

Look again: Phony version of Oregon voters' pamphlet targets House Speaker Tina Kotek



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The folded postcard that landed in mailboxes across North and Northeast Portland this month looked suspiciously like Oregon's official voters' guide -- down to the typeface, buoyant stars and conspicuous use of a state seal.

It even reads like it, dispensing biographical and policy details about two Democrats vying to represent House District 44: activist [Sharon Nasset](#) and longtime House Speaker [Tina Kotek](#).

Except that it's not an official guide, even if looks might be deceiving.

That fancy seal? It's a version of Oregon's territorial seal. Eagle-eyed readers might also note the tiny word "unofficial" placed casually on the mailer's back page. And those policy positions? Nasset comes out looking like a hero. Kotek, pictured with a sour face, plays the role of heel.

Prompted by complaints, the Oregon Secretary of State's office sent Nasset [a stern letter](#) this week, insisting she immediately "cease using any of these confusingly similar elements" in her campaign materials.

Worse for Nasset, a largely unknown candidate facing steep odds against Kotek on May 17, the mailer could saddle her or her supporters with hundreds of dollars in civil charges. Misuse or even the impersonation of a state seal could cost \$500 all on its own.

"As you know, the integrity of every election in Oregon is of paramount importance to my office and to all Oregonians," Secretary of State Jeanne Atkins wrote. "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."

Nasset didn't return a message seeking comment Friday. On Tuesday, [she posted a Facebook statement](#) in which she distanced herself from the guide.

"I recognize that anything being distributed which supports me reflects onto my campaign regardless of who distributed it," she wrote.

But she also said she'd "spoken to some of the people volunteering in support of my campaign" after hearing complaints.

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"I believe it was no one's intention to deceive, and that it was meant to be clear that this was NOT an official government mailer," she wrote. "I am sorry to anyone who felt insulted."

The origins of the mailer could determine who pays any fines, and how much. But as of Friday, campaign finance data on the state's website offered little insight.

Because Nasset has promised not to spend or raise more than \$3,500 in 2016, she's obtained a state waiver that frees her from having to file finance reports. Assuming the mailers cost less than that threshold, that means voters would have no immediate way of knowing whether her campaign was directly involved or coordinating with an outside group.

That waiver wouldn't apply, however, if an outside group produced the fake guides without connecting with Nasset's campaign. If that was the case, and if that group has spent more than \$750 this year on Nasset or any other candidate, that group would have to report the spending within 30 days or face punishment.

"Thank you for helping to ensure that any expenditures for the 'Voters' Pamphlet Guide' in support of your campaign are properly reported," Atkins wrote Nasset. "This too will promote the integrity of the election."

The murkiness about the spending comes with some intrigue. The mailer attacks Kotek for not supporting a proposed resolution in the 2016 session that would have put Oregon on record as supporting national campaign finance reform.

Nasset's campaign, meanwhile, had previously clashed with the secretary of state's office on the official voter's guide, **a letter** obtained by The Oregonian/OregonianLive shows.

Nasset had missed the March 10 deadline to add a statement to the guide, failing to pay a required \$750 fee. She emailed the state a month later, April 11, complaining about an "error" and asking to be included.

An official in the elections division answered a day later, telling Nasset it was "too late." But the letter also included an interesting story from Signature Graphics, the company that prints the state's guides.

On April 7, before Nasset emailed the state with her plea, a man described as her campaign manager Will Yate, called the company to check if the "pamphlet had been printed yet" and "advised that they might be getting another statement for inclusion." Signature promptly contacted the state.

As for the "unofficial" mailer, Laura Terrill, Atkins' chief of staff, said the secretary of state's office is taking it very seriously, no matter how clever it might seem. The office wants to discourage copycats.

"We worry about precedent," she said. "Not only are we charged with producing the pamphlet, which needs to maintain a certain standard so there isn't voter confusion, but we're also charged with protecting the use of the state seal."

Scott Moore, a spokesman for House Democrats' political action committee, took the unusual step Friday of weighing in on an intra-party race.

"Voters in north and northeast Portland are rightfully outraged about this mockery of Oregon's voters' pamphlet," he said. It's this sort of deceitful tactic that erodes trust in our elections. Oregonians deserve better."

Correction: *Because of incorrect information in a letter from the Oregon Secretary of State's office, an earlier version of this post misidentified a man described as a campaign volunteer for Sharon Nasset. His name is Will Yate.*

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