



STATE OF CONNECTICUT
JUDICIAL BRANCH

COURT OPERATIONS DIVISION

LEGAL SERVICES

Martin R. Libbin, *Deputy Director, Legal Services*

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Hartford, Connecticut 06115-0474
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Judicial Branch Website: www.jud.ct.gov

September 4, 2007

Attorney Sandra Norman-Eady
Office of Legislative Research
Room 5300
Legislative Office building
Hartford, CT 06106-1591

Re: *State v. Louis C. DeLuca*
Bipartisan Committee of Review Request for Records Concerning

Dear Attorney Norman-Eady:

Senator Martin Looney's and Senator Andrew Roraback's August 29, 2007 joint letter to Judge William J. Lavery seeking, on behalf of the Senate Bipartisan Committee of Review, information regarding Senator Louis C. DeLuca's guilty plea on the to misdemeanor charge of conspiracy to commit threatening in the second degree has been forwarded to me for a reply.

Enclosed is a certified copy of the court file as well as a copy of the transcript of the sentencing hearing. I have also enclosed a copy of a print-out from the Judicial Branch criminal motor vehicle computer system regarding the above referenced case.

Please feel free to contact me if you have any questions about the enclosed materials.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Martin R. Libbin".

Martin R. Libbin
Deputy Director, Legal Services

Enc.

cc: Hon. William J. Lavery (w/o enc.)

INFORMATION

JD-CR-71 Rev. 12-03

STATE OF CONNECTICUT SUPERIOR COURT

DISPOSITION DATE JUN 04 2007

TITLE, ALLEGATION AND COUNTS

STATE OF CONNECTICUT VS. (Name of accused) **LOUIS DeLuca** G.A. NO. **4** DOCKET NO. **U04W CR07-0361602**

ADDRESS: **477 Main Street North, Woodbury, CT**

TO BE HELD AT (Town): **Waterbury** COURT DATE:

FIRST COUNT - DID COMMIT THE OFFENSE OF **Conspiracy to commit Threatening in the second degree** CONTINUED TO **ee** PURPOSE REASON

AT (Town): **Woodbury** ON OR ABOUT (Date): **April 2005** IN VIOLATION OF GENERAL STATUTE NO. **53a-48, 53a-62 (a)(2)** **MAG**

SECOND COUNT - DID COMMIT THE OFFENSE OF

AT (Town): ON OR ABOUT (Date): IN VIOLATION OF GENERAL STAT

THIRD COUNT - DID COMMIT THE OFFENSE OF

AT (Town): ON OR ABOUT (Date): IN VIOLATION OF GENERAL STAT

SEE OTHER SHEET(S) FOR ADDITIONAL COUNTS DATE: **5/30/07** SIGNED (Deputy Asst. State's Attorney): *[Signature]*



U04W CR07-0361602 S

COURT ACTION

DEFENDANT ADVISED OF RIGHTS BEFORE PLEA (JUDGE) (DATE) BOND SURETY 10% CASH ELECTION (Date) CT JY

ATTORNEY PUB. DEFENDER GUARDIAN BOND CHANGE SEIZED PROP. INVENTORY NO.

COUNT	PLEA DATE	PLEA	PLEA WITHDRAWN		VERDICT FINDING	FINE	REMIT	ADDITIONAL DISPOSITION
			DATE	NEW PLEA				
1	JUN 04 2007	G			G	\$	\$ 6 mos	EXECUTION SUSPENDED CONDITIONAL DISCHARGE 2yrs 9/15 2000#
2						\$	\$	STATE OF CONNECTICUT SUPERIOR COURT JUDICIAL DISTRICT OF WATERBURY/G.A. 4
3						\$	\$	AUG 3 0. 2007

CERTIFIED COPY SEAL AFFIXED

DATE: **JUN 04 2007** OTHER COURT ACTION: **Court finds accused understands charge and rights and pleaded voluntarily.** JUDGE: *[Signature]* CLERK: *[Signature]*

BY: *[Signature]*

RES = 6 mths 2y CD US citizen
 (1) No contact with James Galante
 (2) CC 1500 w/in 30 days
 (3) No new arrest Plea: federal authorities
 (4) Passes no weapons with mt. in house
 See attachments

RECEIPT NO. COST IMP NCI BOND INFORMATION BOND FORFEITED FORFEITURE VACATED FORFEITURE VACATED AND BOND REINSTATED

APPLICATION FEE - RECEIPT NO. IF PAID CIRCLE ONE W I Q PROGRAM FEE - RECEIPT NO. IF PAID CIRCLE ONE W I Q PROBATION FEE - RECEIPT NO. IF PAID CIRCLE ONE W I Q

