

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

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STATE ELECTIONS

JUL 11 2008

ENFORCEMENT
COMMISSION

In the Matter of a Referral from
United States Attorney's Office

**AGREEMENT CONTAINING CONSENT ORDER AND
PAYMENT OF A CIVIL PENALTY FOR VIOLATION OF
CONNECTICUT GENERAL STATUTES § 9-333x(7) (Rev. 2003).**

This Agreement, by and between Jack D. Garamella ("Respondent"), of the Town of Brookfield, County of Fairfield, State of Connecticut and the authorized representative of the State Elections Enforcement Commission is entered into in accordance with Section 9-7b-54 of the Regulations of Connecticut State Agencies and Section 4-177(c) of the General Statutes of Connecticut. In accordance herewith, the parties agree that:

- 1) At all times relevant to this Agreement the Respondent was a named attorney and a senior partner in the law firm of Collins, Hannafin, Garamella, Jaber & Tuozzolo, P.C. located in Danbury, CT.
- 2) On or about November 1, 2004, Respondent asked Attorney Christopher K. Leonard, a junior partner in his law firm, to give a donation of \$500 to the "Cappiello for Senate" candidate committee, which was formed as the funding vehicle for the campaign of Sen. David Cappiello in his run for reelection to the Connecticut State Senate for the 24th Senatorial District, which election took place on November 2, 2004.
- 3) In exchange for the above mentioned donation, Respondent offered to pay Mr. Leonard the same amount in cash.
- 4) Respondent wished to conceal the true source of his contribution because at the time, Respondent was a member of the Democratic Party interested in the position of Probate Judge in the town of Brookfield and did not wish it to be publicly known that he gave a contribution to a candidate who was a member of the Republican Party.
- 5) On or about November 1, 2004, Mr. Leonard accepted the above offer and in exchange, Respondent gave Mr. Leonard \$500 in cash.
- 6) Thereafter, Mr. Leonard deposited the \$500 cash into his personal bank account and made a donation of \$500 in the form of a personal check dated November 2, 2004 to "Cappiello for Senate" out of the same bank account.
- 7) Connecticut General Statutes § 9-333x(7) (Rev. 2003) (now 9-622(7)), provides in pertinent part:

The following persons *shall be guilty of illegal practices and shall be punished in accordance with the provisions of section 9-333y [now 9-623]*:

(7) Any person who, directly or indirectly, individually or *through another person, makes a payment or promise of payment to a campaign treasurer in a name other than the person's own*, and any campaign treasurer who knowingly receives a payment or promise of payment, or enters or causes the same to be entered in the person's accounts in any other name than that of the person by whom such payment or promise of payment is made;

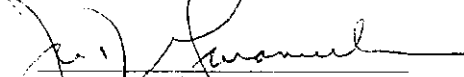
.....
[Emphasis added.]

- 8) Respondent knew or should have known that his actions constituted making a payment to a campaign treasurer in a name other than his own and resulted in the concealing of the true source of the funds, a violation of Connecticut election law and an obviation of the purpose behind the public disclosure of campaign contributions.
- 9) The Commission finds, and the Respondent agrees, that his actions constituted a violation of General Statutes § 9-333x(7) (now 9-622(7)).
- 10) The Respondent admits all jurisdictional facts and agrees that this Agreement and Order shall have the same force and effect as a final decision and Order entered after a full hearing and shall become final when adopted by the Commission. The Respondent shall receive a copy hereof as provided in Section 9-7b-56 of the Regulations of Connecticut State Agencies.
- 11) It is understood and agreed that this Agreement will be submitted to the Commission at its next meeting and, if it is not accepted by the Commission, it is withdrawn by the Respondent and may not be used as an admission in any subsequent hearing, if the same becomes necessary.
- 12) The Respondent waives:
 - (a) Any further procedural steps;
 - (b) The requirement that the Commission's decision contain a statement of findings of fact and conclusions of law, separately stated; and
 - (c) All rights to seek judicial review or otherwise to challenge or contest the validity of the Order entered into pursuant to this Agreement.
- 13) Upon the Respondent's compliance with the Order hereinafter stated, the Commission shall not initiate any further proceedings against him pertaining to this matter.

ORDER

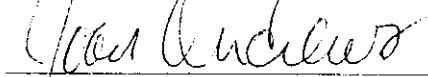
IT IS HEREBY ORDERED that the Respondent shall pay a civil penalty of two thousand dollars (\$2000.00) to the Commission on or before July 15, 2008 and that the Respondent shall henceforth strictly comply with the requirements of Connecticut General Statutes § 9-622(7).

The Respondent:



Jack D. Garamella
19 Squire Ct.
Brookfield, CT 06804

For the State of Connecticut:

BY: 

Joan M. Andrews, Esq.
Director of Legal Affairs & Enforcement
& Authorized Representative of the
State Elections Enforcement Commission
20 Trinity St., Suite 101
Hartford, CT 06106

Dated: 7/10/08

Dated: 7/11/08

Adopted this 23rd day of July of 2008 at Hartford, Connecticut



Stephen F. Cashman, Chairman
By Order of the Commission