

ROBINSON & COLE LLP

CRAIG A. RAABE

280 Trumbull Street
Hartford, CT 06103-3597
Main (860) 275-8200
Fax (860) 275-8299
craabe@rc.com
Direct (860) 275-8304

October 30, 2007

VIA HAND-DELIVERY

Senator Martin Looney
Senator Martin Roraback
Bipartisan Committee of Review
C/O Sandra Forte
Room 5100
Legislative Office Building
Hartford, CT 06106

2007 OCT 30 P 12:02

Dear Chairmen Looney and Roraback:

Enclosed please find an affidavit from Senator DeLuca attesting to his answers to the Committee's questions posed to him on October 24, 2007.

If you have any questions, please feel free to contact me.

Respectfully,



Craig A. Raabe

cc: Senator Louis DeLuca



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SENATE BIPARTISAN COMMITTEE OF REVIEW

**AFFIDAVIT OF SENATOR LOUIS C. DELUCA
OCTOBER 29, 2007**

I, Louis C. DeLuca, hereby depose and say:

1. I am over eighteen years of age and I understand the obligations of an oath.
2. Attached to this affidavit as Exhibit A are my answers to the Bipartisan Committee of Review's questions.
3. My answers are true and accurate to the best of my knowledge and belief.


Louis C. DeLuca

Sworn and subscribed before me on this 30th day of October, 2007.


Catherine A. Gudauskas
Notary Public
My commission expires 7/31/2010.

A

1. It appears from the affidavits you supplied to the Bipartisan Committee of Review that Kathleen Hoyt and Garrett Reilly, the parents of your granddaughter, Casey Colella, claim to have observed bruises on their daughter. To the best of your knowledge, what did they do in response? If they did not intervene with law enforcement, why did you play that role?

To my knowledge, Kathy and Garrett tried repeatedly to persuade their daughter to leave the abusive relationship. Casey said that she did not want law enforcement involved. I believe that Kathy and Garrett did not go to law enforcement because of they did not want to jeopardize their ongoing relationship with their daughter in light of her statements that she did not want them to go to law enforcement. I chose to go to law enforcement because we all wanted the abuse to stop and I hoped that Casey would ultimately forgive me for doing so.

2. You have claimed that, at some point, you learned that Mark Colella was physically abusing your granddaughter. When, and how, did you learn this? Before the committee on October 15, you testified that you learned this "early 2005, spring 2005, all in that general area." Please be more specific, and also indicate how you found out.

I have no more specific recollection. I first learned from reports from my daughter and other family members and I later saw the physical wounds myself.

3. Prior to April 5, 2005, other than Waterbury Police Chief Neil O'Leary, your wife, and your granddaughter, did you speak with anyone else about the physical abuse of your granddaughter?

Yes, I spoke with family members and close family friends. As I said on October 15, I realize, with hindsight and without the emotion of the time that I should have sought the assistance of other law enforcement after speaking with Chief O'Leary and I regret that I did not do so.

4. Did you or your wife ever speak with Sharon Reilly and Len and Maribeth Mecca, your granddaughter's aunts and uncle, about your granddaughter's relationship with Mark Colella generally? Specifically, did you or your wife ever speak with them about the alleged physical abuse?

Yes, we spoke generally about the relationship. I do not recall if we discussed the physical, domestic abuse that my granddaughter was enduring.



5. Please describe every occasion on which you personally saw your granddaughter, Casey, between January 1, 2005 and April 5, 2005?

I cannot recall "every occasion on which I personally saw [my] granddaughter" during a three month period more than 2 ½ years ago. During that time period, Casey was withdrawing from the family.

6. Did you personally observe signs of physical abuse to Casey during this timeframe? If so, what did you see, when did you see it, and where were you at that time?

Yes. After many denials, Casey tearfully admitted to my wife and me that she was being abused. We asked if she had visible injuries and she showed us her injuries while standing in our kitchen. We then took the photographs that I have provided to the Committee and that I have sworn are authentic photographs of Casey's injuries.

7. Please indicate the dates and each and every occasion on which you observed signs of physical abuse of Casey since April 5, 2005. If so, what did you see, when did you see it, and where were you at that time?

The only time that Casey agreed to show us her injuries was in our kitchen at the time we took the photographs. The pictures were of injuries to her left arm and, to the best of my recollection, her shoulder. The statements that the Committee now has from other family members and friends attest, under oath, that Casey had suffered other injuries, including injuries from blows to her head.

8. Did you believe that abuse of your granddaughter had stopped when you introduced her, Mr. Colella, and their son on opening day of the Senate in January 2007?

I was not sure. I had hoped that it had stopped and I hope today that it is not ongoing. I wanted Casey to be part of the opening day proceedings and she wanted her family to be there.

9. Why was the committee not presented with photographs of Casey Colella's injuries that included her face, for identity purposes? Did you ever take any photographs of her injuries that included her face in the picture?



I took the photographs of Casey's domestic abuse injuries to document the injuries because Casey had been denying that she was abused. If Casey later agreed to let law enforcement intervene or wanted to separate from Mr. Colella, I wanted to have photographs of her injuries. I never considered that anyone would challenge the authenticity of the photographs of her physical, domestic abuse. I am dismayed that this Committee of Review is questioning the authenticity of the photographs, especially after I have already stated under oath, at the Committee's request, that (1) the photographs are authentic and show physical, domestic abuse injuries to Casey, (2) I personally witnessed Casey's domestic abuse wounds and (3) Casey acknowledged to me that she was abused. In addition, numerous other people also have confirmed to the Committee, under oath, that Casey acknowledged that she was being abused and those individuals have affirmed that they saw physical wounds from the abuse.

10. Whose camera was used to take photos submitted to the committee and what kind of camera was it?

It was my digital camera.

11. Are there negatives of the photos available or are the photos available in a digital format?

My wife and I printed the digital pictures and reused the memory stick.

12. Can you please provide all of the negatives from the roll of film if film was used?

N/A

13. If the photos were taken digitally, can you please provide the five photographs taken before and the five photographs taken after the photos submitted to the committee?

I have no idea what pictures were taken before or after the pictures of Casey's injuries.

14. One of the photographs you submitted to the committee appears to show a serious laceration on the inside of an elbow. Is there now a scar on Casey at this spot?

Yes.

A handwritten signature in black ink, appearing to be 'J. Colella', is located at the bottom right of the page.

15. Before you shared the photographs of your granddaughter with the FBI, did you or your wife tell anyone else about them, or show them to anyone else other than your granddaughter? If so, who?

No. Attorney Raabe provided the pictures to the United States Attorney's Office.

16. To your knowledge, prior to April 5, 2005, did anyone from your family communicate to Mark Colella that your family wanted his marriage annulled? If so, when did this occur and who contacted him?

I don't know.

17. As of April 5, 2005, had you heard that your granddaughter was pregnant?

I don't recall.

18. According to Chief O'Leary and newspaper reports, Ms. Reilly and the Meccas met with Chief O'Leary, separately from you, to discuss your granddaughter's relationship with Mark Colella. You also, in your June 7 press briefing, said that other of your family members had gone to the Chief. When you said that on the 7th, were you referring to Ms. Reilly and the Meccas? According to Chief O'Leary, this visit was in January of 2005. What can you tell us about your relatives' visits to the chief?

I was referring to Ms. Reilly, the Meccas and my wife. I don't know when Ms. Reilly and the Meccas met with Chief O'Leary. My wife spoke with him on St. Patrick's Day in 2005, separately from me.

19. Please describe the times, places, and circumstances of your meetings with Chief O'Leary at which you requested his intervention. Were these casual encounters or did you make appointments to see him? Did they occur in a public place, such as a sidewalk or restaurant, or were they in the chief's office?

I recall that I met with Chief O'Leary and discussed my granddaughter's physical, domestic abuse at the St. Patrick's Day Parade in 2005. To the best of my recollection, I also had two phone conversations with him about the issue. I may also have had another informal, in-person meeting with him about this issue, but my recollection is unclear. None of the conversations were by appointment.



20. Did you prior to April 5, 2005 discuss Chief O'Leary's alleged refusal to respond to your reports of domestic abuse of Casey? If so, when and with whom did you discuss this?

I discussed with my wife and daughter, perhaps in the presence of other family members, that Chief O'Leary said he could not help without the cooperation of Casey. I do not recall when those discussions occurred.

21. Did you prior to April 5, 2005 suspect Mr. James Galante was on the fringes of organized crime? If so, what gave rise to that suspicion?

I answered this question under oath before the Committee on October 15. I believed that Mr. Galante was on the fringe of organized crime when I met with him. There was nothing specific that gave rise to my belief.

22. If you did have this suspicion, why did you look to him for assistance?

As I stated to the Committee under oath, I believed Mr. Galante had a reputation as a tough individual. I believed that he would know people who Mr. Colella would respect or fear and that if such a person told Mr. Colella to stop abusing my granddaughter, he would stop. I should not have taken the action that I took to protect my granddaughter, which is why I accepted responsibility and pled guilty to the misdemeanor of conspiracy to threaten. I met with Mr. Galante out of personal concern for the safety of my granddaughter and not as a result of a corrupt relationship with him.

23. You testified to this Committee on October 15, 2007, that you did not discuss legislation impacting any of Mr. Galante's business interests with him directly. Did you at any point discuss legislative or governmental matters with any business associates of Mr. Galante or any lobbyists communicating on his behalf? If so, when, and what legislation or other governmental matter did you discuss?

As this question notes, I already addressed this issue. Other than a bill that generally addressed contracting, I do not recall discussing any other specific legislation that, from my perspective, would have impacted Mr. Galante's business.

24. Do you think you would have come to know Mr. Galante if you were not a state senator?

I do not know.



25. Do you think Mr. Galante would have agreed to meet with you if you were not a state senator?

I do not know.

26. In the second paragraph on page 2 of your Form 302, it reads:

DeLuca never asked [REDACTED] if [REDACTED] ([REDACTED]) knew anyone in Waterbury and never told [REDACTED] that he only wanted [REDACTED] to have someone talk to [REDACTED]. DeLuca was asked if he ever considered that the "visit" that [REDACTED] was going to have paid to [REDACTED] may involve violence. DeLuca said that he did not but did agree with the agents that the word "visit" could mean a lot of things. DeLuca was asked how he failed to realize that [REDACTED]'s "visit" may involve violence, when DeLuca never told [REDACTED] that he only wanted someone to talk to [REDACTED], when [REDACTED]'s writing the note on a piece of paper was done to avoid being recorded talking about it, which indicated that he was contemplating some type of illegal activity, and because he called [REDACTED] because [REDACTED] was on the "fringe of organized crime". DeLuca stated that he was in a state of panic and that it never occurred to him. DeLuca stated that approximately a week after meeting with [REDACTED], it occurred to him that the visit with [REDACTED] could accidentally escalate into violence but that he (DeLuca) quickly ruled that out and never asked [REDACTED] to cancel the "visit."

a. Why, approximately a week after your meeting with Mr. Galante, did you rule out the possibility of physical violence?

As I stated previously under oath, consciously or subconsciously, I ignored the possibility of violence because I did not want violence to occur and emotionally I did not want to deal with the fact that my conduct could have resulted in violence. With hindsight, I understand that it could have, but after Mr. Galante later told me that there just had been a lot of yelling, I believed that there had not been violence.

- b. Did you ever tell Mr. Galante that you did not want violence inflicted on your grandson-in-law?

He offered to have someone "visit" Mr. Colella. We did not discuss the possibility of violence.

- c. Did you ever say to Mr. Galante that you just wanted your grandson-in-law warned or spoken with?

I accepted Mr. Galante's offer to have someone "visit" Mr. Colella. We did not discuss what that would entail.

27. In the third full paragraph on page 3 of your Form 302, it states that you were suspicious of the undercover officer, in part because your "interactions with the UC were 'not how [REDACTED] ([REDACTED]) worked". What name or names were redacted in this sentence? How did you know how they normally "worked"?

As I have stated repeatedly, I am not going bring others into this process and subject them to the innuendo and aspersions that have persisted in this matter. Moreover, this question, and many others, reflects my concern that this Committee's "review" has exceeded the Resolution authorizing a review of "publicly available" information. Through this Committee's request for this non-public, Form 302, and the federal government's unprecedented and improper agreement to produce the documents with a Privacy Act waiver, this Committee is now performing the role of a committee of inquiry, not a committee of review.

In any event, in my continued cooperation in a process that has exceeded the authorized scope of review, I am answering these questions in an effort to conclude this matter. I began to believe that I was dealing with an undercover agent posing as an associate of Mr. Galante because I had not previously "worked" or had interaction with Mr. Galante in the nature of my interaction with the undercover agent. For instance, neither Mr. Galante nor anyone on his behalf had ever provided me with a false story to communicate to the FBI or tried to give me a bag of cash.

28. With regard to the events leading up to your meeting at FBI Headquarters on September 21, 2006, the third full paragraph of your Form 302 reads as follows:

On approximately September 19, 2006, DeLuca spoke to [REDACTED] about the UC. [REDACTED] is friends with [REDACTED] and told DeLuca that [REDACTED] wanted him



(DeLuca) to contact him [REDACTED]. DeLuca stated that he did not contact [REDACTED] directly because he believed that the UC may be law enforcement and he didn't want the FBI to know that he was speaking to [REDACTED] about it. After the UC contacted DeLuca on September 21, 2006, DeLuca went to [REDACTED] and told [REDACTED] about the UC's call. [REDACTED] told DeLuca that [REDACTED] would get him a contact number and later provided DeLuca with a telephone number for [REDACTED], [REDACTED] that works for [REDACTED] to try to confirm that the UC was a messenger from [REDACTED]. DeLuca told [REDACTED] about the UC. DeLuca told [REDACTED] about the money that the UC had attempted to give him but did not mention the [REDACTED] matter. DeLuca said that he either told [REDACTED] that the UC may be with the FBI or implied that he might be. DeLuca, who had recorded the UC's phone number, gave it to [REDACTED] and described the UC to [REDACTED]. [REDACTED] told DeLuca that [REDACTED] ([REDACTED]) would not meet with the UC if [REDACTED] was DeLuca. DeLuca told Grunder and Waterman that the logical thing was that the UC was law enforcement.