STATE'S ATTORNEY ON ORIGINAL DISPOSITION: **Galler** REPORTER/MONITOR ON ORIG. DISP.: **R. Waldi** SIGNED (Clerk): **Maynard** SIGNED (Judge): *[Signature]*

DELIA LOUIS, C

NO., STREET, CITY AND STATE

477 MAIN ST. N. WOODBURY CT

SEX RACE DATE OF BIRTH PLACE OF BIRTH

M W 8/17/33 EVERETT MA

ALIAS/MAIDEN NAME

ALIEN REG. NO.

SURETY AMOUNT OF BOND

DETAINED PTA

CHARGE(S) AND STATUTE NO.

COMMUNICATIVE TRANSMISSION 2ND DEGREE

53a-48/53a-62

COMMUNICATIVE TRANSMISSION 2ND DEGREE

ARRESTING OFFICER

WSP DOUGLAS SWETT

DEPARTMENT OR TROOP/ORI

DCS / CHIEF STATES ATTY OFFICE

1214930

COMPANION U.A.R. NO.

HT. 2.507 WT. 170 HAIR GRAY EYES BROWN

DOB 02/29/54 LICENSE NO. 4336 STATE CT

OPERATOR'S LICENSE NO. 022954336 STATE CT

DATE AND TIME ARRESTED 6/1/07

TOWN OF OFFENSE WOODBURY

S.P.B.I. NO.

F.B.I. NO.

F.V. ALC. NAR.

G.A. NO. 4

COURT DATE 6/4/07

DATE FINGERPRINTED 6/1/07

SIGNATURE OF ACCUSED

SIGNATURE OF OFFICIAL TAKING PRINTS

P.D. ID NO. P107-026

NOTE AMP

UNIFORM ARREST REPORT

JD-CR-21 Rev. 11-95

COURT ORIGINAL

NOTICE OF RIGHTS

JD-CR-5 Rev. 6-99
P.B. Sec. 37-3, 38-1, 38-2
C.G.S. §§ 54-1b, 54-2a, 54-63c, 54-64b

STATE OF CONNECTICUT
JUDICIAL BRANCH
SUPERIOR COURT



INSTRUCTIONS

TO CLERK OF COURT

1. Prepare in duplicate.
2. Give original to Defendant.
3. Retain copy for file.

TO OTHER AGENCIES

1. Prepare in triplicate.
2. Give original to Defendant.
3. Send a copy to Clerk of Court.
4. Retain a copy for your files.

NAME OF DEFENDANT

LOUIS DELUCA

JUDICIAL DISTRICT OR G.A.

G.A. #4 WATERBURY

LOCATION OF COURT (No., street, town)

400 GRAND ST., WATERBURY, CT

TELEPHONE NO. OF COURT

(203) 236-8100

OFFENSES CHARGED (Also specify statute number)

CONSPIRACY / THREATENING 2ND DEGREE 53a-48 / 53a-62

NOTICE OF RIGHTS

1. You are not obligated to say anything, in regard to this offense you are charged with but may remain silent.
2. Anything you may say or any statements you make may be used against you.
3. You are entitled to the services of an attorney.
4. If you are unable to pay for the services of an attorney you will be referred to a Public Defender Office where you may request the appointment of an attorney to represent you.
5. You may consult with an attorney before being questioned, you may have an attorney present during questioning and you can not be questioned without your consent.
6. (Not applicable if you were arrested on a Superior Court Warrant which specified that bail should be denied or which ordered that you be brought before a clerk or assistant clerk of the Superior Court.) You have a right to be promptly interviewed concerning the terms and conditions of your release pending further proceedings, and upon request, counsel may be present during this interview.

ADVERTENCIA DE DERECHOS

1. Usted no está obligado a decir nada en cuanto a esta ofensa por la cual se le acusa, pero puede permanecer en silencio.
2. Cualquier cosa que usted diga o alguna declaración que usted haga puede ser usada contra usted.
3. Usted tiene derecho a los servicios de un Abogado.
4. Si usted no puede pagar por los servicios de un Abogado, usted será referido a la Oficina del Defensor Publico donde puede usted solicitar el asignamiento de un Abogado para representarlo.
5. Usted puede consultar con un Abogado antes de ser interrogado. Puede tener un Abogado presente durante el interrogatorio y no puede ser interrogado sin su consentimiento.
6. (Esto no aplica si a usted lo arrestaron con una orden de arresto de la Corte Superior que especificaba que se le negara fianza u ordenaba que a usted se le presentara ante el secretario o el ayudante a secretario de la Corte Superior.) Usted tiene el derecho de ser entrevistado prontamente acerca de los términos y condiciones de su libertad, pendiente a procedimientos adicionales y sobre solicitud el Abogado Consultar puede estar presente durante esta entrevista.

I, the undersigned, have advised the Defendant of the Defendant's rights as stated above:

SIGNED (Authorized person)

TITLE
INSPECTOR

DATE AND TIME ADVISED: 6/1/07 2:05 P.M.

I have been advised of my rights as stated above and have received a copy of this notice.

He sido instruido acerca de los derechos que aparecen en esta notificacion, de la cual he recibido copia.

SIGNED (Defendant)

The Judicial Branch complies with the Americans With Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, please contact the clerk of court at the address noted above.

La Rama Judicial actúa de acuerdo con la ley de Americanos con Incapacidades (ADA). Si usted necesita arreglos especiales en conformidad con esta ley de ADA, haga el favor de ponerse en contacto con las secretaria del Tribunal de Connecticut en la dirección arriba mencionada.

FOR COURT USE ONLY

FILE DATE

DOCKET NO.
Ch07 36160Z

NOTICE OF RIGHTS

CONDITIONS OF PROBATION

PROBATIONER NAME:

Louis Delina

DOCKET NUMBER:

CR07-361602

1. Successfully complete substance abuse evaluation and treatment, including:
-Submit to random urine/ breath samples- In-patient treatment- Zero-tolerance
2. Psychiatric evaluation and treatment, including:
-Take prescribed medications as directed by M.D./Authorizing release to monitor compliance.
3. Obtain full-time employment and submit proof to probation. If not employed, enroll in full-time educational or training program. If not employed or in a program, perform _____ hours of community service a week.
4. No violence/threats or harassment toward victim -or[✓] No contact with victim.
5. No contact w/ Co-Defendants. James Galante
6. No weapons.
7. Domestic Violence counseling, including parenting classes if applicable.
8. Anger Management classes.
9. Restitution to the victim in the amount of: _____, as verified by probation.
Finding of financial ability and payment schedule explained. Terms: _____.
10. Charitable contribution in the amount of: 1,500, to be paid as of w/in 30 days
-Or- Perform _____ hours of community service by _____.
11. Do not operate motor vehicle without valid license; motor vehicle must be registered and insured
-Participate in Victim Impact Panel.
12. Obey all house rules including curfew;
Stay in good-standing at school.
13. Letter of Apology.
14. Comply with Sex Offender treatment and registration requirements.
15. Felony Offender: submit DNA sample.
16. Additional condition(s) include:

Any other conditions that probation deems appropriate.
NO NEW ARRESTS*

ORDER OF CONDITIONAL DISCHARGE

JD-CR-17 Rev. 2-05
C.G.S. §§ 53a-29, 30, 31, 32, 33
54-102g, 54-250

INSTRUCTIONS TO CLERK

1. Prepare in triplicate.
2. After signing, give copies to the Defendant and the probation officer or other supervising agency, if any.
3. The original, with all signatures, is attached to the Information.

STATE OF CONNECTICUT SUPERIOR COURT

www.jud.state.ct.us



TO: The Defendant named below

FROM (Judicial District or G.A.) <i>6A14</i>	AT (Town) <i>Waterbury</i>	JUDGE ORDERING CONDITIONAL DISCHARGE <i>Alexander</i>	DOCKET NO. <i>CR07-361602-5</i>
NAME OF DEFENDANT <i>Louis C. DeLuca</i>			DATE OF BIRTH <i>8/17/33</i>
ADDRESS OF DEFENDANT <i>477 Main Street North - Woodbury, CT 06784</i>			DATE SENTENCED <i>6/4/07</i>
CRIME(S) CONVICTED OF (Include General Statute sections violated) <i>Conspiracy to commit threatening in the second degree 53a-48, 53a-62(a) (2)</i>			
SENTENCED TO A TERM OF <i>6 months</i>	AT (Name of Correctional Center) <i>DHCC</i>		

Execution of the above sentence is suspended, effective: **IMMEDIATELY** **AFTER** _____

subject to a **CONDITIONAL DISCHARGE**:

FOR A PERIOD OF <i>2 years</i>	TO COMMENCE <input checked="" type="checkbox"/> IMMEDIATELY <input type="checkbox"/> ON THE DAY YOU ARE RELEASED FROM IMPRISONMENT
-----------------------------------	---

