

**STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION**

In the Matter of a Complaint by
Ron Ward, Jewett City

File No. 2007-160

FINDINGS AND CONCLUSIONS

Complainant brings this complaint pursuant to Connecticut General Statutes §9-7b, alleging that the First Selectman of the Town Griswold, Anne Hatfield, violated §9-610(d), General Statutes, for using and/or authorizing the use of public property, specifically, the Town of Griswold and the Borough of Jewett City seals on the Republican Party candidate for Warden of the Borough, Melinda S. Brooks, website to give the appearance that the Town of Griswold was endorsing her. Further, he claimed that Melinda S. Brooks took copyrighted material, such as the seals of the Town of Griswold and the Borough of Jewett City from the official Town of Griswold website and incorporated them into her candidate committee website.

After the investigation of the Complainant's complaint, the Commission makes the following findings and conclusions:

1. Ron Ward is the founder of the Jewett City Party, and candidate for Jewett City Borough Warden for the May 7, 2007 election.
2. Anne Hatfield is the First Selectman of the Town Griswold, Vice Chairman of the Griswold Republican Town Committee (RTC) and former treasurer of the "Committee to Elect Melinda Seaman Brooks" candidate committee.
3. Melinda S. Brooks is the Republican candidate for Jewett City Borough Warden for the May 7, 2007 election.
4. The Town of Griswold encompasses seven (7) sections: Hopeville, Pachaug, Rixtown, Doansville, Clayville, Glasgo, and Jewett City. Jewett City, comprising the downtown area of the Town of Griswold, is the Borough of the Town of Griswold and has its own government and elected officials. The Borough of Jewett City is a government within the government of the Town of Griswold and is comprised of a warden and 4 burgesses, a treasurer, assessor, clerk, tax collector, and bailiff.
5. The Commission notes that the original pages of Melinda Brooks' website resembled the Borough of Jewett City section of the Town of Griswold website and that Anne Hatfield was Melinda Brooks' candidate committee treasurer during that time frame, from January 23, 2007 to February 22, 2007. Accordingly, the complaint was docketed for the limited purpose of determining whether public funds were expended to support a candidate.
6. Connecticut General Statutes §9-610 provides in part:
 - (c) A candidate may make any expenditure permitted by section 9-607 to aid or promote the success of his campaign for nomination or election from his personal funds, or the funds of his immediate family, which for the purposes of this chapter shall consist of the candidate's spouse and issue. Any such expenditure shall not be deemed a contribution to any committee.

(d) (1) No incumbent holding office shall, during the three months preceding an election in which he is a candidate for reelection or election to another office, use public funds to mail or print flyers or other promotional materials intended to bring about his election or reelection.

(2) No official or employee of the state or a political subdivision of the state shall authorize the use of public funds for a television, radio, movie theater, billboard, bus poster, newspaper or magazine promotional campaign or advertisement, which (A) features the name, face or voice of a candidate for public office, or (B) promotes the nomination or election of a candidate for public office, during the twelve-month period preceding the election being held for the office which the candidate described in this subdivision is seeking."

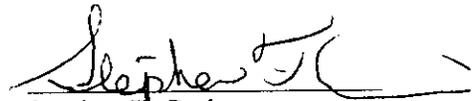
7. Complainant further alleged that Anne Hatfield used the "official town & borough seals, public property, to give the appearance that the Town of Griswold has endorsed the Republican Party candidate [Melinda Brooks] for Warden of the Borough."
8. Anne Hatfield denied these allegations against her and stated that she "did not take or use or authorize anyone else to take or use the Town of Griswold or the Borough of Jewett City seals (copyrighted or not) for the Melinda Brooks election campaign. Use of these seals in the Melinda Brooks election campaign was not authorized by Anne Hatfield and was done without Anne Hatfield's knowledge. Anne Hatfield did not take or use or authorize anyone to take or use public property of the Town of Griswold to give the appearance that the Government of the Town of Griswold endorsed the Republican Party candidate for the office of the Borough Warden." The Commission has not discovered any evidence to the contrary.
9. Melinda Brooks acknowledged copying the Borough of Jewett City portion of the Town of Griswold website and incorporating it to her campaign website. She paid for her website and domain name with her own funds. No public funds were utilized or expended in the creation of her website.
10. Further, Melinda Brooks denied giving Anne Hatfield access to her website or password or asking and obtaining permission from Anne Hatfield to use, copy and paste material considered to be property of the Borough of Jewett City or the Town of Griswold.
11. It is concluded that no violation §9-610, General Statutes, occurred under the facts and circumstances of this case.
12. Complainant also claimed that Melinda Brooks took copyrighted materials (including but not limited to the Official Seal of the Town of Griswold and the Official Seal of the Borough of Jewett City) from the official town of Griswold website and incorporated the materials into her election campaign website.
13. The alleged misuse of town seals and copyright infringements do not fall within the parameters of state election law and, therefore, the Commission lacks jurisdiction over those allegations. Accordingly, those allegations are also dismissed.

ORDER

The following Order is issued on the basis of the aforementioned findings:

That the Complainant's complaint be dismissed.

Adopted this 11th day of April of 2007 at Hartford, Connecticut, by vote of the Commission.

A handwritten signature in black ink, appearing to read "Stephen F. Cashman", written over a horizontal line.

Stephen F. Cashman
Chairperson