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For SFEC use

FORM SFEC-160.5:
Disclosure and Filing for Persuasion Polls
(S.F. Campaign and Governmental Conduct Code § 1.160.5)

PART I: Instructions and Definitions

Instructions:

Under section 1.160.5, any caller conducting a persuasion poll must, at the beginning of each call, (1) identify the person(s) making payments for or authorizing the call by stating "This is a paid political advertisement by [Name of person(s)];" and (2) identify the person making the call, if different from the sponsor, by stating "This call is conducted by [Name of person]." These disclosures must be spoken at the same volume and speed as the rest of the communication so as to be clearly audible by the call recipient and otherwise appropriately conveyed for the hearing impaired. These disclosures must be repeated upon the request of the call recipient.

Any person who authorizes, administers or makes payment for a persuasion poll must file this itemized statement with the San Francisco Ethics Commission within 48 hours of each disclosure date, unless the person is aware that another person authorizing, administering or making payment for the same persuasion poll has filed a Form SFEC-160.5.

What is a persuasion poll?

A "persuasion poll" is any telephone survey, or series of telephone surveys that are substantially similar or identical, that refers to a clearly identified candidate for City elective office or City elective officer, *other than in a basic preference question*, and that **includes**:

1. At least one call made within 60 days prior to an election for the City elective office sought by the candidate named in the survey or prior to a recall election regarding the City elective officer named in the survey; and
2. At least 1,000 completed calls, such as person-to-person discussions following the survey script; and

For which at least two of the following are true:

- ◆ Each phone conversation takes less than four minutes on average to complete, excluding any sponsorship identification.
- ◆ The survey includes fewer than three demographic inquiries regarding factors such as age, educational level, or marital status.
- ◆ The persons conducting the survey do not collect or tabulate survey results for all the phone conversations.
- ◆ The survey includes an untrue statement about the candidate or officer described in the persuasion poll.
- ◆ The survey is designed or intentionally conducted in a manner calculated to influence the vote of the call recipient.

What is a disclosure date?

"Disclosure Date" includes each of the following:

- (A) The date that a written formal agreement regarding the persuasion poll is made between the person making the calls and the poll's sponsor or the sponsor's agent;
- (B) The date of the 1,000th call in the poll; and
- (C) The date of each 1,000th additional call in the poll.

What is a basic preference question?

A “basic preference question” is (A) a question that provides a call recipient with a list of names of candidates for City elective office without providing or implying any information regarding any candidate and asks which candidate the call recipient supports in a particular race, or (B) a question that names a City elective officer without providing or implying any information regarding the officer and asks whether the call recipient supports or opposes the recall of that officer.

PART II: Information about the Persuasion Poll

Please print legibly and fill out the following information completely.

A. Information regarding each person who authorized, administered or made payments for the persuasion poll

Full Name	Street Address	City	State	Zip Code	Email	Telephone Number

B. Information regarding each person who shared or exercised direction and control over the person(s) named in A above

Full Name	Street Address	City	State	Zip Code	Email	Telephone Number

C. Information regarding person(s) who made payments of \$100 or more to the person(s) named in A or B above

Name of Person Making Payment	Street Address	City	State	Zip Code	Occupation and Employer (If self employed, name of business.)	Date Payment Received	Amount of Payment	Cumulative Amount Received

PART IV: Additional Information, Attachments and Verification

Please verify that you are providing to the Ethics Commission:

- A legible copy of the script used in conducting the persuasion poll **and**
- A copy of every question asked and every statement made in the persuasion poll

Is this an amended report? Yes No

If yes, please provide the date on which the original statement was filed: _____

Please check this box if you are attaching additional pages: .

I verify, under penalty of perjury of the laws of the state of California, that the information provided on this form is true and accurate. I acknowledge that I must retain for a period of five years all books, papers and documents necessary to substantiate the information provided on this form.

Signature

____ / ____ / ____
Date