NOTICE TO DEFENDANT

1. You have been convicted of the crime(s) specified above in violation of the Connecticut General Statute(s) stated above and are hereby sentenced to the above-named Correctional Center for the term described above, execution suspended as shown above, subject to a conditional discharge for the period specified above.
2. During the period of such conditional discharge, after hearing and for good cause shown, the court may change the conditions, and may extend the period of conditional discharge.
3. In addition, if you do not comply with all of the conditions set forth below, the Court may issue a warrant for your arrest, revoke your conditional discharge and require you to serve the above sentence, or may change the conditions.

The conditions of such conditional discharge are that YOU SHALL:

- a. If convicted of a sexually violent offense, an offense against a victim who is a minor, or a nonviolent sexual offense, as those terms are defined in Connecticut General Statutes § 54-250 (see reverse side for definitions), or a felony, and you were not sentenced to a term of confinement, submit to the taking of a biological sample for DNA analysis at the Connecticut Department of Public Safety Headquarters - DNA Collection Unit, 1111 Country Club Road, Middletown, Connecticut or at such other location as may be designated. DNA collections are done by appointment only and you must call the DNA Collection Unit at (860) 685-8660 within five (5) business days following your conviction to schedule this appointment. (Note: C.G.S. § 54-102g states that refusal to submit to the taking of a biological sample for DNA analysis is a class A misdemeanor.)

- ① no contact with James Galante!
- ② charitable contribution of \$1500.00 within 30 days!
- ③ no new arrests!
- ④ possess no weapons!

*pd. 2000.00
fine + costs*

CONDITIONAL DISCHARGE ACKNOWLEDGMENT

I have this day received a copy of the "Order of Conditional Discharge" in my case. I have read, or have had read to me, the conditions of my discharge, which I do understand and agree to abide by them. I further understand that the court

may modify or enlarge the conditions or, if I commit an additional offense or violate a condition, revoke my conditional discharge at any time prior to the Termination Date of the Period of Conditional Discharge.

SIGNED (Defendant) <i>X Louis C. DeLuca</i>	WITNESS (Attorney for Defendant)	WITNESS (Assistant Clerk) <i>Debra Bitterman</i>	DATE SIGNED <i>6/4/07</i>
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DISTRIBUTION: ORIGINAL - Court COPY 1 - Defendant COPY 2 - Probation/Agency

08/30/2007 12:44

* CRMVS CASE/DEFENDANT LOOK-UP *
* MISCELLANEOUS INFORMATION *

CRMCDONALD CR39
TNA5548:

Dkt No: U04W-CR07-0361602-S Defendant: DELUCA LOUIS C

YO:

Judge: 418034 ALEXANDER JOAN HON
Prosecutor: 408335 GAILOR MICHAEL A
Completed Trial: N
DISPOSITION WITHOUT TRIAL

Restitution Money: N Other: N Part Two Verdict Paid CIB? N Finding/Date: 00/00/0000	Alias Name(s) Type No Alias Records for this case
Trial Town: 151 WATERBURY Most Serious Stat: 53a-62 THREATENING 2ND DEG License Suspended Recommendation: Length: 000 Interlock Ignition Device: 000	

PF1-M PF1-R PF1-2 PF1-3 PF1-4 PF1-6 PF1-7 PF1-9

STATE OF CONNECTICUT
SUPERIOR COURT
JUDICIAL DISTRICT OF WATERBURY

-----X
STATE OF CONNECTICUT)
) DATED: JUNE 4, 2007
VS.)
) DOCKET NO. CR07-0361602S
LOUIS C. DeLUCA)
-----X

BEFORE:

THE HONORABLE JOAN ALEXANDER

APPEARANCES:

MICHAEL GAILOR, ASSISTANT STATE'S ATTORNEY
RAYMOND MILLER, ASSISTANT UNITED STATES
ATTORNEY, ACTING AS ASSISTANT
STATE'S ATTORNEY
(REPRESENTING THE STATE OF CONNECTICUT)

CRAIG RAABE, ESQ.
(REPRESENTING THE DEFENDANT)

LINDA D. RINALDI
COURT MONITOR

1 THE COURT: Good afternoon. Are you ready to
2 proceed, Mr. Gailor?

3 MR. GAILOR: Yes, Your Honor. Thank you.

4 Good morning, Your Honor. Number one on the
5 arraignment docket, Louis DeLuca.

6 MR. RAABE: Good morning, Your Honor. Craig
7 Raabe for Mr. DeLuca.

8 THE COURT: All right. Mr. DeLuca is present in
9 court with his attorney. And with respect to it, this
10 is the arraignment for the charge of conspiracy to
11 commit threatening in the second degree. And does the
12 State wish to be heard?

