

**STATE OF RHODE ISLAND
BOARD OF ELECTIONS**

**IN THE MATTER OF: JUSTIN COUTU – WEST WARWICK TOWN COUNCIL
WARD 2**

ORDER

This matter was heard on July 24, 2018 before the Board of Elections on an appeal by Justin Coutu (“Coutu”) from the July 19, 2018 Order by the Town of West Warwick Board of Canvassers.

The West Warwick Board of Canvassers heard a complaint on July 19 filed by Nicholas A. Denice in which he claimed that Mr. Coutu was ineligible to run for the office of West Warwick Town Council, Ward 2, since he is an employee of the State of Rhode Island and serves as a principal administrative clerk for the Rhode Island Judiciary. Mr. Denice alleged that his employment status with the state made him ineligible to run for partisan elected office due to the Hatch Act, 5 U.S.C. § 1501 *et seq.* The West Warwick Board of Canvassers denied the candidacy of Justin Coutu for Ward 2, determining that his candidacy would violate the Hatch Act.

The Board finds that any determination of a violation of the Hatch Act is outside of its jurisdiction. Since no other eligibility challenges have been asserted, the Board expressly finds that Mr. Coutu is eligible to seek the office of the Town of West Warwick Council for Ward 2.

Mr. Coutu's appeal is granted and the decision of the West Warwick Board of Canvassers is reversed for the reasons set forth in this Order.

So ORDERED, this 6th day of August, 2018.



Diane C. Mederos, Chairwoman