

TELEPHONIC WITNESS STATEMENT

DATE: [Not Provided]

TIME: [Not Provided]

INTERVIEW OF: Representative David Caprio

INTERVIEW BY: Detective Corporal Kenneth Buonaiuto
Rhode Island State Police Financial Crimes Unit

LOCATION: Rhode Island State Police Headquarters
311 Danielson Pike
North Scituate, Rhode Island 02857

SUBJECT: 38 Studios Investigation

A. Hello?

2. Q. Hello, Mr. Caprio?

A. Yes.

3. Q. Hi. Is it David?

A. Yes.

4. Q. How are you? Corporal Buonaiuto, Rhode Island State Police.

A. Hi Corporal, how are you?

5. Q. Good. I appreciate you giving me a call back.

A. Sure.

6. Q. I'm calling in regards to your experience when you were on the House and 38 Studios and the Jobs Creation Program bill that went forward.

A. Yes.

7. Q. Okay. ... Do you mind spending a few minutes with me on ... the topic?

WITNESS STATEMENT OF REPRESENTATIVE DAVID CAPRIO

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A. **Not at all.**

8. Q. Okay.

A. **Not at all.**

9. Q. How long were you in the House?

A. **I got elected in 1999 in the special election, so it – it wasn't the normal election year.**

10. Q. Okay. So you were sworn in in '99 then?

A. **I was sworn in, actually, January 2nd, ...**

11. Q. Okay, two thous...

A. **-- of 2000.**

12. Q. Okay. And you held your – your position until when?

A. **I lost – I lost my election I think that year, four years ago. It was – would have been not last – not last election, but the election before that. I don't know if ...**

13. Q. Okay.

A. **The election was actually in '10, I think.**

14. Q. Okay.

A. **And then – then those people got sworn in in '11.**

15. Q. Right. Right. Right. I gotcha. Okay, so ...

A. **Yeah.**

16. Q. -- through – through 2010 then.

A. **I'm sorry?**

17. Q. So it would have been through 2010.

A. **That's correct.**

18. Q. Right. Okay. What committees did you sit on during that time period, if you can remember?

A. **During the whole time period?**

19. Q. Well, yeah, if you can remember. If there were that many and you can't recall them all, that's fine. But – Or at least the most recent ones.

A. **During – during the – during the time we voted on – when we voted on 38 Studios, I was on – I was on the Judiciary – Chairman of the Judiciary Committee.**

20. Q. Okay. All right. And I – I would think that probably this Jobs Creation Program had no need to go through the Judiciary – Judiciary Committee, is that right?

A. **That did not come through the Judiciary Committee, That's correct.**

21. Q. Okay. When was the first time you heard about this bill?

A. **Again, um, I – I would imagine my best recollection would be when it came before the – the full House.**

22. Q. Okay. So when it came before the full House. You – you didn't have any knowledge of it prior then.

A. **I – I don't recall having any knowledge of – about that, no.**

23. Q. Okay. And – and what do you remember the purpose of this bill for was?

A. **I really don't have a independent recollection of that particular bill. I remember there was a debate on the floor and, you know, it's been in the news, so I've heard clips now and again of some of that debate.**

24. Q. Mm hmm.

A. **It didn't really stick out to me at the time as – I mean, there's long debates coming down the stretch every year on a lot of different bills that come before the – especially in the**

budget.

25. Q. Right.

A. So, you know, that was just a, another one where there were some questions asked – until, until the whole thing broke with Curt Sh- that it was going to Curt Shilling and all that stuff, ...

26. Q. Okay.

A. -- I really – I really have no independent recollection of – of anything about that bill at the time we were – it was, you know, before us.

27. Q. Right. Now did – did you know 38 Studios was interested in coming to Rhode Island?

A. I – I – I have no – no independent recollection about Thirty - It's hard to – You know, it's hard to decipher timing looking back four years later.

28. Q. Yup.

A. You know, because things kind of happen quickly, you know; it could be a matter of months, so. But no, at the time we were – the time we were voting on that bill, ...

29. Q. Mm hmm.

A. -- I – I had, you know, there was – there was nothing about it that caused a uh, you know, caused me to have – that it sticks out in my mind as something that was concerning to me.

30. Q. All right. Okay. After the fact is – did anybody talk to you about 38 Studios?

A. N- No. I mean, talk – Everybody in the State talks about 38 Studios, so...

31. Q. Well, I mean, a – a...

A. When, when you said did anybody talk to me about it, ...

32. Q. Right.

A. -- no, I don't.

33. Q. Specifically, you know, p- members of the House, you know, or right after the Jobs Guaranty Program was signed into law, I mean, were there any discussions specific to 38 Studios?

A. I mean, like I said, there's been a lot of discussion about 38 Studios after the fact about ...

34. Q. Yup. Yup.

A. -- you know, you know, how -- what happened, how it happened; it's still up, and now to the point where we're getting these phone calls, so.

35. Q. Right.

A. But at the time when it was going on, I -- there was, you know, there was, -- I don't recall any conversations with anybody about 38 Studios or any other -- any other, um, entity that may have been in play for -- for -- to be a recipient of that program.

36. Q. O --

A. What I remember is just, you know, we were putting money to EDC and, you know, we're -- we're very mindful that this is post separation of powers that the whole separate -- There was a thing called "Separation of Powers" the two years before that ...

37. Q. Right.

A. -- when legislators could no longer sit on boards and commissions and like EDC.

38. Q. Mm hmm.

A. So we were mindful that once -- once we appropriate money to these, you know, quasi-publics, that we no longer have the ability to have any other input really as to what -- what they do with it. So, you know, what w- Even if there were discussions within the House, just giving you background, once the -- once the money would go there, we would have no say

over it anyway, where we – pr- prior to that, we would have legislators that would actually vote on those on those ...

39. Q. Right.

A. But we – we – we didn't any longer. So, you know, after a couple of years of that you came to the realization that once money got appropriated, it was out of our hands. They could – they could appropriate it all to -- to somebody, or they could parcel it out, you know, one dollar at a time. We had – we had no direct impact on that, because we no longer had ... on that board.

40. Q. All right. So and the only way ...

A. So I mean, so for that reason there really wasn't – it wasn't something that would be – You know, we knew once – once we, pretty much once we cut the check ...

41. Q. Yup.

A. -- that was, you know, it was out of our hands; it was up to EDC to do with it what they want.

42. Q. Okay. I'm not sure I asked already. Did – did you – do you know Mike Corso?

A. No, I don't. No, I – to my – Again, in politics you're at, you know, two, three, four fundraisers a week for your colleagues, so.

43. Q. Yeah.

A. But if, if I was sitting next to Mike Corso at Fenway Park, I wouldn't know who he was.

44. Q. Okay. Very good. Anything I haven't asked you that you think is important for me to know?

A. No, I mean, if, you know, -- Like I said, there's been a lot of conversations about 38

Studios after the fact, ...

45. Q. Mm hmm.

A. -- ... after that, and, you know, it was – it was a, it was another amendment to the budget that we always had many of, you know, almost every year, ... people bring up – they try to change the budget, whether the people that are the, you know, the leadership or people that are just – just reps, there’s always, you know, amendments to try to change the budget. That was another one that, you know, just came and went.

46. Q. All right. Okay. All right. Well I do appreciate your time. If there’s something that you think of that we haven’t talked about you – you think you want to share with me, you have my telephone number.

A. Okay, Corporal. Thank you for the call.

47. Q. I appreciate it. Thank you.

A. Okay.

48. Q. All right. Bye bye.

A. Take care. Bye bye.

STATEMENT TAKEN BY:

WITNESSED BY:
