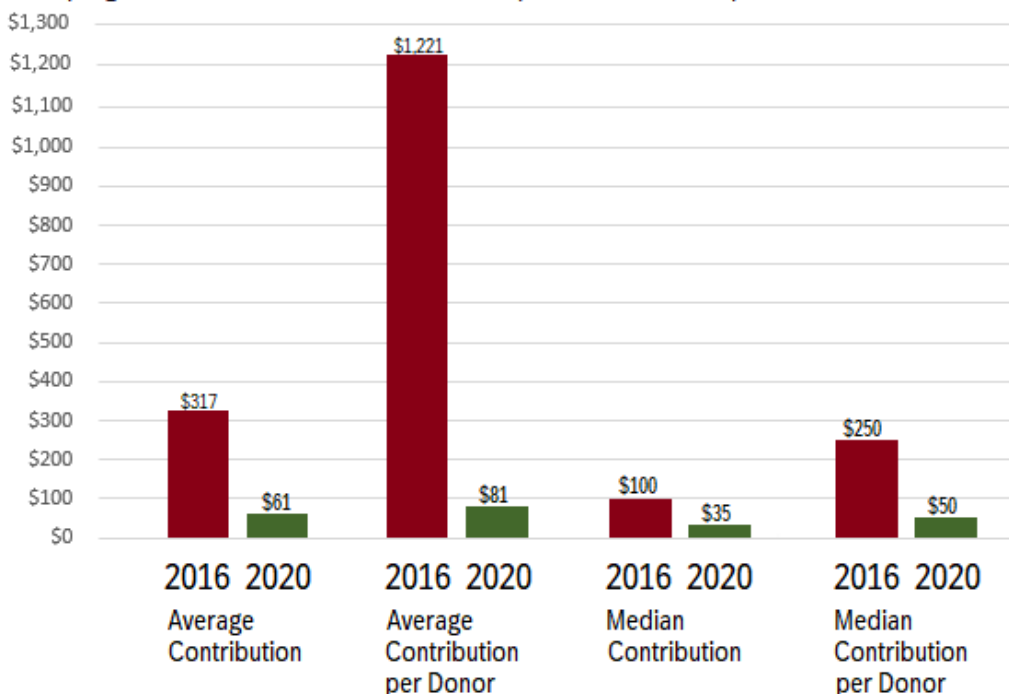
The metrics we use to measure progress toward this goal are (1) campaigns decreasing their reliance on large contributors in favor of more small contributors and (2) public confidence that the program is reducing actual and perceived corruption.

Program staff compared the fundraising data from the 2020 Open and Accountable Elections candidates to candidates in 2016⁴. The 2016 election cycle is an apt cycle for comparison, since 1) none of the 2016 candidates ran under OAE since the program did not exist then, and 2) the same offices were up for elections (Mayor, Commissioner #1, Commissioner #4), with the exception of the special for Commissioner #2, so we can more accurately compare the donor engagement.

As you can see in the chart in Image 1, in 2016, the last Mayoral cycle before Open and Accountable Elections was implemented, the average contribution was \$317, whereas in 2020, candidates participating in Open and Accountable Elections collected \$61 per contribution on average. Because donors often give to the same candidate more than once during an election cycle, we also looked at the average total contribution per donor, which was \$1,221 in 2016 and \$81 for Open and Accountable Elections candidates in 2020. The median contribution in 2016 was \$100, and \$35 for Open and Accountable Elections candidates in 2020. The median contribution per donor in 2016 was \$250 while it was \$50 in 2020 among Open and Accountable Elections candidates.

IMAGE 1

Campaign Contributions Pre- and Post- Implementation of Open & Accountable Elections



⁴ The Open and Accountable Elections program used data provided by C&E Systems from their 2016 clients to make this data comparison, as ORESTAR does not list contributions under \$100. The itemized contributions under \$100 are necessary to make an apples-to-apples comparison between 2016 and 2020.

Clearly, Open and Accountable Elections was extremely effective at reducing reliance on large donors and increasing reliance on small donors⁵. However, while the program moved the needle dramatically on the average and median size of contributions, we could likely do better. A study in New York City showed that the smallest contributions, up to \$25, tend to be demographically reflective of the city⁶, but higher contributions are less so. No such data exists for Portland at present; but the New York City data gives us one indicator. OAE brought down average contribution size much closer to that \$25 level, but not completely.

The table in Image 2 shows the averages across the 2016 and 2020 regularly scheduled and special elections. The data per race has some variety, divided between the primary and general elections.

IMAGE 2: Average and Median Contributions in 2020 for Open and Accountable Elections candidates	
<p>Regularly scheduled 2020 elections (Mayor, Commissioners #1 and #4):</p> <ul style="list-style-type: none"> • Primary <ul style="list-style-type: none"> ○ Average contribution: \$53 ○ Average per donor: \$71 ○ Median contribution: \$25 ○ Median per donor: \$50 • General <ul style="list-style-type: none"> ○ Average contribution: \$54 ○ Average per donor: \$78 ○ Median contribution: \$25 ○ Median per donor: \$50 	<p>Special election (Commissioner #2):</p> <ul style="list-style-type: none"> • Nominating <ul style="list-style-type: none"> ○ Average contribution: \$66 ○ Average per donor: \$80 ○ Median contribution: \$30 ○ Median per donor: \$50 • Runoff <ul style="list-style-type: none"> ○ Average contribution: \$122 ○ Average per donor: \$138 ○ Median contribution: \$58 ○ Median per donor: \$100

The special election was on a shorter timeline than the regularly scheduled election and also was carried out almost entirely during stay-at-home orders due to the pandemic, which are two potential explanations as to why the average and median contributions were higher than those for the regularly scheduled election. Regardless, the figures for each of these elections were significantly smaller than the figures for the 2016 elections, suggesting that Open and Accountable Elections was successful in reducing reliance on large donors and increasing reliance on small donors.

Another data set comes from the OpenElectionsPortland.org website, which Civic Software Foundation built for the program. In addition to the software to collect contribution and expenditure data from campaigns, Civic Software Foundation built a public site that provides data visualizations of both Open and Accountable Elections fundraising data as well as data scraped from ORESTAR (the state campaign finance data website run by the Oregon Secretary of State). Because ORESTAR does not publish data on contributions from donors who gave under \$100, the data from participating candidates and non-participating candidates is not a perfect comparison.

The intent is not to single out any specific candidates, but to evaluate the overall performance of the Open and Accountable Elections program in the 2020 election cycle. However, because participation in the program was high, with all but one candidate in runoff elections participating, comparing the fundraising of participating candidates to non-participating candidates without appearing to single out candidates can be challenging. With more election cycles, there will be more data points for comparisons. For the 2020 election cycle, the data suggests that Open and Accountable Elections was effective in enabling participating campaigns to rely on small donors from across the city.

⁵ The raw data makes it evident that one candidate, Sarah Iannarone, did more than all others to drive down the average and median contribution levels in 2020. If a future election cycle did not have a candidate that fundraises as much from small donors, such as the election cycles without a Mayoral race, the average and median contributions under the Open and Accountable Elections program may experience a noticeable increase for those cycles.

⁶ Public Campaign research memo dated February 2013: <http://everyvoice.org/wp-content/uploads/2015/04/Memo-NYC-Donor-Demographics.pdf>.

The data visualizations on OpenElectionsPortland.org built by Civic Software Foundation show a participating Mayoral candidate collecting more contributions than the non-participating candidate, from more donors, and with a lower median contribution. An example is below in Image 3. It is important to note here that donors who gave less than \$100 total to the non-participating candidate are not included in the data⁷.

