

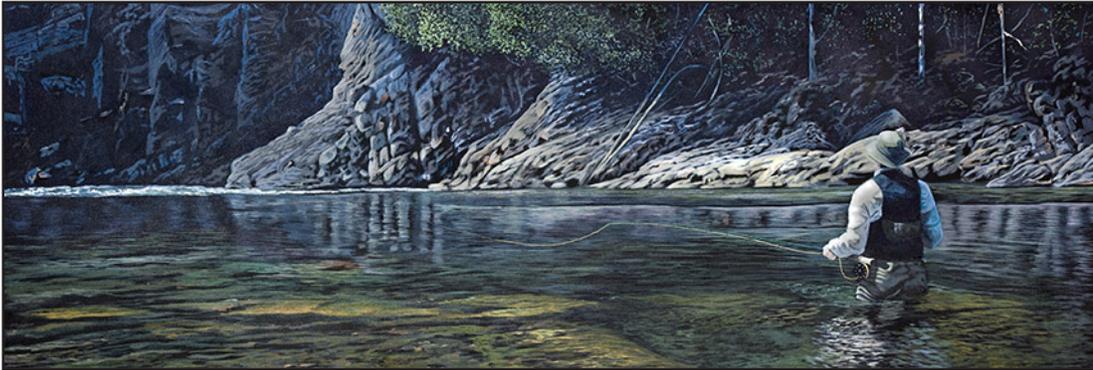
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## A VICTIM'S PLEA TO RESIDENTS OF KITIMAT-TERRACE AND ALL CANADIANS

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Andrew Giffin, January 18, 2017

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Left, Ladder Pool,  
original art by  
Andrew Giffin.

Dear fellow Canadians,

On behalf of myself and other victims I ask you to please take a minute to read my story and share it.

Did you know that copyright theft is a serious problem in Canada and if you take an image from the internet and use it in anyway without the permission of the artist that is theft?

Somehow people have a hard time thinking of this as a problem. Let me draw an analogy for you. Let's imagine that someone went into your garage and stole your much loved truck when you were out of town. The truck that you restored, polished and take such good care of. You love that truck! The person that took your truck then sold your truck to a friend of his. Someone who does not know you phones and says, "I've seen someone driving your truck. I don't think that person stole it but I think I know who did." A few hours later, the person that stole your truck catches wind that you're in the know so they phone you to apologize and say they want to make things right. You say, "I think I'll tell the police that you admitted to stealing my truck and selling it to someone else, thank you."

You then call the police. They investigate and then say we know who stole your truck. But then you hear some of the police say, "Don't worry about it. The person that stole your truck seems to be such a nice fella." When you phone them a few days later about the issue, the police say they'll tell them to give the truck back. Meanwhile the thief gets to keep the money and the person that bought the truck from them is out of pocket. To add insult to injury you do not get any reimbursement for your home being violated, your possession stolen, and the heartache and frustration that you've endured.

My question is this: How would you feel?

On April 20, 2016, I received a telephone call from a person in Kitimat-Terrace, BC inquiring about a painting of mine that was hanging in an engineering firm in that town. The point of their phone call was to ask if I had given permission for other artists to use my work. The engineering firm is Hatch Engineering, formerly Lapointe Engineering. I explained to the person on the line that while it sounded like my painting, it could not be as the original was hanging in New Brunswick. I asked them to send me a photo of the work in question and I was able to see right away that it was a painting that had been

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copied from my painting, "Ladder Pool." There's an image of this painting on my website and on the top of the prior page.

[www.giffinartworks.com/images/LadderPool-copyright.jpg](http://www.giffinartworks.com/images/LadderPool-copyright.jpg)

View Andrew's website: [www.giffinartworks.com](http://www.giffinartworks.com)

Over the course of the next few days I found out that a woman that works as a nurse from Kitimat-Terrace, Sarah Escaler, now Sarah Marie Medeiros, had sold this painting to the engineering firm. She's also sold other copies of paintings by contemporary artists from Canada and all around the world. She was selling paintings through a café where she had her own gallery set up, a local salon and spa and also through online sites.

It wasn't just my art that was being copied and sold. I was in touch with an American artist that Sarah copied and she was very heartbroken about the news. This woman is a single mother that tries to make a living from her art and she couldn't believe that someone would do such a terrible thing. She said acts such as this are making her lose faith in humanity.

Painting and creating art is my livelihood and how I contribute to supporting my family. There is a lifetime of study, experience and creativity that goes into creating an original image and this fact should not be taken lightly. When I heard about this copyright violation, I immediately forwarded the email to the police. After this I learned my painting was copied by Sarah in order to fulfill a commission from the engineering firm! The RCMP said they would issue a cease and desist order and that all of the paintings hanging in public spaces would be removed. However, what about all of the paintings that people unknowingly purchased through the venues that she was selling them? What about their rights? What about the rights of the original artists? What about the funds that were made through sale of copyrighted images? What about reimbursement to the artists whose work was used to create these sales?

When I discovered that Sarah M Medeiros (nee Escaler) was copying and selling art, I contacted the Kitimat RCMP. I was expecting the police to recognize this as an issue. Instead, I was told by a number of the police officers that I spoke with that it couldn't be true because they knew her and that Sarah "seemed like a nice girl." Anyone can seem like a nice person if no one knows what they are doing privately.

