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### **FEDERAL CHARGES UNSEALED AGAINST CITY CLERK JAMES LASKI AND A LASKI POLITICAL WORKER IN PROBE OF CITY'S HIRED TRUCK PROGRAM**

CHICAGO – “All I need him to say is, ‘Go Cubs.’” That was the signal sought from City of Chicago Clerk **James J. Laski** by his personal friend, “CW-1” – a city employee who also operated a private trucking company that participated in the city’s disbanded Hired Truck Program and who was then, and is now, cooperating with the government’s ongoing public corruption probe of the program. The sign was meant to give a green light to a witness to testify falsely before a federal grand jury that tens of thousands of dollars paid to Laski to sponsor trucks in the city program were “political contributions.” CW-1 made the request on Oct. 13, 2005, to **Sam Gammicchia**, a Cook County employee and campaign coordinator for Laski’s political organization.

Thirty minutes later, CW-1 received a cellular phone call from Laski, first elected City Clerk in 1995 after serving as a southwest side alderman: “Yeah, go Cubs,” Laski said, repeating, “Yeah, go Cubs,” according to a consensual recording of the conversation directed by federal agents. During the following week, Laski and Gammicchia traded suspicions that CW-1 was wearing a wire and recording conversations for federal investigators. On Oct. 22, 2005, Gammicchia allegedly confronted CW-1, saying: “If you’re wired or not wired that’s your business. If you want to put me

in the trick bag being wired, that's fine. The only thing if I go to jail, you'd have to go under witness protection and that would be the thing.”

Federal obstruction of justice and bribery charges were unsealed today against Laski, 52, of Chicago, and similar obstruction of justice charges were unsealed against Gammicchia, also known as Salvatore Gammicchia, 62, of Chicago, after he was arrested at his home early this morning. The charges were brought in separate criminal complaints filed under seal last month, announced Patrick J. Fitzgerald, United States Attorney for the Northern District of Illinois.

Gammicchia was released on a \$10,000 unsecured bond with conditions, including home confinement between 9 p.m. and 5 a.m. seven days a week. A preliminary hearing was scheduled for 9:30 a.m. on Feb. 8. Conditions of release for Laski were pending his appearance this afternoon before U.S. Magistrate Judge Sidney I. Schenkier in U.S. District Court.

The charges allege that beginning in 1998, Laski received cash bribes – at first \$500 a month from the now cooperating operators of “Trucking Company 1,” and later \$1,000 a month from 2001 through 2003. In addition, in September and October 2005, Laski and Gammicchia allegedly obstructed justice by advising and directing the second cooperating witness, “CW-2,” to testify falsely and mislead a federal grand jury.

Laski, one of only three Chicago public officials elected citywide, is the highest-ranking defendant among more than 20 city employees charged so far in the government's two-year-old investigation of corruption in the Hired Truck Program (HTP). Laski and Gammicchia are the 38<sup>th</sup> and 39<sup>th</sup> defendants overall who have been charged since January 2004.

“These charges – which are all too familiar – allege that Mr. Laski sold his office by using his political clout to benefit a friend and to line his pockets. It is equally disturbing that Mr. Laski encouraged witnesses to lie to protect him,” Mr. Fitzgerald said.

Mr. Fitzgerald announced the charges with Robert D. Grant, Special Agent-in-Charge of the Chicago Office of the Federal Bureau of Investigation; James Vanderberg, Special Agent-in-Charge of the U.S. Department of Labor, Office of Inspector General in Chicago; and Kenneth T. Laag, Inspector-in-Charge of the U.S. Postal Inspection Service in Chicago. The investigation is continuing, they said.

According to the complaints, CW-1 and CW-2 are city employees who participated in the operation of Trucking Company 1, which participated in the HTP from at least 1998 through 2003.

CW-1 told federal agents that in about 1997, CW-1 asked Laski for help in obtaining HTP business for Trucking Company 1. Laski said if he did so, he wanted \$500 a month from CW-1, who agreed to the payments. CW-1 said that Trucking Company 1 began receiving HTP business in early 1998, and CW-1 began paying Laski, who told CW-1 that he had spoken to an influential alderman to obtain HTP business for Trucking Company 1. In about 2000, Laski told CW-1 that he spoke to high-ranking officials in the Mayor's Office of Intergovernmental Affairs to obtain HTP business for Trucking Company 1.

CW-1 said that in about 2001, CW-1 asked Laski for help in obtaining additional HTP business. After receiving HTP work for an additional truck from the Water Department, CW-1 began paying Laski \$1,000 a month at Laski's request through the end of 2003, when Laski told CW-1 to stop because of publicity about alleged corruption in the city program. Trucking Company 1 received substantially more HTP business from the Water Department in 2002 and 2003 than it had in previous years.