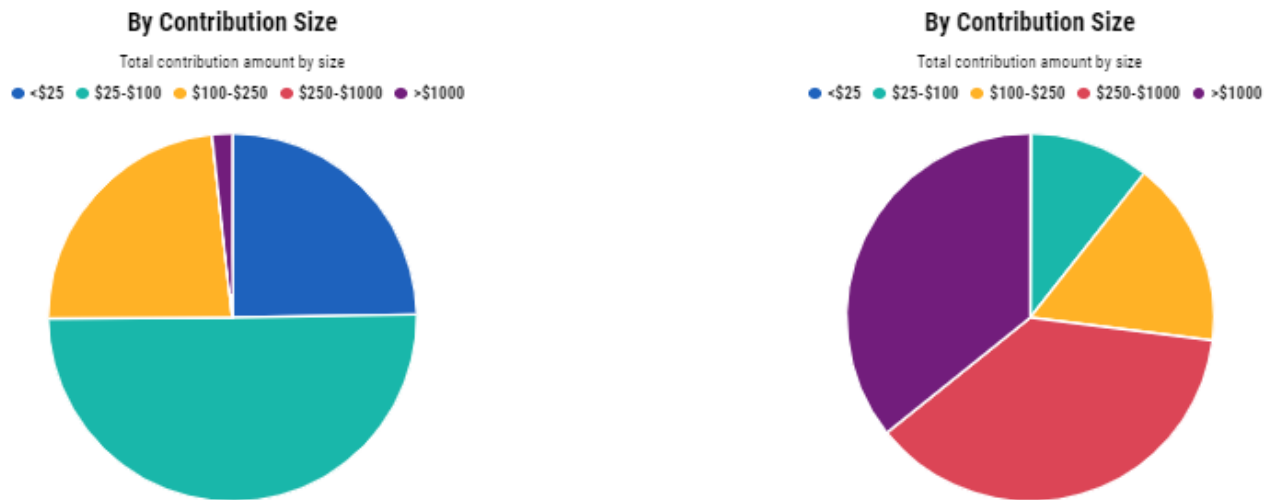
IMAGE 3

OAE Participant	✓	OAE Participant	✗
Contributions	7564	Contributions	834*
Donors	3939	Donors	710*
Median Contribution	\$25	Median Contribution	\$250*
Total Contributions	\$279,189	Total Contributions	\$377,398
Total Match Approved	\$773,854	Total Match Approved	N/A

**Smaller contributions are bundled by ORESTAR for non-participating candidates.*

A small number of large contributions tend to overwhelm the impact of a large number of small contributions. The below data visualization in Image 4 shows what percentage of total campaign fundraising came from different contribution sizes. In 2020, the Mayoral participating candidate received approximately 25% of total contributions from donors who gave \$25 or less, about 75% from those who gave \$100 or less, and nearly all from donors who gave \$250 or less. In contrast, the non-participating candidate received approximately one third of total contributions from donors who gave \$1,000 or more and two thirds who gave over \$250, with the remaining third from those who gave \$250 and under.

IMAGE 4



Another metric is whether Portlanders perceived that the Open and Accountable Elections program was achieving its goals. To gather data on this subject the program asked both campaign users and Portland donors for their thoughts that are relevant to this. When asked directly about whether they think the program reduced actual or perceived corruption in this election cycle, only 34% of respondents said yes. When asked if they thought the program made elected leaders accountable to all Portlanders in this election cycle, over half (53.2%) said yes. When asked if the program reduced barriers for everyday people to run for elected office, nearly 80% (79.6%) said yes. Given that people express concern over the connection between wealth and winning elected office and whether elected officials consider themselves accountable to all constituents or just their big donors as the reason why they are concerned about corruption, it is possible

⁷ The non-participating candidate raised \$34,599 in non-itemized contributions under \$100. Since prior election data suggests the median non-itemized contribution is \$50.19, that would suggest that campaign had approximately 690 more donors (almost double) than the figure in the data visualizations suggest. That campaign’s number of donors would still be a little over one third of the number of donors to the participating candidate’s campaign. The additional non-itemized donors would also decrease the median contribution amount.

that in this way the program is making progress toward the goal of reducing actual and perceived corruption. Instead of assuming this, we looked at the statements donors made in response to the question about what they thought the program achieved. Here is a selection of their comments from only those who did not think the program achieved the goal of reducing actual or perceived corruption this election cycle:

- “I’m not sure if it has anything to do with corruption. I view it as an opportunity for non-wealthy people to run for office.”
- “I’m not sure, but I do like that it reduces the barriers for candidates who might not attract large donors.”
- “I don’t think the OAE impacts ‘how well the City government works.’ I think the form of government needs to change in the City charter to improve the operations of City government. I believe that OAE as an option for candidates is important and has broadened the candidate pool to include more people of color, women, and lower-income people, which will help Council to consider broader interests in its decision-making.”
- “I don’t know if it reduced actual corruption, but it definitely helped to engage more Portlanders from the rest of PDX rather than just the rich white folks who usually run for office because they have access to money and networks with money.”
- “I feel ideas would move forward into policies based more on community support and less on a connected few.”
- “Elected officials would be less beholden to big-money donors, which would slice against (legalized) corruption, yes. Anything that reduces the disproportionate influence of big-money donors is a step in the right direction.”
- “I think it would definitely help all Portlanders feel like the city government is accountable and working for them rather than the few.”
- “I think it would make city leaders less beholden to mega donors and big businesses which is a problem at all levels of our state and federal governments.”
- “I would perceive it as a fairer election system. I think it would support candidates who represent the best interests of a diversity of Portlanders better than our current system does.”
- “By getting big money out of our elections, the “voice” (\$) of the people is more impactful. To make changes for our future, we need more of The People’s power and less monetary influence by special interest and the minority wealthy.”
- “I think that if all Portland leaders were elected using OAE we would have a much more representative voice in government, with more accountability to the larger population. It would be a definite step forward for representative and accountable city government.”
- “I think it encourages electeds to seek input from a wider more diverse section of the electorate.”
- “I think more electeds using this would improve representation and reduce dependence on big donors. Those would be huge improvements.”
- “I think it would help with transparency and help Portlanders from working class backgrounds run for office. It also helps ensure that politicians are accountable to their actual constituents, not to big donors.”

When interviewing candidates about their experience using the program, many volunteered the feedback they got from Portlanders while explaining their participation in the program:

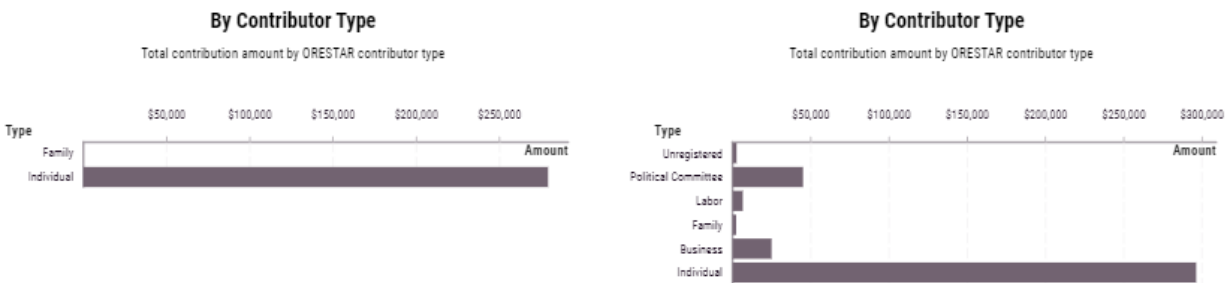
- “I was able to get more small donations from less-economically advantaged donors than in previous campaigns because they felt their contribution was on equal footing and was matched like all others.”
- “OAE giving constituents a voice is real. Being able to tell someone who has never given to a political campaign before, who can give only \$20 -being able to tell them with a straight face that their \$20 matters, that is really empowering for folks who feel the political process doesn’t meet their needs.”
- “When they found out that they could get matched 6-to-1, they were excited. they would say, I can only give you \$20 and I would say ‘that’s great, that turns into \$120,’ and they were like, ‘what happens if I give you \$50?’ These people haven’t been asked to contribute to campaigns before, they aren’t on donor call lists. They just really loved feeling like they were empowering a campaign.”
- “We were asking everybody for \$5. I was talking to someone who works in homelessness space as a volunteer, who sells street newspapers. He gave me \$5 and I explained how it becomes \$35 but also becomes one of my [contributions] to qualify. For him, to know that I cared so much about his \$5 that that person invested in me and having meaning. His eyes lit up that that \$5 meant something to the political process.”

