



JEANNE P. ATKINS
SECRETARY OF STATE

April 20, 2016

Ms. Sharon Nasset
8316 N. Lombard Street
Portland, OR 97203

Dear Ms. Nasset:

As you know, the integrity of every election in Oregon is of paramount importance to my office and to all Oregonians. To ensure the integrity of our elections, it is important for voters to be able to distinguish election materials that are prepared and delivered by actual elections officials, versus materials that are distributed by candidates. For that reason, official election materials contain the Oregon State Seal, include the official "elections mail" logo used by the United States Post Office, and in the case of the official Voters' Pamphlet will use a consistent and easily recognizable title, content, and design elements. Using these features helps to ensure that voters can clearly distinguish between official election materials, and campaign materials prepared by others.

With this in mind, I am seeking your cooperation in achieving the goal of elections integrity. Earlier this week, it was brought to my attention that your campaign, or someone acting in support of your campaign, has distributed the attached document titled "Voters' Pamphlet Guide." This document contains several elements that make it confusingly similar to the official Voters' Pamphlet for the May Primary Election. These elements include:

- **Confusingly Similar State Seal:** Your "Voters' Pamphlet Guide" uses a "seal" that replicates closely the Oregon Territorial Seal from the 1850's. Although it has some different elements from the current Oregon State Seal, it is likely that the public would confuse your mailing as containing the state seal. Under ORS 186.023 and ORS 186.025, the Secretary of State is responsible for "the protection of the integrity of the seal of the State of Oregon." The Secretary's guidelines for using the State Seal also prohibit the unauthorized use of "any symbol which imitates or is confusingly similar in appearance to the official seal." These guidelines are attached, and violations of the law are subject to civil penalties of up to \$500.
- **Elections Mail Logo:** Your "Voters' Pamphlet Guide" also uses an "Elections Mail" logo that largely replicates the actual "Official Elections Mail" logo. Federal rules state that, "Only federal, state, and local voter registration and election officials may use the Official Election Mail™ logo. This logo shows that a mailpiece is from an official election organization." It appears that your campaign has altered the "Official Elections Mail" logo in an effort to distinguish it from the actual "Elections Mail" logo. However,

those changes still result in a logo that may be confusingly similar to voters. For example, the label from "official" to "unofficial" and used an array of stars as the background instead of the stars and waves used in the official logo. Nevertheless, the change from "official" to "unofficial" is partially obscured by the shading in the background, and the use of an array of stars for the background appears intended to mimic the familiar array of stars featured on the official Voters' Pamphlet itself.

- **Mimicked Appearance of the Official Voters Pamphlet:** The overall appearance of your "Voters' Pamphlet Guide" seems to closely mimic the official Voters' Pamphlet, including (1) titling your document a "Voters' Pamphlet Guide" similar to the official "Voters' Pamphlet"; (2) the use of a nearly identical, mirror-image array of stars on the front cover of your "Voters' Pamphlet Guide," which is a familiar and easily recognizable feature of the official Voters' Pamphlet; (3) the use of nearly identical language featured on the cover of both your "Voters' Pamphlet Guide" and the official Voters' Pamphlet advising voters that, "This voters' pamphlet [guide] is provided for assistance in casting your vote by mail ballot"; (4) addressing your "Voters' Pamphlet Guide" to "Residential Voter" similarly to how the official Voters' Pamphlet is addressed to "Residential Customer"; and (5) the use of a similar and familiar internal format describing the different candidates for the office of state representative.

I am deeply concerned that all of these features make your "Voter's Pamphlet Guide" confusingly similar to the official Voters' Pamphlet and may mislead voters. As a result, I must respectfully demand that your campaign cease using any of these confusingly similar elements in your campaign materials. Finally, I hope that you share my commitment to the integrity of our elections, and that in the future you will refrain from using any campaign materials that may mislead voters into believing they have received official elections mail.

If you believe that your campaign did not send this "Voters' Pamphlet Guide," please notify us immediately so we can attempt to identify the source of this material. As a reminder, if someone made an expenditure for these "Voters' Pamphlet Guides" in coordination with your campaign, then your campaign must report that expenditure as an in-kind contribution to your campaign. Alternatively, if someone made an expenditure for these "Voters' Pamphlet Guides" without coordinating with your campaign, then the person is required to report this as an independent expenditure for campaign finance purposes. Failure to properly report campaign finance transactions may result in a civil penalty. Thank you for helping to ensure that any expenditures for the "Voters' Pamphlet Guide" in support of your campaign are properly reported. This too will promote the integrity of the election.

Sincerely,

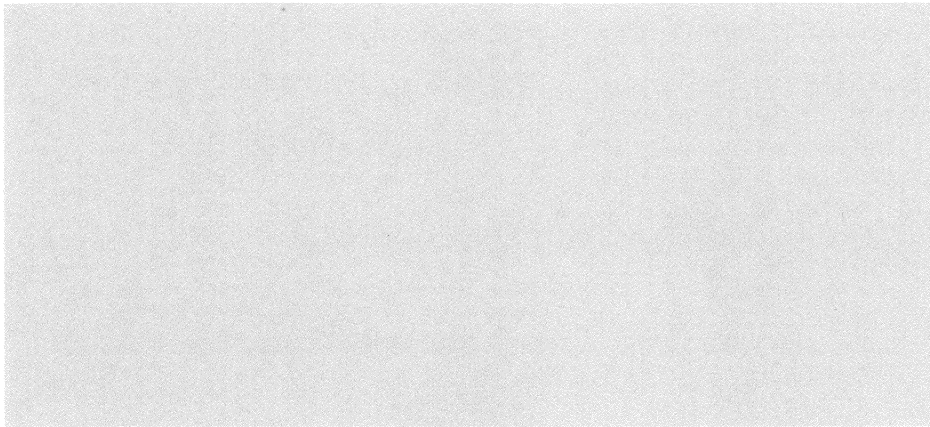


Jeanne P. Atkins
Secretary of State

cc: Tim Scott, Multnomah County Clerk



Residential Voter



Voters' Pamphlet Guide
State Representative
Oregon Primary Election

May 17, 2016

44 Multnomah



Voters' Pamphlet Guide

State Representative District 44

Oregon Primary Election
May 17, 2016



This voters' pamphlet guide is provided for
assistance in casting your vote by mail ballot.



