

**STATE OF CONNECTICUT**  
**STATE ELECTIONS ENFORCEMENT COMMISSION**

In the Matter of a Complaint by Stephen Kalkowski  
Southington

File No. 2020-055

**AGREEMENT CONTAINING CONSENT ORDER**

This agreement by and between Jack Perry of the Town of Southington, County of Hartford, State of Connecticut (hereinafter “Respondent”) and the authorized representative of the State Elections Enforcement Commission is entered into in accordance with § 9-7b-54 of the Regulations of Connecticut State Agencies and § 4-177(c) of the General Statutes of Connecticut. In accordance herewith, the parties agree that:

1. Complainant alleged that the candidate committee of Jack Perry was using funds received through the Citizens’ Election Program to promote the candidate’s personal business and that the candidate committee was highlighting charitable contributions that the company had made in campaign ads to promote Perry. Jack Perry is one of the owners of HQ Dumpsters & Recycling in Plantsville.<sup>1</sup> The company provides residential, municipal, and commercial waste removal services in central Connecticut.<sup>2</sup>
2. Perry formed an exploratory committee in June 2019 to explore a run for a spot in the General Assembly.<sup>3</sup> In May of 2020, Perry transitioned to a candidate committee to support his run for state senator.<sup>4</sup> The candidate committee opted to participate in the

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<sup>1</sup> See <https://www.concord-sots.ct.gov/CONCORD/online?sn=PublicInquiry&eid=9740> (retrieved March 8, 2021) (reflecting registration of HQ Dumpsters & Recycling, LLC as company in Connecticut with “Jacek Perry” as one of company’s members).

<sup>2</sup> See <https://hqdumpsters.com/> (Retrieved on March 8, 2021) (describing services and service area provided by company).

<sup>3</sup> See SEEC Form 4 – Exploratory Committee Registration (*Perry 2020*, June 17, 2019) (creating exploratory committee to run for General Assembly).

<sup>4</sup> See SEEC Form 1 – Registration by Candidate (*Perry 2020*, May 15, 2020) (registering candidate committee of Jack Perry for the 16<sup>th</sup> state senate seat and appointing Ralph Holyst as treasurer).

Citizens' Elections Program<sup>5</sup> and applied for a grant from the Citizens' Election Fund.<sup>6</sup> The committee received grant funds totaling \$103,932.53 on September 2, 2020.<sup>7</sup>

3. In several videos posted to Facebook, Perry appears at work, in or near a large garbage truck. Generally, the video does not show much of the vehicle, at most a portion of the side of the truck is visible or the driver's window with Perry at the wheel. The videos did not show telephone numbers, website addresses, or other means for communicating with the company.
4. Several videos focused on Perry as a small business owner, who had experience dealing with waste. In one video, titled "It's time for a Senator who will take out the trash" and posted on September 12, 2020, Perry says that he's devoted his "life to getting rid of waste," while it shows him driving a garbage truck. The video plays on the waste reduction aspect of Perry's career, without mentioning the company by name. He says to several individuals walking by – presumably employees of his company – that getting rid of waste is "what I do, and I'm good at it. Right, guys?" and they all agree.
5. A second video, posted on October 23, 2020, begins with the line "This is a story about tons and tons of waste." Perry also says that he has had to deal with "a lot of garbage in my life," mentioning his absent father, being raised by a single, immigrant mother, and starting his own business. He refers to the state as a "dumping ground of toxic wasteful spending." Perry goes on to say that he plans to "dispose of government waste and apply sustainable economic practices to our state," playing on his job as a waste and recycling company owner.
6. None of the videos, however, identify Perry's company or include images showing the company's full name or contact information. While Perry's experience dealing with "waste" and "taking out the garbage" are obvious references to his career, nothing promotes his company specifically.

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<sup>5</sup> See SEEC Form CEP 10 – Affidavit of Intent to Abide by Expenditure Limits and Other Citizens' Election Program Requirements (*Perry 2020*, July 30, 2020) (reflecting intent of candidate, treasurer, and deputy treasurer to participate in Citizens' Election Program and follow voluntary program rules).

<sup>6</sup> See SEEC Form CEP 15 – Citizens' Election Program - Application for Grant (*Perry 2020*, July 30, 2020) (applying for grant from Citizens' Election Fund).

<sup>7</sup> See SEEC Form 30 – Itemized Campaign Finance Disclosure Statement: October 10 filing (*Perry 2020*, October 13, 2020) (reporting receipt of grant from Citizens' Election Fund).