Goal #2: Increase and Broaden Democratic Engagement

Whether the program increased and broadened democratic engagement can be measured quantitatively by fundraising data. The data visualizations discussed in Goal #1 from OpenElectionsPortland.org showed a participating Mayoral candidate collecting more contributions than the non-participating candidate, from more donors, and with a lower median contribution. It also showed the participating candidate with nearly all contributions of \$250 and under with the non-participating candidate collecting approximately two-thirds from donors who gave \$250 or more from far fewer donors.

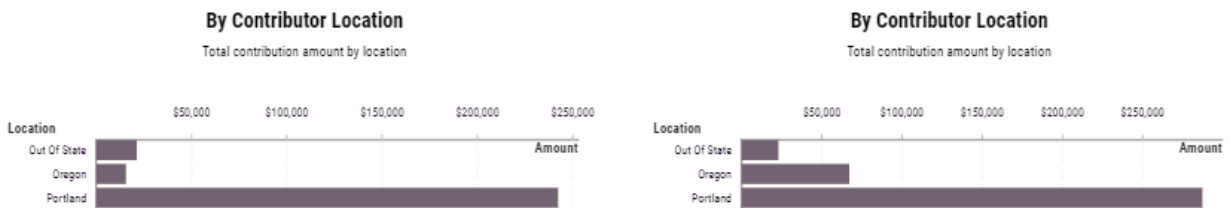
The data visualizations in Image 5 also show the share of total fundraising divided by type of donor, based on categories ORESTAR uses for donor type, with the participating candidate raising all funds from individuals, including a small amount from individuals who were family of the candidate, and the non-participating candidate raising the vast majority of funds from individuals with approximately 15-20% coming from businesses and political committees and other entities:

IMAGE 5



The data visualizations in Image 6 show the share of total fundraising based on whether the donors were in Portland, not in Portland but in Oregon, or from out of state. Both participating and non-participating candidates raised most funds from within the city, with small portions from non-Portlanders in and out of state.

IMAGE 6



Finally, the data visualizations created by Civic Software Foundation also map contributions by size and location. The map in Image 7 shows a non-participating candidate's fundraising, with a smaller number of contributions and many larger contributions, concentrated on the west side of the City and close-in East side. The map in Image 8 shows the contributions of the participating candidate, with more contributions total, of smaller amounts, and spread comparatively more evenly across the City, though with some concentration around the central areas.

IMAGE 7

Smaller Contributions ••••• Larger Contributions

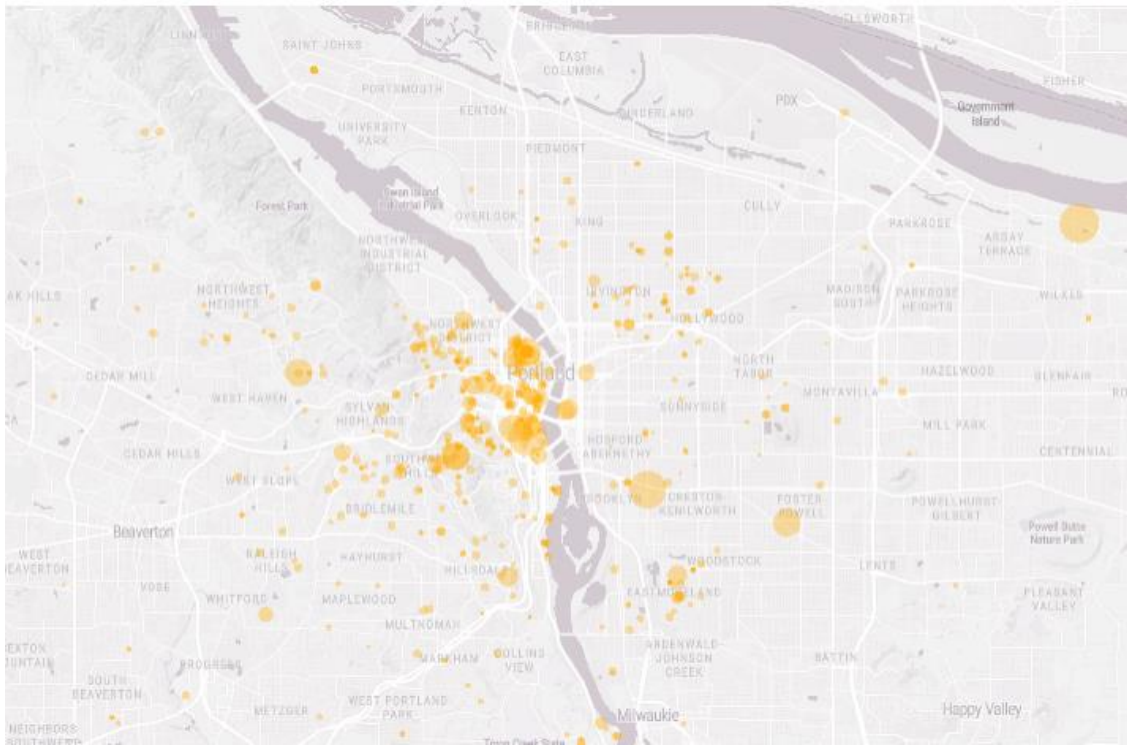
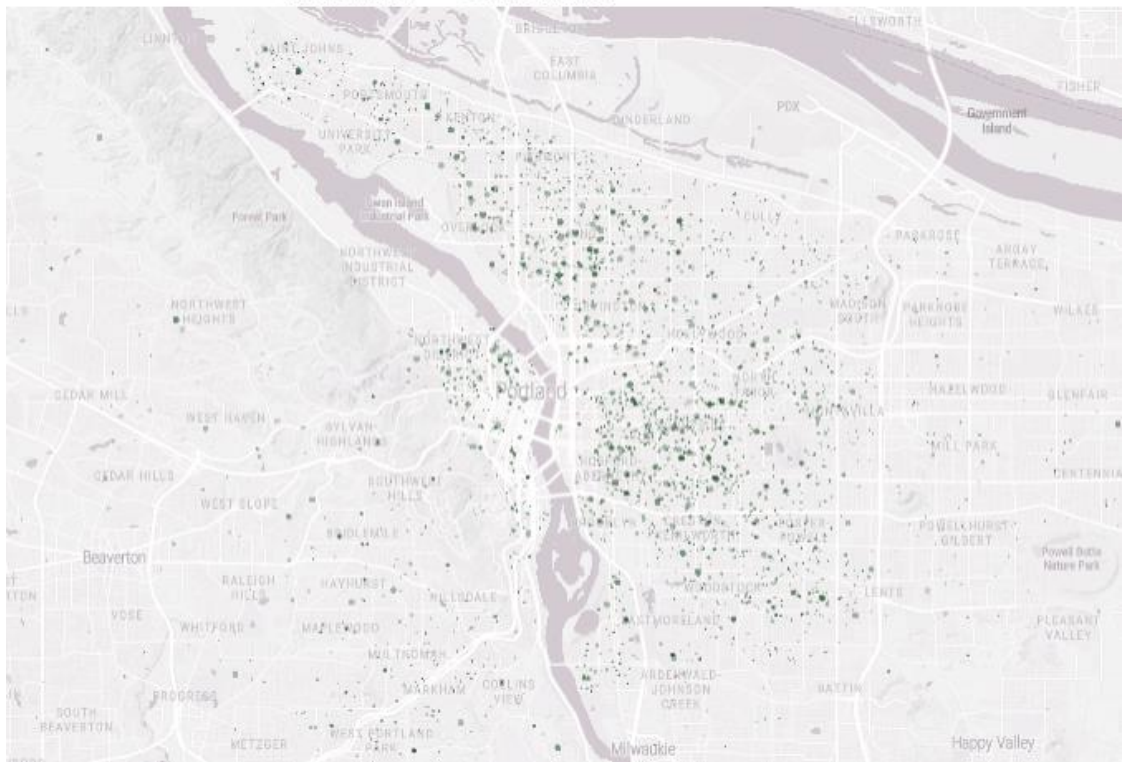