13 MR. GAILOR: Yes, Your Honor. I believe we have
14 an agreement in this matter.

15 THE COURT: And is that correct, counsel?

16 MR. RAABE: That's correct, Your Honor.

17 THE COURT: All right. Louis DeLuca, in docket
18 ending 602, to a charge of conspiracy to commit
19 threatening in the second degree, 53a-48 at 53a-62,
20 paren, and you said it was (a) (2), Mr. Gailor?

21 MR. GAILOR: That's correct, Your Honor.

22 THE COURT: (a) (2), do you say guilty or not
23 guilty, sir

24 THE DEFENDANT: Guilty, Your Honor.

25 THE COURT: And with respect to this, sir, did
26 you take any kind of alcohol, medicine or drugs today
27 that prevents you from understanding your actions in

1 court?

2 THE DEFENDANT: No.

3 THE COURT: And you've talked to your attorney
4 about this decision?

5 THE DEFENDANT: Yes.

6 THE COURT: And with respect to this, Mr. Gailor,
7 can you put the agreement or the indicated sentence on
8 for the record, please?

9 MR. GAILOR: Yes, Your Honor. The agreement is
10 for a sentence of six months suspended, two years
11 conditional discharge, conditions of no contact with
12 an individual by the name of James Galante and a
13 payment of a charitable contribution in the amount of
14 \$1,500 within 30 days of the date of the entry of the
15 plea. I believe Your Honor also indicated standard
16 conditions which would be no subsequent arrests and no
17 possession of firearms.

18 THE COURT: Mr. DeLuca, is that your
19 understanding of today's agreement?

20 THE DEFENDANT: Yes, Your Honor.

21 THE COURT: All right, sir. When you said guilty
22 to this charge, these are the rights you gave up. You
23 gave up a right to a trial to a court or to a jury.
24 You gave up a right to remain silent. You gave up a
25 right to plead not guilty and have the State show you
26 were guilty beyond a reasonable doubt. At a trial
27 your lawyer is allowed to confront or cross-examine

1 the State's witnesses. You could testify on your own
2 behalf or present a defense if you chose. Do you
3 understand that you have all of those rights?

4 THE DEFENDANT: Yes, Your Honor.

5 THE COURT: Has anyone forced you or threatened
6 you to make you enter this plea?

7 THE DEFENDANT: No, Your Honor.

8 THE COURT: Is the plea of your own free will?

9 THE DEFENDANT: Yes.

10 THE COURT: The maximum sentence on this charge
11 is up to one year to serve and \$2,000 in fines. Your
12 agreement as stated by the State of Connecticut is for
13 a six-month sentence, suspended, two-year conditional
14 discharge with the conditions that have been outlined.
15 There's also a \$2,000 fine by agreement. Is that your
16 understanding?

17 THE DEFENDANT: Yes, Your Honor.

18 THE COURT: Now, with respect to this, would you
19 please tell the Court where you were born, what city
20 and state, please?

21 THE DEFENDANT: Everett, Massachusetts.

22 THE COURT: All right. And with respect to the
23 facts for the record, please put a reading on.

24 MR. GAILOR: Yes, Your Honor. In April, 2005,
25 the defendant met with an individual by the name of
26 James Galante at a diner in Woodbury. At that meeting
27 the two discussed the fact that a relative of the

1 defendant had been the victim of abuse. Galante
2 passed the defendant a note asking him if he wanted
3 Galante to have someone pay him a visit. The
4 defendant said yes, despite the fact that he believed
5 Galante to be on the fringes of organized crime. In
6 fact, Galante had significant ties to the Genovese
7 crime family for a period of several years, and up to
8 2005 Galante had paid tribute payments to a high-
9 ranking member of the Genovese crime family.

10 After the meeting Galante contacted his
11 associates and instructed them that the individual
12 identified by the defendant should be "bitch-slapped,"
13 and that's a quote.

14 On April 9, 2005, the date the visit was supposed
15 to occur, Federal and State authorities went to the
16 residence of one of the individuals who was supposed
17 to be involved in delivering the message to the
18 individual identified by Mr. DeLuca. They waited
19 outside, and one of the officers who was known to the
20 individual made his presence known. The individual
21 then went back inside and called off the visit to the
22 person who had been the alleged victim of the abuse.

