

September 19, 2018

Steve Trout  
Elections Director  
Oregon Secretary of State  
Public Service Building Suite 501  
255 Capitol St. NE  
Salem OR 97310

Dear Mr. Trout:

I submit the following complaint against Justin Hwang, candidate for Oregon House District 49.

Candidates and campaigns are prohibited from providing refreshments at campaign events that constitute anything more than “incidental,” further it prohibits giving something of value for no charge with the intent to influence how a person votes or other political activity.

According to the Secretary of State, the three elements that must be present in order for a thing of value to constitute undue influence:

- The item must be an item of value;
- The item must be advertised or otherwise promoted as available as an inducement; and
- The inducement must be to get a person to take an action restricted by statute

“Refreshments may be provided at a political gathering for no charge if they are incidental to the event.” 2018 Campaign Finance Manual at 46. However, “[f]ood or refreshments, at no charge, cannot be the featured attraction to induce people to attend a political event[.]” 2018 Campaign Finance Manual at 46.

Mr. Hwang’s campaign has held events and advertised for those events with free food, presumably from the restaurant chain Mr. Hwang owns. On Aug. 5, 2018, Mr. Hwang’s campaign advertised for a “Community BBQ” on the campaign’s official website. The post read (see screenshot of post – marked Image 1 – on page 3):

“Meet Justin Hwang, owner of Joy Teriyaki and candidate for Oregon House District 49. Justin and the crew will be serving complimentary chicken teriyaki bowls to you and your neighbors. We forward to you stopping by, grabbing a bite to eat, and meeting Justin in person.”

Mr. Hwang sells “Chicken Teriyaki Bowls” at his Joy Teriyaki locations for \$4.99 (see: <https://www.joyteriyaki.com/menu>).

On the day of the event, Aug. 6, 2018, Mr. Hwang’s campaign posted again to his campaign’s Facebook account (see screenshot of post – marked Image 2 – on page 3):

“We’re here at the Fairview National Night Out chicken teriyaki bowls to everyone. Come say hi and grab some free food from all the wonderful donors.”

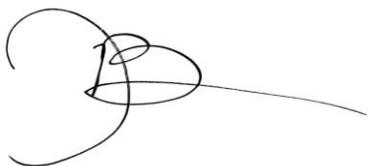
On Saturday, Sept. 8, 2018, Mr. Hwang setup vendor space at the Fairview on the Green event. Again, his campaign posted to his campaign Facebook page. The post read (see screenshot of post – marked Image 3 – on page 4):

“We will be there as a vendor, serving up some delicious teriyaki and great conversation. Come hangout!”

In at least two of the three incidents, Mr. Hwang has offered an item of value (chicken teriyaki bowls), promoted it as an inducement (“Come say hi and grab some free food...”), all in an attempt to get people to meet and presumably support Mr. Hwang’s candidacy. I believe this is a clear violation of Oregon State law. See ORS 260.665.

I respectfully ask the elections division to investigate this matter fully.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jenn Baker', with a long horizontal line extending to the right.

Jenn Baker

## SUPPORTING MATERIALS

### IMAGE 1



### IMAGE 2



IMAGE 3

 **Justin Hwang for State Representative** shared an event. September 7 at 3:19 PM

Hey everyone, please join us tomorrow for Fairview on the Green!  
We will be there as a vendor, serving up some delicious teriyaki and great conversation. Come hangout!



*Fairview*  
**ON THE GREEN**  
• 2018 •

Enjoy LIVE music with:

NOON Kana'iaupuni	1PM-2PM Dan the Pointed Man	3PM-5PM Tropical Storm	6PM-8PM Code Blue
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SAT, SEP 8

**Fairview on the Green**  
Fairview Community Park · Fairview

★ Interested

Party · 925 people