IMAGE 8

Smaller Contributions ••••• Larger Contributions

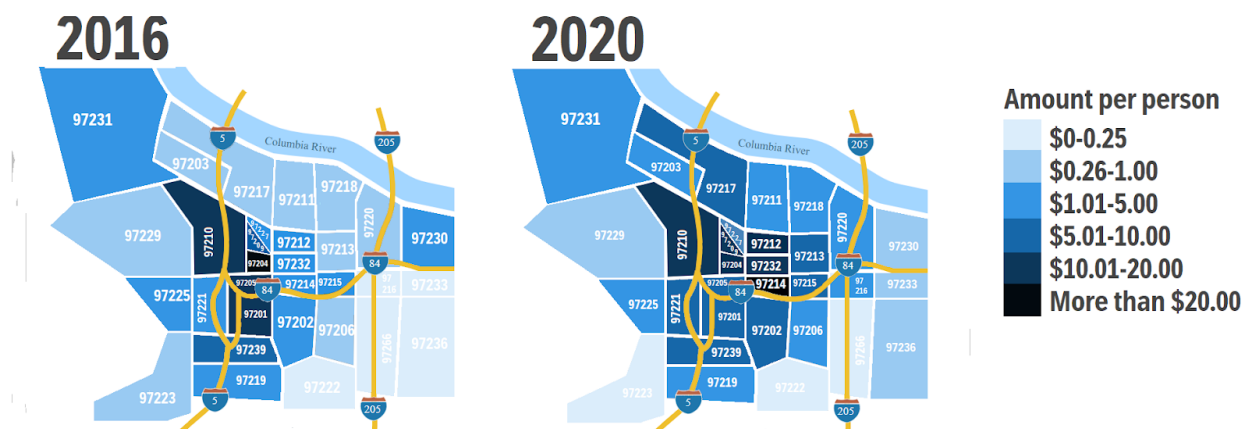


Again, the inability to map contributions from donors who gave under \$100 total skews the data of the non-participating candidate to a degree. With additional election cycles, we will be able to see the impact of the program across many races and more candidates and draw stronger conclusions about the program's performance by these quantitative metrics.

Program staff looked at how fundraising was spread across the city geographically in 2016 versus 2020 Open and Accountable Elections candidates. This was in part because the data on OpenElectionsPortland.org cannot include non-participating candidates' non-itemized donors of under \$100, because ORESTAR does not share those. This was also to isolate the effect of the \$500 per donor per election cycle contribution limits that voters passed in 2018 from the effect of Open and Accountable Elections' limits and matching program.

The maps in Image 9 total contributions per zip code and divide it by the number of residents in each zip code to get a per capita fundraising for all elections that cycle from each zip code. The 2020 map includes both the contribution from the donor and the City matching funds assigned based on it for each zip code.

IMAGE 9
Effect of Open & Accountable Elections on Geographic Distribution of Campaign Funding



As can be seen on the maps above, in 2016, a small number of zip codes in and near downtown had high concentrations of contributions while many other zip codes along the perimeter of the City had low concentrations of contributions. In the 2020 map, the high concentrations were slightly spread out. The significant difference was the increase in contributions in the rest of the City. Even fundraising participation across the City would look like a map that is entirely medium blue and the 2020 map is significantly closer to that than 2016, though if that is a goal, there is room for improvement.

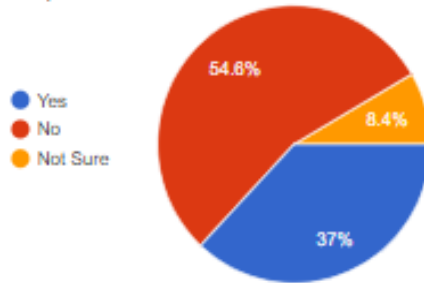
Geographic distribution of fundraising can be a proxy for how candidates engaged with City residents - who they talked to, who they heard from, who they may feel accountable to once elected. It can also be used as a proxy for demographic participation in funding elections. The demographics of zip codes vary by race and income and other metrics. More even distribution across the City would suggest broadened and more equitable democratic engagement demographically. Therefore, the program is effective at increasing and broadening engagement with city campaigns, which is key to ensuring that the donors are a more representative sample of the people of Portland. That can help the program achieve one of its chief goals: reducing actual and perceived corruption by making our democratically elected leaders accountable to all Portlanders. In previous elections, voters saw that campaign funding was dominated by a small group of wealthy individuals and special interests, which led them to conclude that elected officials were more concerned about representing those donors than most voters. As the program has helped to broaden and diversify the group of people who give to campaigns, it can increase confidence that elected officials are representing all Portlanders.

Another metric is whether participating candidates brought in new donors to City races. The program's user survey asked whether donors had given to City candidates before. Over half (54.6%) had never given to a City candidate before.

IMAGE 10

Have you ever donated to a City candidate - Mayor, Auditor, City Commissioner - before 2019/2020?

427 responses



The program received information during user experience interviews with candidates that they heard from Portland residents while campaigning that the matching program made them feel as if their contributions actually mattered. In addition, candidates reported during their user interviews that the match brought in new donors who normally didn't contribute or even get asked to contribute to campaigns:

- “For folks that didn't think they could give enough to help a candidate, it really empowered them to know that there was a match and they're more likely to give.”
- “Low income voters and people who normally don't donate to local campaigns were incentivized by the match and the cap.”
- “I had a number of donors who said they had never given before. So I feel like OAE helped me bring new people into local politics. These donors being able to give \$5 and have that be meaningful was a big deal for me personally.”
- “Hard to overstate how fabulous it is to tell someone who only has \$5 to give that their donation matters and matters more than \$5. I had so many donors who were unemployed. Those donations meant so much more to me than people who had \$5 to spare.”
- “We expected to get a wide array of support and to receive donations from people who don't always contribute to campaigns because their contributions felt more meaningful when they were matched. This turned out to be correct - many different Portlanders donated. I would say knowing the match was a component of the gift was an important part of persuading people to give.”
- “Our highest employment category of donor, by about three times as much as the next category, was ‘not-employed.’ We heard anecdotal reports from many people that it was their first time contributing to a political campaign ever.”

Both the contribution limits and the match suggest that both democratic engagement is increasing and broadening, and the perception of some Portland residents is that their government is becoming more responsive and accountable to them in comparison to big donors.

While the program has seen clear evidence that it is effective at increasing and broadening democratic engagement, more can and should be done. In 2020, neighborhoods at the city center still give significantly more than neighborhoods on the city's periphery. Even with the matching funds, central zip codes still gave a disproportionate share of the contributions. It may take more than one election cycle for entrenched fundraising dynamics to change or the program may not be optimally designed to improve equity and decrease actual and perceived corruption or, evidence suggests that both are true. Other jurisdictions with public financing programs see change over multiple election cycles. The fact that Open and Accountable Elections matches the first \$50 contributed, even though demographically representative populations contribute only \$20 or \$25 would suggest that the program's design amplifies contributions of populations that are skewed demographically.

Goal #3: Make the program optimal for users and the public

There are three primary metrics for this: participation, user experience research, and administrative efficiency and accuracy.

Participation

The first is participation of candidates. The program can't meet its goals if there isn't a high participation rate, including among candidates who win their races. If enough competitive candidates voluntarily opted into the program, it shows that the program was well-designed, and candidates think they are no less likely to win than if they didn't participate. If candidates don't participate in the program, the program is unable to meet other goals.