23 On a subsequent date the defendant met with FBI
24 agents, originally said his meeting with Mr. Galante
25 was simply for the purpose about securing employment
26 for the target of the visit.

27 At a second meeting, however, the defendant

1 admitted that he did agree with Mr. Galante that
2 Galante would send someone to visit the target. The
3 defendant said that he did not intend that the target
4 be harmed, but rather, he simply intended that he be
5 scared.

6 THE COURT: All right. Mr. DeLuca, did you hear
7 that factual basis, sir, yes or no?

8 THE DEFENDANT: Yes, Your Honor.

9 THE COURT: Do you understand that that is the
10 basis for this conviction?

11 THE DEFENDANT: Yes, Your Honor.

12 THE COURT: With respect to it, I'm required to
13 define for you the statutes that you've entered pleas
14 to.

15 Under the subsection of threatening that you've
16 been charged, our law reads that a person is guilty of
17 threatening in the second degree when such person
18 threatens to commit any crime of violence with the
19 intent to terrorize another person. Intent means that
20 it is a person's conscious objective to cause such a
21 result.

22 Now, you are not charged with the actual action
23 of threatening, but the conspiracy to that crime, and
24 a conspiracy is defined in our law as a person is
25 guilty of conspiracy when with the intent that the
26 conduct of the crime of threatening second be
27 performed you agree with one or more persons to engage

1 in or cause the performance of that conduct and any
2 one of you committed an overt act in pursuance of the
3 conspiracy or the agreement. Do you understand that?

4 THE DEFENDANT: Yes, Your Honor.

5 THE COURT: Do you understand that once this plea
6 is accepted today by the Court that this is a
7 permanent misdemeanor conviction on your record?

8 THE DEFENDANT: Yes, Your Honor.

9 THE COURT: All right. With respect to it, does
10 the State know of any reason not to accept the plea?

11 MR. GAILOR: No, Your Honor, however, I should
12 add one additional piece of information for the
13 Court's consideration.

14 THE COURT: Right. I was just going to ask about
15 the acceptance of the plea, then I'm going to invite
16 both parties to be heard before the Court makes --

17 MR. GAILOR: This would be prior to the
18 acceptance of the plea.

19 THE COURT: All right. Thank you.

20 MR. GAILOR: That would be, Your Honor, that the
21 Federal authorities were involved in the investigation
22 of this matter, and part of the agreement is that the
23 Federal authorities will not indict the defendant for
24 his comments to the FBI agent in September, 2006, for
25 any actions taken to injure or threaten the target of
26 this matter. And I have Assistant United States
27 Attorney Ray Miller here acting as an Assistant

1 State's Attorney by special designation.

2 THE COURT: All right. And, Attorney Miller, is
3 that representation by Mr. Gailor accurate as far as
4 the U.S. Attorney's office is concerned?

5 MR. MILLER: It is, Your Honor.

6 THE COURT: All right. Is there anything you
7 wish to say at this time?

8 MR. MILLER: Not at this time, Your Honor.

9 THE COURT: All right. And, Mr. Raabe, do you
10 know of any reason why I should not accept the plea?

11 MR. RAABE: No, Your Honor.

12 THE COURT: With respect to it, the Court then
13 will find the plea to have been knowingly and
14 voluntarily made with the assistance of competent
15 counsel. Mr. DeLuca, your plea is accepted and a
16 finding of guilty to this charge is made by the Court.

17 Does the State wish to be heard?

18 MR. GAILOR: Yes, Your Honor. Your Honor, I
19 think -- I'm going to ask the Court to accept the
20 agreement in this matter. I think what the actions in
21 this case shows that the defendant engaged in very bad
22 judgment. He showed bad judgment by associating with
23 Mr. Galante. He showed bad judgment by enlisting
24 Mr. Galante to make the visit here to threaten the
25 intended target in this case, and he showed bad
26 judgment in not initially being forthcoming to Federal
27 authorities.

1 Were it not for the intervention of Federal
2 authorities and State authorities in this matter, the
3 situation might have been much worse, because while
4 the defendant intended that the target merely be
5 threatened, the evidence in this case indicates that
6 the individuals involved in visiting the target
7 planned to do more. They planned to engage in
8 physical violence. So it was the intervention of
9 Federal and State authorities that were very
10 instrumental in preventing this from being a worse
11 situation

12 The State has had contact with the victim in this
13 matter, in fact this morning. He indicates that he is
14 in agreement with the sentence. He wanted to put on
15 the record, however, that -- and this is his
16 representation -- that he did not engage in any abuse
17 that would have had to have been remedied by this
18 case.

