

From: Catherine McNicoll <CatherineMcNicoll@scstatehouse.gov>
To: Danny Varat <DannyVarat@scstatehouse.gov>
Date: 12/8/2017 2:44:48 PM
Subject: RE: Question regarding the use of images of the Lieutenant Governor's Office - Privileged and Confidential

Information in this email is privileged and confidential.

Danny, as we discussed I just spoke to Director Hamm, here is a brief outline of our discussion and the answers.

I asked him about the recent use of the video with the office as the background at a sort of political event that wasn't really a campaign event and he said that was fine.

I also asked about the use of images of the office generally, he said that in things like campaign mailers or on the campaign website they would not be permissible, however if they were incidentally used in a video or slide show at an event that would be fine because they show him performing his official duties. I believe this is also why those photos are fine on his social media unless he made a separate campaign social media account. I'm happy to discuss this more.

Finally, we discussed use of images and who is paying for them. If the campaign pays for images the office can use them so long as they don't have campaign branding in them. (Ex. A photo of him in the campaign polo could not be used for the office.) If the office pays for images, they cannot be used by the campaign.

I hope this helps answer the questions that we've had in the past on this topic. Please let me know if you have any follow up questions.

Best Regards,
Catherine McNicoll
Director of Legal & Legislative Affairs
Lieutenant Governor's Office
CatherineMcNicoll@SCStatehouse.gov
803-734-5292 (phone)

From: Danny Varat
Sent: Wednesday, November 29, 2017 9:54 PM
To: Catherine McNicoll
Subject: Re: Question regarding the use of images of the Lieutenant Governor's Office

10-4

From: Catherine McNicoll
Sent: Wednesday, November 29, 2017 9:21 AM
To: Danny Varat
Subject: RE: Question regarding the use of images of the Lieutenant Governor's Office

That email was from late last Tuesday before Thanksgiving. He wasn't asking to speak today, but since I'm assuming that you will have difficulty being on the call at all this week. I will get a hold of him and if there are additional questions we will go from there.

Best Regards,
Catherine McNicoll
Director of Legal & Legislative Affairs
Lieutenant Governor's Office
CatherineMcNicoll@SCStatehouse.gov

803-734-5292 (phone)

From: Danny Varat
Sent: Wednesday, November 29, 2017 7:00 AM
To: Catherine McNicoll <CatherineMcNicoll@scstatehouse.gov>
Subject: Re: Question regarding the use of images of the Lieutenant Governor's Office
I can't talk at 11. Can you handle it without me?

From: Catherine McNicoll
Sent: Tuesday, November 28, 2017 5:00 PM
To: Danny Varat
Subject: FW: Question regarding the use of images of the Lieutenant Governor's Office

I got this from him late on Tuesday, I will circle back around.

Best Regards,

Catherine McNicoll

Director of Legal & Legislative Affairs

Lieutenant Governor's Office

CatherineMcNicoll@SCStatehouse.gov

803-734-5292 (phone)

From: Hamm, Steven [<mailto:shamm@ethics.sc.gov>]
Sent: Tuesday, November 21, 2017 3:17 PM
To: Catherine McNicoll <CatherineMcNicoll@scstatehouse.gov>
Subject: RE: Question regarding the use of images of the Lieutenant Governor's Office
Catherine:

Can we talk late tomorrow morning? You are welcome to call my cell after 11 AM. My cell is 803 463-9660.

Steve Hamm

Steven W. Hamm

Interim Executive Director

State Ethics Commission

(803) 253-4192

From: Catherine McNicoll [<mailto:CatherineMcNicoll@scstatehouse.gov>]
Sent: Monday, November 20, 2017 10:08 AM
To: Hamm, Steven
Cc: Franklin, Ami; Danny Varat
Subject: RE: Question regarding the use of images of the Lieutenant Governor's Office
Good Morning Director Hamm, I am available from 11-1 and 3-5 tomorrow.

Best Regards,

Catherine McNicoll

Director of Legal & Legislative Affairs

Lieutenant Governor's Office

CatherineMcNicoll@SCStatehouse.gov

803-734-5292 (phone)

From: Hamm, Steven [<mailto:shamm@ethics.sc.gov>]
Sent: Friday, November 17, 2017 5:33 PM
To: Catherine McNicoll <CatherineMcNicoll@scstatehouse.gov>
Cc: Franklin, Ami <Ami@ethics.sc.gov>; Danny Varat <DannyVarat@scstatehouse.gov>
Subject: RE: Question regarding the use of images of the Lieutenant Governor's Office
Catherine

I will be happy to speak with you and Danny but Monday is not a good day for me to schedule anything else. I am speaking at a CLE in Camden Monday morning and I already have meetings scheduled all afternoon. I would be happy to talk sometime on Tuesday if that will work for you. Let me know when you might be able to talk on Tuesday.

Best wishes,

Steve

Steven W. Hamm

Interim Executive Director
State Ethics Commission
(803) 253-4192

From: Catherine McNicoll [<mailto:CatherineMcNicoll@scstatehouse.gov>]

Sent: Friday, November 17, 2017 5:27 PM

To: Hamm, Steven

Cc: Franklin, Ami; Danny Varat

Subject: Question regarding the use of images of the Lieutenant Governor's Office

Good Evening Director Hamm,

Would you be able to speak with Danny and I on Monday on the phone to discuss a question we have about use of images of the Lieutenant Governor's Office. I am unavailable from 9-10am and 11:30am-3pm other than those times I believe we could make any time work. Thank you.

Best Regards,

Catherine McNicoll

Director of Legal & Legislative Affairs

Lieutenant Governor's Office

CatherineMcNicoll@SCStatehouse.gov

803-734-5292 (phone)