The best way to ensure that elected leaders have used the program is for as many candidates as possible to participate. In total, 23 candidates signed up to participate in the program. Technically, we could consider the 23 participating candidates in proportion to the 54 candidates who appeared on the ballot for the Mayoral, Commissioner #1, #2, and #4 races. However, Portland has a history of a large pool of candidates filing to run for office. But many of those candidates do not make a strong effort to win, do not attempt to campaign, and do not have significant community support. It would be a fairer comparison to consider how many of the candidates who *did campaign and were competitive* opted into the program. And the most objective way to examine that would be to review which candidates secured 5% or more of the vote in their elections. Securing 5% would signal that the candidate made a serious attempt to campaign, and that they had some measure of community support. Of the 54 candidates on the ballot, 18 secured 5% or more in the 4 races. And of those 18, 12 were candidates who had opted into the program (all of whom were certified). So 66.6% of the competitive candidates were OAE participants. In the Mayoral race, one of the five (20%) competitive candidates ran under small donor matching. For Commissioner #1, two out of the three (66%) competitive candidates were participants, for Commissioner #2 it was six out of six (100%), and three out of four (75%) for Commissioner #4⁸. An overall average of two thirds of competitive candidates opted into the program.

Additionally, we can also examine which candidates won their races or made it to the runoff. For Mayor, one of two runoff candidates were participants. A participant won the Commissioner #1 race outright, while all candidates in the runoff races for Commissioner #2 and #4 were participants⁹. In total, seven of the eight (87%) candidates who ran in the run-off elections used the Open and Accountable Elections program. And that shows that competitive candidates believed that they could succeed while running under small-donor matching.

User Experience Research

The second metric is the feedback - and the use of that feedback - from all types of users, including candidates and campaigns, to get their feedback on what worked well about the program and what needs improvement. In addition to the content of the feedback from the first cycle, the program should also be evaluated by how well it takes that feedback into account in making changes for future election cycles. This report and its recommendations are intended to move forward changes based on that feedback to optimize the program for future election cycles. The Open and Accountable Elections Commission's report on the 2022 election cycle should evaluate the program's utilization of the user experience research in improving the program. Section 5 of this report goes into detail about what we learned from the [user experience research project](#).

Administrative Efficiency and Accuracy

⁸ Mayor: Sarah Iannarone ran under small donor matching, and Mayor Ted Wheeler, Bruce Broussard, Ozzie Gonzalez, and Teresa Raiford did not. Comm #1 OAE candidates were Carmen Rubio and Candace Avalos, with Alicia McCarthy opting out. Comm #2 OAE candidates were Dan Ryan, Margot Black, Tera Hurst, Former County Commissioner Loretta Smith, Julia DeGraw, and Metro Councilor Sam Chase. Comm #4 OAE candidates were Mingus Mapps, Commissioner Chloe Eudaly, and Former Mayor Sam Adams, with Keith Wilson opting out.

⁹ Mayoral runoff: Sarah Iannarone opted in while Mayor Ted Wheeler opted out. Commissioner #1: Carmen Rubio won outright. Commissioner #2 runoff: Former County Commissioner Loretta Smith and Dan Ryan. Commissioner #4 runoff: Commissioner Chloe Eudaly and Mingus Mapps.

The third set of metrics have to do with the efficient and accurate administration of the program. Efficiency is important in terms of being good stewards of taxpayer dollars. One primary focus is keeping administrative and overhead costs low compared to matching funds. The program was able to keep administrative and overhead low due to the technology built by Civic Software Foundation. Not only did the technology itself cost a small fraction of what a typical vendor would charge, but the software enables the program to carry out its duties quickly and accurately. For example, the program must validate that a donor is matchable before distributing matching funds to campaigns. One of the best tools to do that is the voter registration list. The software automatically matches donor names and addresses to the voter registration list, which saves staff time. It takes a few minutes, and sometimes many more for common names, to match donors to the voter registration list manually. The program processed 25,830 reported contributions and expenditures from campaigns in the 2020 cycle. Of those, 19,455 were submitted as matchable contributions. By automating part of the matching validation process, the program was able to operate with fewer staff and lower administrative and overhead costs. In the 2020 election cycle, in the \$3.7 million budget, 74% of funds were spent on matching payments, 16% on personnel, 5% on technology, and 5% on overhead. This figure will change cycle to cycle as certain election cycles are more costly in matching funds (e.g. cycles with Mayoral races instead of Auditors races) and other circumstances such as special elections or challenges fundraising during a pandemic can affect what the program owes in matching funds. However, many administrative costs are stable year to year.

Accuracy was also an important metric. The program aimed for a high degree of accuracy in making decisions about eligibility for matching funds, not just to be a good steward of public funds, but also to ensure the program was administered in a politically neutral manner, not influencing the outcome of an election. The software helped increase accuracy by requiring campaigns to provide all required information before the system would allow them to submit it. It also didn't permit program staff to make certain errors, such matching a contribution not submitted as matchable. In addition, the program created systems that double checked for errors before making payments to participating campaigns. The software would group contributions by donor, but was not 100% accurate because information was not always submitted by donors to campaigns in a consistent manner nor from campaigns to the program in a consistent manner. Before any payments were made to campaigns, all data about matching payments was downloaded into a spreadsheet and program staff would double check it and correct any detected errors. In addition, the program performed an internal audit after matching payments were made, to identify the error rate and the nature of any errors so that corrective measures could be put into place. The internal audit consisted of double checking all processed contributions and expenditures submitted by campaigns for whether we accurately determined whether they were in compliance with program rules and whether we accurately calculated any owed matching payments. The 2020 internal audit found that the program had a 98.65% accuracy rate. This is a very high accuracy rate. No systematic errors were found and so no changes to process were required to increase accuracy. The program is setting a goal of meeting or exceeding this accuracy rate in future election cycles.

Another important aspect of accuracy is in protecting program integrity. After adopting best practices in protecting program integrity from other jurisdictions with similar programs, Open and Accountable Elections put into place a number of measures to deter fraud, and to detect it if attempted. The program carried out a number of checks to ensure that reported matchable contributions were real and accurate. The program detected one case of attempted fraud. It was detected prior to distributing any public funds to the candidate.

Finally, an important area for accuracy is in making careful, and legally grounded program determinations. Making an inaccurate determination can influence the outcomes of an election. In the 2020 election cycle, the program had only one request for reconsideration of our program determinations. There were zero appeals of program decisions. No lawsuits were filed to challenge program decisions. We understand this to mean that the program decisions were fair and accurate. Inaccuracy cannot only result in costly appeals and lawsuits that needlessly drain program resources, it can also influence the outcome of an election by tipping the scale in favor of or against a candidate. Accuracy results in neutrality. The voters decide elections. It was also important to make complaint determinations not just accurately, but also quickly, so that voters had information that may be relevant to them while deciding which candidates to support financially or with their votes.

5. User Experience Research

The program staff and Open and Accountable Elections Commission believe that it is critical to listen to feedback from the people that have engaged with the program during the election cycle. Their input can help us understand what works well and what needs improvement. And if we are guided by that input, we can ensure that the program both lives up to its values and works in a practicable and inclusive manner for all types of users, including the candidates, campaign staff or vendors, donors, the public, or other participants in our democratic process.

The user research and program staff embarked on a [user research project](#) in two parts: (1) a survey of individual donors to participating candidates and (2) surveys and interviews with candidates, campaign staff, campaign vendors, organizational donors, and journalists.