Around the same time I received an email from Sarah. She said she wanted to explain her actions and wanted to apologize to me. She said that she is a 31 year old nurse that had taken up painting as a stress relief. She further stated that "she ran out of wall space" and her friends approached her to "give away" her paintings. She blamed others for the sale of her artistic copies of copyrighted art, including local business owners, Tina and Brian Chamberlain, and a local MD, Dr. Li Huang.

In her letter to me, Sarah also said that the painting that she had copied from mine was the only one that was hanging in a public space. However after some investigation it was found that her copied paintings were at Constant Cravings café, and at Suede Salon. It also came to light that Sarah herself had

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## A VICTIM'S PLEA, CONT'D

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approached the owner of the café with the idea of hanging and selling her art. This fact was verified by the café owner and staff members.

Sarah also stated that she had placed tags on the back of all of the paintings, and that these tags gave credit to the original artists. Sarah said these tags must have been thrown away by the people that hung the work or bought it. However, the café owner and staff members stated there were NO TAGS crediting the original artists attached to the paintings displayed there and sold there. Employees at the café were easily able to identify paintings that had been copied by Sarah M Medeiros upon seeing the originals.



Sarah also stated in her letter to me that she did not know anything about plagiarism or copyright. She sold these painting while working as a registered nurse in BC. I find it hard to digest that someone with a degree from University of Victoria and working as a Mental Health nurse would not know that it is wrong, immoral and unethical to copy and sell the work of others.

Robin LaPointe at Hatch Engineering confirmed that Sarah had been commissioned to paint the work in question. They were of the understanding that it was of an area close by where a lot of anglers fish. In fact it is a river in Quebec, the Dartmouth, that I had painted. They confirmed they had no idea the work was copied.



Sarah was also selling her paintings online through social media sites. People in northern BC identified her paintings being sold on the Buy and Sell. She was selling these paintings to many of the residents of Kitimat and surrounding areas, not just giving them away. Dr. Huang purchased paintings that he had hanging in his office in Kitimat. Sarah also advertised as to how she could be contacted for future sales of her copied paintings.

A woman who lived in Kitimat for 30 years penned a letter to me after hearing of Sarah's recent CBC exposure and cover up. As it turns out, many years ago she became suspicious of Sarah's paintings that were purchased by a local clinic. She took pictures at the time and found the originals on the internet but did not know who to tell. A man in Terrace, BC told reporters how he matched Sarah's paintings on social media to those from another artist's online gallery.

Copy (top image) of original art (bottom image) by Aja Kusick, Sagittarius Gallery, [www.sagittariusgallery.com](http://www.sagittariusgallery.com)

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Other people in Kitimat have come forward willing to expose her further but have asked to remain anonymous due to fear of harassment. They witnessed how others who spoke out were bullied by Sarah, her friends and family. I too have been on the receiving end of bullying from Sarah's friends since the CBC story aired. A woman named Chelsea-Fladhamer-Bemis wrote a reply to a man who was simply posting on the CBC comments section in favour of my plight.

She wrote the following: "Mr. April, I am a good friend of Sarah Escaler's, and would like to inform you of some very important facts missing from the CBC article about apparent copied art.---the real reason behind this is something malicious in intent---Giffin has a friend who works for the CBC and produced this article---therefore the apparent high level of ethics and journalism has been breached---they have so many things wrong with this article. Sarah is a registered nurse, very talented. All the art work sold was never for profit --paid for the supplies. I like that you took time to google these people. One is a regular small town lady and the other is an attention seeker and malicious, jealous person."

I'd like to point out that this woman (Chelsea Fladhamer-Bemis) is accusing the CBC of conspiracy and slandering me as well. I did not know Rachel Cave, the producer for this story until she came and interviewed me. This person is also trying to say that since she believes Sarah's profits went towards purchasing supplies to make MORE copied paintings that her selling them is justified.

This whole story appears to be a case where the perpetrator is playing the victim.

I did call the CBC in New Brunswick who produced a story about the issue. The story did not reveal many of Sarah's statements including blaming many others, claiming she did not know anything about plagiarism and that copying and selling my painting was the only time she had done this deed. I also felt it did not strongly enough mention the copyright issues and rights of artists, as well as monetary loss by these artists.

When journalists were investigating the case, they discovered Sarah's mother is herself an artist, which in my opinion makes Sarah's acts even more deplorable.

When I approached the Kitimat Northern Sentinel about reporting on this, they refused to cover the story even though it was an important issue taking place in their area. The people of the area, especially those affected, deserve to know the truth.

My continued calls to the RCMP Staff Sergeant have not been answered. I've also had difficulty reaching the constable that last looked at the case. My attempts at trying to get the media coverage have been ongoing. Sarah refuses to talk to the media.

I've been in contact with lawyers and Canadian Artists Representation (CARFAC) and have been told that legal action will probably be my only way to have the truth revealed. What I'd like is for people who have

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been wronged by Sarah copying art are made aware so that the paintings can be destroyed and the money returned to those who purchased copied art from her. It is also my wish that Sarah take responsibility for her actions, admit to her cover ups and publicly apologizes to each of the artists and unsuspecting buyers. Copyright theft must not be allowed to continue. Everyone deserves to be paid for their labour, no matter what they do, and to be credited for that work.

[www.cbc.ca/news/canada/new-brunswick/sussex-artist-portrait-controversy-1.3578619](http://www.cbc.ca/news/canada/new-brunswick/sussex-artist-portrait-controversy-1.3578619)

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