- a. Please reproduce the above Form 302 excerpt and supply all of the redacted names and pronouns to the best of your ability.

Out of respect for the privacy of others who were not involved with my bad decision to seek Mr. Galante's assistance to stop the physical, domestic abuse of my granddaughter, I am not going to reveal the identity of others referenced in the Form 302 Report.

- b. Why did you feel the need to inform anyone, other than the FBI, about the undercover agent?

I was trying to figure out whether the person who had represented himself to be an associate of Mr. Galante was, in fact, associated with Mr. Galante.

- c. As of September 19, 2006, did you already suspect the person you had met with on September 5 and 7 was a federal agent? What gave rise to your suspicion?

Yes. As I stated earlier, Mr. Galante had not offered me a bag of cash nor had he provided me with a false story to communicate to the FBI. I did not and do not have a corrupt relationship with Mr. Galante or anyone else. The undercover



agent's activities were not reflective of my real interaction with Mr. Galante and I began to believe that he was an undercover agent.

- d. As of that date, did you know that Mr. Galante had been indicted by the federal government on many counts?

I knew that he had been indicted, but I hadn't read the indictment and did not know the number of counts.

- e. Other than the FBI, who did you speak with on September 21, 2006 about the undercover agent? Specifically, to whom did you describe the undercover agent, give his telephone number, and tell that the undercover agent had attempted to bribe you?

Out of respect for the privacy of others who were not involved in my bad decision to seek Mr. Galante's assistance to stop the physical, domestic abuse of my granddaughter, I am not going to discuss the identity others mentioned in the Form 302 Report.

- f. Who told you that if they were you, they "would not meet with the undercover agent"? Did they tell you this before you met with the FBI at FBI headquarters?

Out of respect for the privacy of others who were not involved in my bad decision to seek Mr. Galante's assistance to stop the physical, domestic abuse of my granddaughter, I am not going to discuss the identity others mentioned in the Form 302 Report.

- g. Why did you wait until September 21, 2006 to tell the FBI that you had lied to them on September 7, 2006?

As I stated under oath on October 15, I was embarrassed by what I had done.

- h. How did you wind up meeting with the FBI at their headquarters on September 21, 2006? Did they contact you first on that day, or did you call them to ask if you could come in?

My recollection is that they asked to meet with me and I agreed to do so without an attorney.

- i. A phrase in the above excerpt reads "...but did not mention the [REDACTED] matter". What word was redacted in that phrase?

The redaction refers to the physical, domestic abuse of my granddaughter.

29. With regard to your September 5, 2006 meeting with the federal undercover agent, paragraph 10 of the arrest warrant affidavit reads as follows:

During the course of the investigation, I have learned that DeLuca has a close and confidential relationship with Businessman A, one that would explain why DeLuca would seek out Businessman A's assistance and why Businessman A would be willing to help DeLuca. For example, on September 5, 2006, an undercover federal agent, posing as an associate of Businessman A, met with DeLuca. During that discussion, DeLuca told the undercover agent that "anytime [Businessman A] needs anything, anything, anything within my power, that I can do, I will do." DeLuca also told the undercover agent that he was "shocked" when Businessman A was indicted, because he [Businessman A] is not a careless guy." DeLuca said "it had to be some, some bastard, but, you know, he's not a careless man." DeLuca advised the undercover agent that "if you guys need me anymore" the best way to make contact was through a specific individual, because "nobody knows [about] that relationship."

Who is the individual referred to in that last sentence, that you told the undercover agent was the best way to make contact with you again? Is it the same person who was referred to as a lobbyist in your Form 302?

Out of respect for the privacy of others who were not involved in my bad decision to seek Mr. Galante's assistance to stop the physical, domestic abuse of my granddaughter, I am not going to discuss the identity others mentioned in the Form 302 Report.

Lead

30. Did either you or your attorney ever have in your possession a copy of any form of recording or transcript of the FBI's recordings of your September 5 and 7, 2006 meetings with the federal undercover agent? Do either you or your attorney currently have such a tape or transcript in your possession? If not, and if you or your attorney ever had a copy, what did you do with it?

The United States Attorney's Office provided Attorney Raabe with copies of the recordings. The federal government did not provide him with transcripts. The recordings are not "publicly available" information and will not be disclosed.

A handwritten signature in black ink, appearing to read "J. Raabe", is located to the right of the bolded text.