Individual Donor Survey Results

In October 2020, OAE staff sent out a survey to all individual donors that the program had an email address for who gave to any participating candidate running in the 2020 elections. In total, over 5,000 people received this survey and 427 (over 8%) responded. Because the click-through rate of emails is typically 2.5%, an 8% response rate is high. The survey asked the donors a range of questions designed to understand their knowledge of and experience with the program, what they thought of the program's goals, and how they viewed money in politics. The 427 responses form a large enough sample to give us important insights about their experience and thoughts about the program. Here are their answers to the key questions:

IMAGE 11

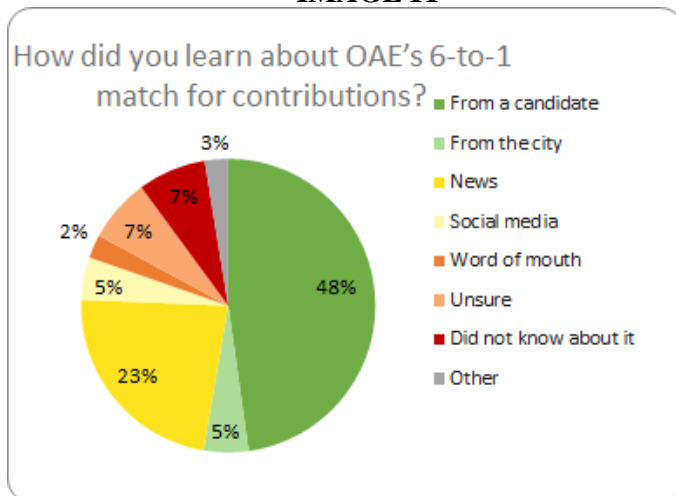
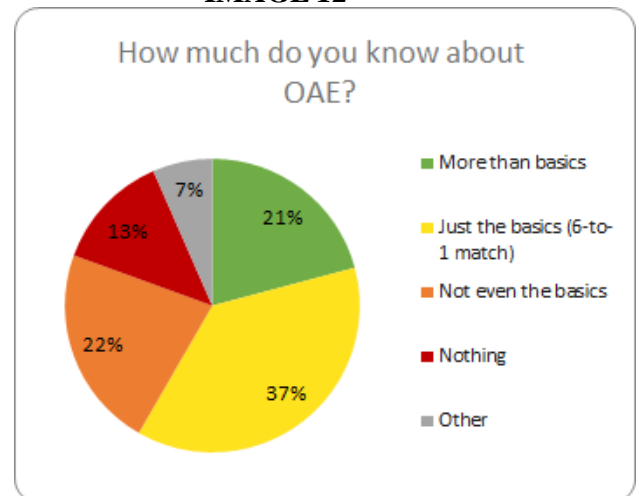


IMAGE 12



Conclusion: The plurality of respondents understood just the basics, like how there was a 6-to-1 match and that the campaigns had to limit their donations to \$250/person. That makes sense, because 48% of respondents learned about the program from the candidates, and candidates typically give just a brief summary of OAE when fundraising. It is positive that enough candidates feel that they can go out there and explain this program to different communities. However, the program needs to improve its outreach, so that more Portlanders can have a deeper understanding of how small donor matching works and hear about it from sources other than the candidates.

IMAGE 13

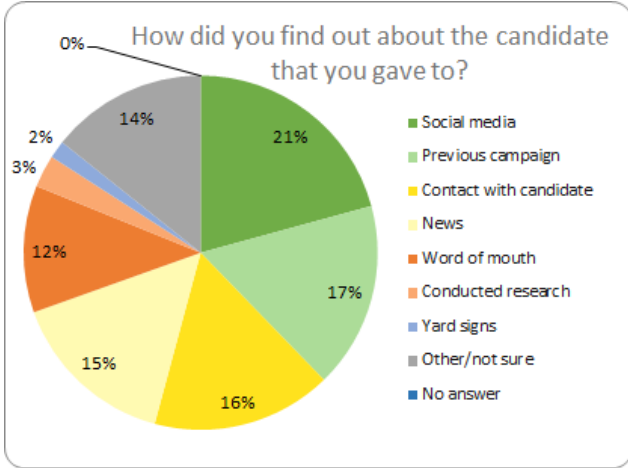
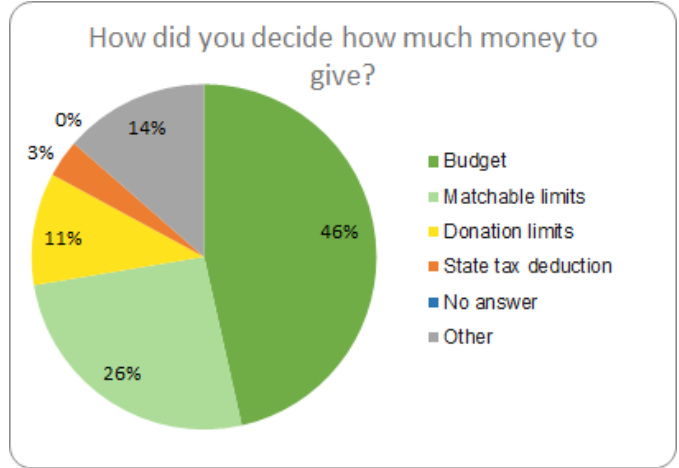


IMAGE 14



Conclusion: Donors heard about their preferred candidates from a number of different sources, none of which were dominant. Social media, contact with the candidate, and the news all helped connect the candidate to their supporters. The majority of people reported that they gave to a candidate because they liked the candidate’s platform.

IMAGE 15

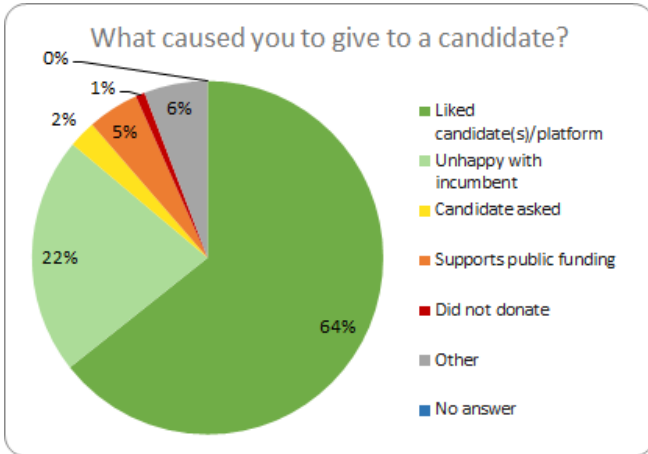
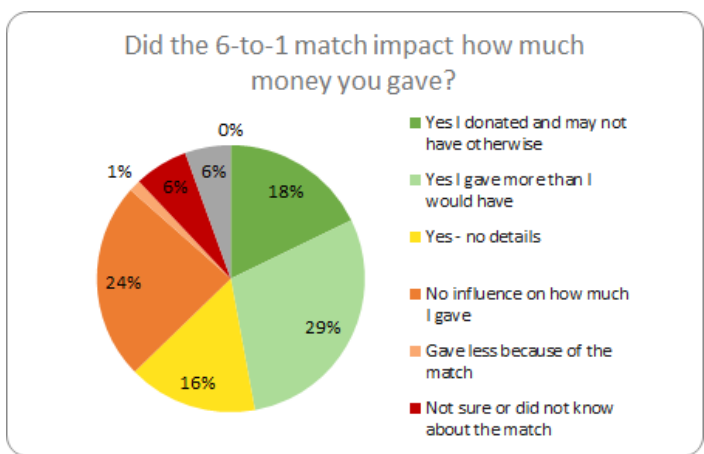
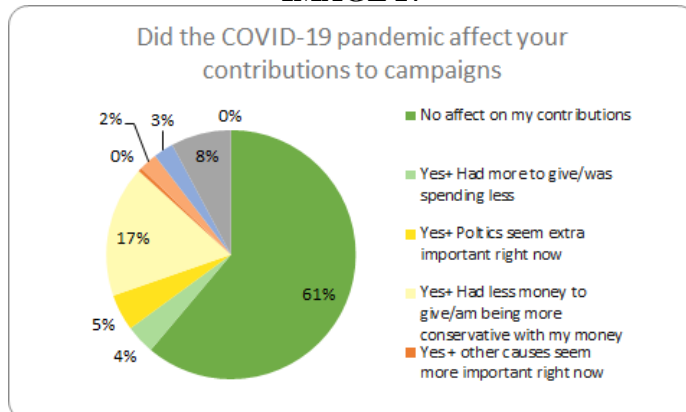


IMAGE 16



Conclusion: Only 26% reported deciding how much to give to candidates because of match limits, with almost half reporting their budget as the primary reason. Yet 29% reported giving more than they would have otherwise because of the match and only 1% gave less for the same reason, with 18% giving at all because of the availability of the match. Only 24% said the match had no influence on how much they gave.