State Representative, 44th District



**Sharon
Nasset**

Democrat

Occupation: Founder of Economic Transportation Alliance (non-profit), Hospitality Industry Worker

Occupational Background: Real Estate

Agent/Broker (Farrell & Associates)

Educational Background: Holy Cross School, St. Mary's Academy, Portland Community College

Prior Governmental Experience: Clark County Toll Free Westside Bridge Committee; Transportation Chair for NPBA; SaveLombard.com Committee; American Dreamer Award for Stopping the Columbia River Crossing

Since 1972, Sharon has lived in North and Northeast Portland and worked on issues ranging from environmental justice to transportation to housing. As your State Representative, Sharon will focus on District 44 first.

Sharon Nasset's Primary Priorities:

ECONOMY - Working people deserve to make more than a decent living, we deserve a decent life. All work has value - all working people have rights. Our next State Representative needs to focus on attracting good jobs that reflect these values to District 44.

TRANSPORTATION – By building the infrastructure for a 21st Century economy, we'd improve our quality of life and better protect our environment. District 44 citizens, commuters, and workers should come first when planning new infrastructure.

EDUCATION – Every person in District 44 deserves an equal opportunity to receive an excellent education. We all win when anyone among us can pursue the education that helps them follow their dreams.

Sharon Nasset's top priority is making North and Northeast Portland an even better community to live and work in. Sharon will focus on District 44 first, listen to everyone, and work for you. Sharon would appreciate your vote in the Democratic Primary. Thank you!

State Representative, 44th District



**Tina
Kotek**

Occupation: Private Consultant

Occupational Background: Lobbyist

Educational Background: Dallastown Area High School

Prior Governmental Experience: Moved to District 44 in 2005 to run for State Representative.

TINA KOTEK: FIGHTING FOR BIPARTISAN SOLUTIONS!

FIGHTING to Free Corporations from Unnecessary Regulations

- Worked with Republicans to pass the Monsanto Protection Act, which prohibits GMO food labeling, even though most Democrats in the legislature voted against the bill. (For more information, see: <http://bit.ly/1qTtotK>)

FIGHTING Government Waste by Reducing Pension Payments

- Joined Republicans to cut pension payments to public employees, including teachers and seniors, even though most Democrats in the legislature voted against the bill. (For more information, see: <http://bit.ly/1qTtIOP>)

FIGHTING Government Restrictions on Political Participation

- Stopped a bill calling for a Constitutional Amendment to overturn the conservative Supreme Court's decision in *Citizens United*, which allows billionaires and lobbyists to funnel unlimited money into elections. (For more information, see: <http://bit.ly/20DquFD>)

Tina Will Work with Anyone to Accomplish Her Agenda!

JEANNE P. ATKINS
SECRETARY OF STATE

ROBERT TAYLOR
DEPUTY SECRETARY OF STATE



SECRETARY OF STATE
136 STATE CAPITOL
SALEM, OREGON 97310-0722

Phone 503-986-1500

GUIDELINES FOR USE OF THE OREGON STATE SEAL

The following statute, ORS 186.023, governs use of the Oregon State Seal:

"(1) Except as authorized by the Secretary of State, no person shall knowingly use any device, or possess any device capable of such use, to emboss upon a document the seal of the State of Oregon described in ORS 186.020.

"(2) No person shall use any reproduction of the seal of the State of Oregon:
(a) In any manner falsely implying official endorsement or sponsorship by the State of Oregon or any of its agencies of any product, business, service or other activity; or (b) In any manner that subjects or exposes the seal of the State of Oregon to ridicule, debasement or infamy."

To help Oregonians discern whether their intended use of the Oregon State Seal complies with this statute, guidelines for use of the seal have been set:

1. **All state and local government agencies and departments are entitled to use the state seal for official purposes.**
2. Elected officials are entitled to use the state seal in their official capacity, but not in their capacity as candidates for public office (i.e., in a publication paid for and/or authorized by a principal campaign committee).
3. The state seal may be used in conjunction with the presentation of information about the State of Oregon. This can include, but is not limited to, use in encyclopedias, textbooks, dictionaries, and catalogues.
4. The state seal may not be used in connection with a product, service, individual or organization if its use implies the endorsement or sponsorship of the State of Oregon.
5. The state seal may not be used in connection with a product, service, individual or organization which would subject the seal to abuse through ridicule, debasement or infamy.
6. These guidelines apply not only to the official state seal of Oregon but to any symbol which imitates or is confusingly similar in appearance to the official seal.

Questions about the appropriate use of the state seal should be directed to the office of the Secretary of State 503-986-1500. Any complaints of misuse of the state seal should also be directed to that office. Civil penalties up to \$500 will be assessed for violations of ORS 186.023 pursuant to ORS 186.025.