19 THE COURT: All right. And so he has been
20 notified of the sentence, and he is in agreement?

21 MR. GAILOR: That's correct.

22 THE COURT: And is he seeking a no-contact order
23 because that was not mentioned regarding that
24 particular individual? Is that being requested?

25 MR. GAILOR: He is not, Your Honor.

26 THE COURT: All right. And does the State wish
27 to say anything further?

1 MR. GAILOR: No, Your Honor.

2 THE COURT: Mr. Miller, do you wish to say
3 anything further?

4 MR. MILLER: I do not, Your Honor.

5 THE COURT: All right. Mr. Raabe.

6 MR. RAABE: Thank you, Your Honor. And just for
7 your record, because this is a misdemeanor, Mr. --

8 THE COURT: I'm going to make a record of that.
9 Go ahead.

10 MR. RAABE: Mr. DeLuca waives the statute of
11 limitations for the purpose of these proceedings
12 today.

13 It's important to keep in mind, Judge, what this
14 case is all about. This case starts and ends with
15 Mr. DeLuca's misguided attempt to stop what he
16 believed to be serious physical abuse of a relative.
17 It is not a case about corruption, despite the media
18 coverage. It is solely about Mr. DeLuca trying to
19 stop domestic abuse.

20 He made a bad decision. He understands that.
21 He's taking responsibility for it, paying the price
22 here and paying the price in the court of public
23 opinion.

24 In the interim, while it starts and ends with
25 domestic abuse and Mr. DeLuca's attempts to stop that,
26 in the interim there was a thorough Federal
27 investigation. Understandably, the Federal government

1 when they understood that Mr. DeLuca had met with
2 Mr. Galante wanted to make sure that there wasn't an
3 improper relationship between the two. But at the end
4 of the day all we're here on today is Mr. DeLuca's bad
5 decision to meet with Mr. Galante with respect to the
6 domestic abuse.

7 It's probably best described in Kevin Kane's
8 words. The State's Attorney in his press conference
9 last week said the motive for the conspiracy is a
10 private matter and did not relate to Mr. DeLuca's
11 official position or his official office. That is
12 absolutely true.

13 There was, however, some unfortunate material in
14 the arrest warrant affidavit relating to an undercover
15 agent's attempt to persuade Mr. DeLuca to take a
16 bribe. There was no reason to attempt a bribe of
17 Mr. DeLuca. Mr. DeLuca has not, will not ever receive
18 a bribe.

19 Basically, they were trying to create a crime
20 that did not exist and create an aura of a
21 relationship that did not exist and does not exist.
22 Indeed, at the time that Mr. DeLuca met with
23 Mr. Galante, Mr. Galante had not been indicted. He
24 was a year away from indictment, so it's easy with
25 hindsight to look back at Mr. Galante's 117-page
26 indictment and say that Mr. DeLuca should have known
27 of that and should not have been involved, but those

1 facts did not exist at the time.

2 Nevertheless, Mr. Galante [sic] understands that
3 it was a terrible decision to meet with Mr. Galante.
4 When he was offered the bribe, and this is not
5 contained in the arrest warrant affidavit, his first
6 emphatic words were, no, I don't want it.

7 The other information that's important but not
8 included in the arrest warrant affidavit is the
9 information regarding Mr. DeLuca's attempts to resolve
10 this through law enforcement. Mr. DeLuca and his
11 family were very concerned about grievous physical
12 harm to a relative, and he went to the police twice
13 himself, another family member went once. And the
14 Federal authorities went and verified that with the
15 local law enforcement, and they know that he did, in
16 fact, go to the police, and the police said, we're
17 sorry, we can't help. Under these circumstances when
18 there's not a complaint from the victim, there's
19 nothing that we can do. Mr. DeLuca then made the poor
20 decision to go seek the help of Mr. Galante.

21 But in sum, Your Honor, it's a case about
22 domestic abuse and Mr. DeLuca's attempts to stop it.
23 It's not a case about public corruption. There is no
24 improper relationship between Mr. DeLuca and
25 Mr. Galante. There will be under this Court's order
26 no further contact between those individuals.
27 Thankfully, no one was hurt here. No one, in fact,

1 was threatened.