7. Complainant also alleged, however, that the candidate's business had made contributions of facemasks or personal protective equipment (PPE) to local entities in response to the COVID-19 crisis and that those contributions were highlighted to promote Perry's candidacy.
8. According to Perry, his company, HQ Dumpsters and Recycling, was able to access PPE, which it then purchased and distributed to local healthcare providers. In a post to his Facebook page, Perry stated: "I am proud to be able to be in a position to acquire and donate 2,000 N95 masks to people and places of need in central CT. . . ."<sup>8</sup> The post did not mention HQ Dumpsters & Recycling as the source for the facemasks.
9. Perry's Facebook post included an imbedded video from a news report on WTNH on Perry's company's contribution of the facemasks. The video showed that the packets of facemasks were marked with a sticker that said:

**DONATION FROM  
Jack Perry  
HQ Dumpsters & Recycling**

10. The news report also showed Perry delivering the masks to local healthcare workers. No other HQ Dumpsters & Recycling employees were shown in the videos.
11. On July 30, 2020, parents, educators, and activists across the state took part in a "Safety in Our Schools" car rally at numerous locations, including Wolcott, which lies within the 16th state senate district. Perry attended the event and broadcast his participation live via Facebook. The video showed him behind the wheel of one of his company's garbage trucks, following other vehicles in the safe-schools procession. A still image captured on the day showed Perry standing in front of the side of the garbage truck, which bore his company's logo, with the contact information obscured, as well as a sign for his campaign for the 16th state senate seat.
12. While Perry did not use the grant funds provided through the Citizens' Election Program to promote his business, Perry utilized some of his business assets, especially his company's garbage trucks, to promote his candidacy.

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<sup>8</sup> [https://www.facebook.com/permalink.php?id=463031467414553&story\\_fbid=1108644029519957](https://www.facebook.com/permalink.php?id=463031467414553&story_fbid=1108644029519957) (Retrieved March 22, 2021) (recounting Perry's contribution of facemasks to local healthcare providers).

13. General Statutes § 9-613 prohibits business entities from making contributions to candidate committees. These contributions include not only cash contributions but also in-kind contributions, such as where the business provides goods or services that are used to promote the candidate.
14. Here, Perry's position as an owner of HQ Dumpsters & Recycling, LLC, allowed him to utilize the truck as, effectively, a "rolling billboard" in the July 30, 2020 safe-schools rally as well as a prop in the videos that he produced to promote his candidacy. Perry's role as an officer at HQ Dumpsters & Recycling LLC also allowed him to become the "face" associated with his business's contribution of facemasks during the outset of the COVID-19 pandemic. There were no payments made from the candidate committee to HQ Dumpsters & Recycling for use of these business assets, such as rental cost for use of the garbage trucks, to promote the candidate's election.
15. As enumerated in § 9-7b-48 of the Regulations of Connecticut State Agencies:  
In its determination of the amount of the civil penalty to be imposed, the Commission shall consider, among other mitigating or aggravating circumstances:
  - (1) the gravity of the act or omission;
  - (2) the amount necessary to insure immediate and continued compliance;
  - (3) the previous history of similar acts or omissions; and
  - (4) whether the person has shown good faith in attempting to comply with the applicable provisions of the General Statutes.
16. The Commission possesses the authority to set the punishment it metes out to individuals who violate the statutes under its authority. While the maximum penalty available under the enabling statute is \$2,000 per offense or twice the amount of any improper expenditure, the Commission also has the authority to set a lesser penalty where circumstances call for such leniency.
17. 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 by either party as an admission in any subsequent hearing or against the Company in any proceeding, if the same becomes necessary.

18. 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.

19. Upon Respondent's compliance with the Order hereinafter stated, the Commission shall not initiate any further proceedings against Respondent

**ORDER**

IT IS HEREBY ORDERED THAT the Respondent shall henceforth strictly comply with the requirements of General Statutes § 9-613 related to potential business entity contributions to a candidate committee.

The Respondent:

BY:



Jack Perry  
153 Moore Hill Dr  
Southington, Connecticut

Dated: 4/6/21

For the State of Connecticut:


BY:



Michael J. Brandi, Esq.  
Executive Director and General Counsel  
And Authorized Representative of the  
State Elections Enforcement Commission  
55 Farmington Ave., 8<sup>th</sup> Floor  
Hartford, Connecticut

Dated: 4/12/2021

Adopted this 7<sup>th</sup> day of April, 2021, at Hartford, Connecticut



Commissioner  
By Order of the Commission