The charges allege that CW-1 typically paid Laski in cash and delivered it personally, except on a few occasions when CW-2 personally paid Laski. CW-1 usually obtained the cash from CW-2, who kept Trucking Company 1's checkbook. CW-2 wrote checks to "Cash" and, at CW-1's

direction, wrote descriptions of routine business expenses for Trucking Company 1, such as “Salt” or “Laborers” on the memo line. CW-2 cashed the checks and gave the money to CW-1, who used it to pay Laski and the remainder, if any, to pay company expenses. Occasionally, Laski went to CW-1's home to pick up an envelope of cash from CW-1.

Pursuant to grand jury subpoenas, agents obtained Trucking Company 1's check register, which showed that during all of 1997, there was only one check to “Cash” in the amount of \$500 or more with a description of “bulk salt.” For the years 1998 through 2003, the check register included approximately 90 checks paid to “Cash,” purportedly for salt or other expenses, totaling more than \$100,000 with each check typically ranging from approximately \$500 to \$2,500. There were “salt” entries even in summer. In 2004, after the bribery scheme ended according to CW-1, there were only four Trucking Company 1 checks for \$500 or more made out to “Cash,” and only one contained the description “Salt.”

In 2001, the charges allege that another cooperating witness, who knew that CW-1 was paying Laski, asked Donald Tomczak (former First Deputy Water Commissioner who last year pleaded guilty and is now cooperating in the HTP investigation) to provide HTP work for an additional truck from Trucking Company 1 as a favor. Although Laski did not know Tomczak personally at the time, Laski visited Tomczak's office approximately eight times and asked Tomczak to give HTP business to Trucking Company 1. Laski told Tomczak that Laski would be able to obtain jobs in the Clerk's office for individuals favored by Tomczak and Tomczak agreed to award HTP work to Trucking Company 1 because of Laski's position and because Tomczak believed that Laski could provide jobs at Tomczak's request. Laski did not pay Tomczak and Tomczak never asked for or received any Clerk's Office jobs, according to Tomczak, the complaint alleges.

On Aug. 22, 2005, Laski met with agents conducting the federal investigation for the first time. According to CW-1, in early September 2005, before CW-1 began cooperating and after agents began conducting interviews and serving grand jury subpoenas relating to Laski and Trucking Company 1, Laski told CW-1 that he would pay for CW-1's attorney and that CW-1 should keep his/her mouth shut. On Sept. 13, 2005, CW-1 said Laski told him/her words to the effect of, "we've got to keep it straight here, we can't get weak," and "there's absolutely no proof of what you gave me." CW-1 said Laski was concerned that CW-1 was wearing a recording device and patted down CW-1 in search of a wire. Laski allegedly told CW-1 not to tell the FBI about him, and said words to the effect of, "you might have to do a little time, but I'll take care of [CW-2]." On Sept. 14, 2005, Gammicchia gave CW-1 \$5,000 in cash to pay for CW-1's attorney and told CW-1 that the money came from another individual who was close to Laski. CW-1 provided the envelope and \$5,000 in cash to federal agents.

During September and October 2005, CW-1 recorded numerous conversations with Laski in which they discussed CW-1's assertion – contrived at the direction of federal agents – that CW-2 was going to be compelled to testify before a grand jury under a grant of immunity. Laski was increasingly suspicious that CW-1 was wearing a recording device and patted down CW-1 on Sept. 18, 2005, before they discussed telling lies to investigators, pretending to fail to remember answers to certain questions, and CW-2 feigning illness to postpone testifying.

On Sept. 27, 2005, CW-1 and CW-2, who was equipped with a recording device, met with Laski and Gammicchia at Gammicchia's home. Gammicchia allegedly counseled CW-2 to lie to the grand jury and federal agents, while Laski advised CW-2 that being unable to recall answers to questions was not the same thing as lying.

On Oct. 12, 2005, CW-1 audio and video-recorded a meeting with Laski at his residence, where CW-1 arrived as Gammicchia was leaving. Believing that CW-2 was scheduled to testify before a grand jury the following day, Laski suggested that CW-2 might be too ill to testify and appeared to wink when mentioning CW-2's health, according to the affidavits.

On the morning of Oct. 13, 2005, CW-1 recorded conversations with Gammicchia in which they discussed getting straight with Laski the story that CW-2 would tell in the grand jury that morning about payments that CW-2 had made to Laski. CW-1 and Gammicchia agreed that CW-2 would testify the payments were "political contributions" if Laski signaled his approval by calling CW-1 and saying "Go Cubs." The call from Laski to CW-1 followed shortly thereafter.

The government is being represented by Assistant U.S. Attorneys Manish Shah, Patrick Collins, Julie Ruder, Barry Miller and Patrick McGovern.

If convicted, the bribery count against Laski carries a maximum penalty of 10 years in prison and a \$250,000 fine, and obstruction of justice carries a maximum of 10 years and a \$250,000 fine on each count. The Court, however, would determine the appropriate sentence to be imposed.

The public is reminded that a complaint contains only charges and is not evidence of guilt. The defendants are presumed innocent and is entitled to a fair trial at which the government has the burden of proving guilt beyond a reasonable doubt.

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