2 For that reason, Your Honor, Mr. DeLuca asks the
3 Court to accept the disposition here. It's the
4 product of lengthy negotiation with both Mr. Gailor
5 and Mr. Miller. I applaud them for reaching the
6 conclusion here in this charged case that it should
7 just be a misdemeanor case of conspiracy to threaten.
8 The disposition is fair under the circumstances, and
9 we ask the Court to accept it. And if the Court would
10 permit, Mr. DeLuca would like to offer a few words.

11 THE COURT: Of course, Mr. DeLuca. Go ahead.
12 That's all right.

13 THE DEFENDANT: I'm ashamed and sorry for my
14 actions. I take full responsibility. My primary
15 concern was and will continue to be for the welfare of
16 my family. Thank you.

17 THE COURT: With respect to it, this Court was
18 the authority that received this arrest warrant last
19 week, and I did indicate to counsel that I was
20 reluctant to sign it due to the fact that this
21 allegation was made from an incident from 2005 which
22 would make its prosecution prohibited under our
23 statute of limitations law, General Statutes 54-193b.
24 The Court was informed at that time that Mr. DeLuca
25 would not raise that defense which would constitute an
26 absolute bar to this prosecution pursuant to our law.
27 However, as it is an affirmative defense and as it has

1 been reached by agreement of the parties, the Court
2 did issue the warrant despite the availability of that
3 defense to Mr. DeLuca, and the Court does take that,
4 Mr. DeLuca, as your accepting responsibility for this
5 incident despite having a defense to the limitation of
6 this prosecution.

7 The Court is accepting the plea as it admits to
8 the conduct as it relates to your family member. With
9 respect to it, the Court recognizes, as Mr. Raabe has
10 outlined, that there is additional information
11 contained there in the warrant, but that is not the
12 basis for the prosecution. The basis for the
13 prosecution addresses the incident where you agreed
14 with a person, James Galante, to have an individual
15 talk to in a manner consistent with, as the statute is
16 written, and that was done by all accounts for the
17 purpose of protecting a close relative.

18 The Court is well acquainted with the difficult
19 and troubling situations that any domestic situation
20 has and understands that that was the motivation
21 behind this.

22 The Court is satisfied that the State has given
23 proper victim notification, that under the
24 circumstances as alleged before the Court that the
25 agreement that has been reached by the parties is
26 appropriate in exchange for this being the conclusion
27 of the charges that arise out of this investigation.

1 So for that the Court on the charge of conspiracy
2 to commit threatening in the second degree will impose
3 the agreement. It is the sentence of the Court that
4 on that charge you be sentenced to a six-month
5 sentence, execution suspended, with a two-year
6 conditional discharge. Your orders will be to have no
7 contact with James Galante, to make a charitable
8 contribution in the amount of fifteen hundred dollars
9 within 30 days, to not be in possession of any
10 weapons, and to have no new arrests. The Court will
11 impose a \$2,000 fine as part of the agreement, and
12 with respect to it, that fine is payable in the
13 clerk's office today, and is that available to be paid
14 by four o'clock?

15 MR. RAABE: Yes, Your Honor.

16 THE COURT: All right. You're all set. With
17 respect to the conditional discharge, that's also a
18 document that is prepared off the record in the
19 clerk's office to be signed by you. Thank you.

20 MR. GAILOR: One clarification, Your Honor.

21 THE COURT: Yes.

22 MR. GAILOR: With respect to the no contact
23 order, is that no contact directly or indirectly?

24 THE COURT: Yes, no contact means no contact,
25 obviously.

26 MR. GAILOR: Thank you, Your Honor.

27 THE COURT: Thank you, and thank you, Mr. Gailor,

1 Mr. Miller and Mr. Raabe for your meeting with the
2 Court. Thank you.

3 MR. RAABE: Thank you, Judge.

4 MR. MILLER: Thank you, Your Honor.

NO. CR07-0361602S

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STATE OF CONNECTICUT)
)
VS.)
)
LOUIS C. DeLUCA)
-----X

SUPERIOR COURT OF CONNECTICUT
JUDICIAL DISTRICT OF WATERBURY
JUNE 4, 2007

C E R T I F I C A T I O N

This is to certify that I, Linda D. Rinaldi, court recording monitor in and for the State of Connecticut, certify that the foregoing is a true and accurate transcript of the electronic recordings taken with reference to the above-entitled matter, heard before the Honorable Joan Alexander, Judge, at the Waterbury Superior Court, Judicial District of Waterbury on June 4, 2007

Dated at Waterbury, Connecticut this seventh day of June, 2007.



Linda D. Rinaldi
Court Monitor