IMAGE 17



Conclusion: The respondents gave both before and after the pandemic began. A majority (61%) said that the COVID-19 pandemic did not affect their campaign contributions. Of those whose giving was affected, 4% had more to spend on campaign giving, 17% had less, 5% felt politics was more important due to the pandemic and 2% felt other causes became more important to donate to rather than campaigns.

Some other responses to the donor survey were mentioned in the above sections in the report, such as their thoughts about whether the program was meeting goals and whether they had given to City candidates before.

User Surveys and Interviews

Users were defined broadly in conducting research. For example, the program surveyed and interviewed not just participating candidates, but also candidates who chose not to participate in the program, as all perspectives can be useful in understanding how the program performed, what goals were met, and how the program could be improved. All users were surveyed and 25 representative users were interviewed. These are all the key pieces of feedback and impressions that emerged from the project's interviews and survey responses:

- Simplify the program. The current complexity creates impediments to inclusion and makes it harder for candidates to succeed. The intricate rules made it difficult to comply with the program, and difficult to explain it to potential donors.
- OAE achieved the goal of reducing actual and perceived corruption, increased accountability to residents, increased representation among candidates and reduced the barriers to running for office. And candidates expect the program to have a positive effect on the city's governance for those same reasons.
- Candidates, campaign staff, and treasurers near-unanimously praised OAE staff, highlighting its responsiveness, and supportive customer service approach.
- The program was successfully executed in the 2020 election. But there is room for improvement.
- OAE helped candidates reach a diverse array of newer and grassroots donors. Most of the candidates would use it again in the future.
- Many observed that the candidates who raised the most maximum donations (\$250/donor) ended up winning, which created the sense that candidates still needed to court the wealthier donors to prevail.
- Campaign treasurers felt that the reporting software was largely positive. However, campaigns had to report to both OAE and the state's ORESTAR disclosure system, which was time-consuming and expensive. There was a strong desire to reduce redundancies in reporting and make the process more efficient.
- While the program's rules were complex and at times difficult to grasp, many of these rules were perceived as reasonable.
- There was substantial confusion about the difference between OAE and Honest Elections, why they were administered by separate offices, and which office enforced which provisions.
- The \$20,000 in-kind donation rule might not be worth it to campaigns, as several candidates said it took too much time and money to coordinate and comply with the rule
- New and low-dollar donors responded positively to the program, since they knew that their small donations would be matched and "go further".
- Community organizations believed that the program helped them to engage grassroots donors, and contributed to the success of the candidates that they supported
- Organizational in-kind donors encouraged candidates to participate, but felt the program could do more to make elections more competitive
- Community organizations would likely continue to encourage candidates to participate, especially if certain issues were resolved and the process was simplified
- The maps, charts, and data visualizations on OpenElectionsPortland.org were well-received and contributed to the sense that the program values transparency. And a journalist used the website in their reporting. But there was a lack of general awareness of the tool among program participants and the public.
- The development of the website highlighted the value of partnerships between the City and civic organizations
- Campaigns want the City to take a more proactive role in promoting the program. This will help increase understanding of OAE, while also encouraging grassroots donors to give to local candidates and engage more.

The survey asked for specific suggestions on how to improve the program. In interviews, feedback was solicited for those suggestions. After reviewing the feedback, here are the recommendations that that [user experience research report](#) made:

General Clarity and Simplification:

- Simplify program rules and processes, to improve all users' experience and be more inclusive.
- Improve the clarity and usability of the program manual.
- Clarify in-kind donation and disclosure rules to reduce infractions and the time/effort spent on them.

Timelines and Certification Processes

- Instead of prohibiting campaigns to collect seed money after they file a Notice of Intent, make the certification application the deadline to collect seed money. That will give candidates more time to collect their initial funds.
- Permit a second certification application if the campaign is denied the first time.
- Eliminate the petition requirement for certification.

Spending Rules

- Loosen spending prohibitions: apply only to matching funds in order to simplify compliance, eliminate prohibition on election night parties, eliminate prohibition on paying loans or debts, and eliminate prohibition on paying for professional services related to appealing OAE determinations.
- Increase simplicity by expanding the list of expenses that can be covered by matchable or non-matchable funds.

Reporting Requirements

- To avoid the hassles of abiding by two different reporting timelines, change the code to require reporting to OAE on the same timelines as ORESTAR.
- Sync and simplify fundraising and reporting processes, timelines, and rules to remove friction and lessen time spent on administrative activities and systems, including tracking software.

Candidate Fundraising

- Raise or eliminate the total fundraising limits.
- Consider reforms to the in-kind allowance.
- Permit candidates to give matchable contributions to their own campaign, and clarify rules around this.
- Allow seed money contributions of no more than \$500 per donor, totaling no more than \$5,000. Apply this to transfers from past campaign committees.
- Adjust the number of qualifying contributions for the Mayor's race to 750.
- For qualifying contributions, eliminate the amount required (\$5,000), but maintain the number of contributions (500).
- Keep the maximum qualifying donation for Council elections at \$250.
- Reform campaign seed money rules to now allow over \$1,000 per donor.
- Allow donors to split their matchable contribution between candidates running for the same seat.

Public Matching Processes

- More frequent distributions and provide the precise amount of matching dollars ahead of time, so that campaigns can better plan their expenses.
- Improve validation process for easier validation of all matchable contributions. An alternative to postcards is needed, preferably a digital alternative.

Software and Digital

- Integrate the website with ORESTAR.
- Showcase the program with various government offices to communicate its value for strengthening democracy, including the partnership with Hack Oregon/Civic Software Foundation for software development.
- Give a training on how to use OpenElectionsPortland.org for campaigns, organizational stakeholders, and media, so they can make the most use of it during elections.
- Improve the usability of the tracking software. Continue the partnership with Hack Oregon for efficient, low-cost software development.
- Provide additional information on donor demographics and industries. for the most robust picture possible.

Program Administration

- Run both OAE and Honest Elections out of the same office, and coordinate with the state to improve the overall campaign experience and cut down on confusing or duplicative efforts to remain in compliance with campaign finance reporting and rules.
- Change the program name to something more clear and straightforward, like Small Donor Elections. Many Portlanders confuse Open and Accountable Elections with the Honest Elections ballot measure from 2018 and the name is not descriptive enough of its purpose.
- Improve public outreach about the OAE program to increase donor participation and contributions to OAE participating campaigns. Provide a clear explanation of the program and its goals, and more widespread messaging. Train campaigns on how to communicate this to donors so they have a strong and impactful message.
 - Partner with local community organizations to get the word out. Outreach could happen during the election and in the off-season, through traditional means like City meetings, social media channels, and local media.
 - Outreach can also help with accurate reporting in the local media. Consider training or a FAQ specifically for journalists.
- Expand OAE training to help political newcomers know how to effectively run for office so they are more competitive with experienced candidates. This could include direct training, guides, and resources. This will further address the goal of inclusivity in participation to make sure that people who have no political experience are set up for success.

6. Open and Accountable Elections Commission Recommendations

The Open and Accountable Elections Code requires the Open and Accountable Elections Commission to make recommendations to the code after each election cycle. This is to ensure the program keeps up with the ever-changing campaign finance climate and incorporates lessons learned from any bumps the program experiences to make sure the program performs well in perpetuity. Because 2020 was the first election cycle and there were many unknowns as to how the Code would work in practice, the Commission decided to take a deep dive on recommended changes to the program to optimize it based on actual data and experience.

During the 2020 election cycle, both program staff and the Open and Accountable Elections Commission maintained a list of feedback from program users as well as several potential amendments to consider once data from the 2020 election cycle was available. Once the 2020 election cycle was over, they also evaluated the [user experience research](#) and both qualitative and quantitative metrics for evaluating the program performance. Based on this, they made a series of recommendations to optimize the program for future election cycles.

The following is a list of amendments to improve the program for future election cycles. The Commission weighed quantitative data, the various and sometimes contradictory needs of different types of users, and --most heavily-- the goals and principles upon which the program was founded to make the best recommendations possible. The Commission recommends that the City Council pass and incorporate into the existing law the following amendments.

- Change the program name to Small Donor Elections, and the Open & Accountable Elections Commission to the Portland Elections Commission.
- Change the match rate to 9:1 and the matchable amount to \$20.
- Clarify in code that any city commissioner can nominate members of the OAE Commission.
- Eliminate the requirement that a candidate be in a contested election to be required to report contributions and expenditures to OAE.
- Reduce the amount a candidate can collect from a seed money donor to \$500 per donor, keeping a total campaign cap of seed money at \$5,000.
- If the program has insufficient funding:
 - Permit increasing the contribution limit from \$250 per donor to an amount set by the Director (up to \$500) based proportionally on decrease in matching funds.
 - Permit the Director to lower the match rate or match cap by different amounts in different races to ensure the reductions are as minimally disruptive as possible.
 - Permit lowering match caps in all elections, not just special elections.
- Change 0.02% of the General Fund funding cap to a funding minimum of \$3.50/registered voter (both active and non-active), to be increased with inflation.
- Eliminate Council review of Administrative Rules.
- Adjust the number of qualifying contributions for the Mayor's race from 500 to 750.
- Delegate to rules the complaint process, timeline, what counts as actionable, who can file, and other details.
- Clarify In code that all candidate debates and forums should be accessible. Permit up to \$5,000 per election of OAE funds to be spent defraying the cost of ensuring candidate debates and forums are accessible.
- Replace the \$40,000 in-kind allowance with narrowly tailored in-kind allowances that are easier for campaigns and in-kind donors to comply with.
 - Permit individual donors to give up to \$250 in-kind as part of the \$250-per-donor limit.
 - Limit in-kind contributions to directly provided goods and services, with an exception for goods and services that increase accessibility and language inclusivity.
 - Replace the \$20,000 in-kind cap per campaign per election with a \$5,000 limit per donor total per election for the following two ways to engage:
 - Permit “small donor organizations” to give up to \$5,000 in-kind each (plus up to \$250 cash) per donor per election. Define “small donor organization” in rules.
 - Permit up to \$5,000 per donor per election of enumerated in-kind activities (and any goods related to those activities) that strengthen participation in our democracy, such as paid staff time to organize a volunteer canvass or volunteer phone/text-banking. Enumerate the activities in the administrative rules.

- Permit an additional 10 days for a certification decision if the Director writes the campaign a letter informing it that additional time is needed.
- Reduce interest rate on penalties to 10% from 12% and start the clock on interest at 30 days from owing the penalty, rather than 7 days.
- Allows definitions of contribution, independent expenditure, and in-kind, which are the same as state definitions, to change along with any state changes in those definitions so the City and state are always aligned.
- Change definition of allowable contribution to include in-kind donations of up to \$250 per person.
- Eliminates the prohibition on repaying seed money loans with private contributions that are submitted for a match.
- Allow the OAE Fund to accept any returned funds and interest from candidates, not just funds returned due to withdrawal.
- Eliminate language implying candidates who qualify for a runoff election cannot use public funds to raise matchings funds until the election is certified, which takes 30 days.
- Eliminate the requirement that OAE solicit application for the OAE Commission from the Office of Community and Civic Life in addition to the public.
- Eliminate the requirement that political committees that make independent expenditures (IEs) report those to OAE.
- Eliminate the redundancy around prohibiting campaigns from making cash or personal expenditures. Code requires campaigns to follow state law and state law already prohibits this.
- Allow the Director to change the number of qualifying contributions required for special elections because of shorter timeline to collect qualifying contributions.
- Incorporate into code the administrative rule that old campaign accounts can have de minimis transactions (like accruing interest or a small annual charge) without violating the rule that the account must be frozen.
- Eliminate the petition requirement for certification.
- Permit second certification application if denied the first time unless the candidate was denied for having committed fraud.
- Delegate to rulemaking which violations lead to denial of certification or decertification versus just penalties.
- Change the requirement that non-OAE candidates must report contributions and expenditures to the program every 14 days, to reporting to the program information as determined by the Director by rules and on a schedule as defined in rules.
- Eliminate total fundraising limits.
- Require the program to define in rulemaking what a participating candidate must do if they wish to change races.
- Limit the loans a candidate can accept to \$5000, thus aligning OAE with Honest Elections
- Clarify that recall elections are not elections for purposes of OAE.
- Eliminate the amount requirement from qualifying contributions – instead of requiring 250/500 donations totaling \$2,500/\$5,000, change it to just requiring 250/500 donations.
- Change the rule that prevents candidates from collecting seed money after filing Notice of Intent, to say that candidates cannot collect seed money after applying for certification.
- Fix drafting error: Match contributions from \$0.01-4.99
- Switch OAE reporting timeline to ORESTAR reporting timeline
- Allow for a donor to have their donations matched to multiple candidates in the same race (up to \$50/donor), rather than to only one candidate.
- Permit candidates to give matchable contributions to their own campaign.
- Require more frequent matching payment disbursements (monthly) with a discretionary exception if payment is under \$1k.
- Codify Administrative Rule #15F4: If a candidate failed to comply with program rules prior to filing a Notice of Intent, they may participate without penalty if they cure the violation within 30 days of filing the Notice of Intent.
- Require that the certification application deadline be set no later than the last day of the filing period.
- Allow out of state travel for bona fide campaign events in neighboring counties to the tri-county area.
- Loosen spending prohibitions: apply only to matching funds, eliminate prohibition on election night parties, codify administrative rules on permitted vehicle expenses, eliminate prohibition on paying loans or debts if we also permit campaigns to take on a limited amount of debt, eliminate prohibition on paying for professional services related to appealing determinations, permit reimbursements for campaign expenses made by family members.

- Eliminate blanket prohibition of transfers to political committees. Only prohibit contributions, not purchases of goods/services/tickets/etc.
- Do not charge interest if a candidate voluntarily withdraws from the program.
- End the primary election period at 8pm on election day so candidates can fundraise for the general that night.
- Codify Administrative Rule 10B: Create 45-day grace period to allow campaigns to settle previous campaign bills after the start of a special election cycle
- Clarify that the \$10,000 limit for penalties does not apply for requirements to remedy a violation. Also, permit a fine of no more than \$10,000 or the amount of the violation (whichever is higher).
- Codify program guidance on how to handle matchable contributions as it relates to campaign merchandise.
- Require the use of program forms.
- Eliminate some required rulemakings, so we can pull out redundant language from the Code.
- Make all terms for types of contributions clearer by making them mutually exclusive - seed, allowable, matchable (get rid of the term “qualifying”, which fits several categories and can be confusing).
- Use plain language terms for public matching funds. For instance, replace “public contribution,” with “City matching funds.”
- Clarify which candidates are participating and non-participating and when they meet those definitions, to align with how Honest Elections exempts candidates participating in public matching.
- Make sure all references to days specify either calendar or business days.
- Permit additional spending prohibitions in rules, so that the program can prohibit matching any candidate more than 100% of the donation amount collected.
- Clarify that candidates can wall off old campaign accounts from new ones if they freeze the old accounts.
- Make match caps for Mayor’s race round numbers (\$300,000 instead of \$304,000 in the Primary and \$450,000 instead of \$456,000 in the Runoff).
- Throughout the code, making capitalization of defined terms consistent, the use of numerical and narrative descriptions of numbers consistent, and always specifying either business or calendar days, per advice of the City Attorney’s office.

Overall, the Open and Accountable Elections program performed well in the 2020 election cycle. With the recommended changes, as well as continued evaluation and updates to the program after each election cycle, the Open and Accountable Elections will be well positioned to ensure Portland’s democracy is healthy and strong.