

TELEPHONIC WITNESS STATEMENT

DATE: [Not Provided]

TIME: [Not Provided]

INTERVIEW OF: Representative John DeSimone

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

1. Q.

A. Corporal, we finally got together, huh?

2. Q. How are you Mr. DeSimone?

A. Good. How are you?

3. Q. Good. I – I appreciate your patience with me here going back and forth.

A. Yeah. No, you – you left a message at my house phone. But between my wife and my kids, I don't know what happened to the message, so.

4. Q. That's okay. You understand why we're reaching out to you?

A. Yeah. Yup.

5. Q. Okay. Just kind of really to open the lines of communication, and – not with you particularly, but the entire House and Senate regarding 38 Studios. So I ...

A. Yup.

6. Q. -- I guess I'll start with – with some very generic basic questions. How long have you been in the house?

A. Since 19 – I got elected in '92, so I got sworn in 1993.

7. Q. Okay. And that's been ...

A. Twenty-two years.

8. Q. And that's been continuous. Wow, ...

A. Yup.

9. Q. -- 22 years.

A. Yeah. Lucky me.

10. Q. God bless you. Heh heh heh heh. Okay. And I'm sure in those 22 years you – you sat on a few different committees?

A. Yeah.

11. Q. Can you name a few or, and especially most recent?

A. Let's see. I was Municipal Government most recently before I became Majority Leader.

12. Q. Okay.

A. And before that I was Oversight. And I was on Corporations too. And I was – I have always been on Judiciary for a while.

13. Q. Okay. And 2010, what – what – in May of 2010, what were you on then?

A. I'm pretty sure I was on Municipal Government. I think I was Chairman of Municipal Government, and I think I was on Judiciary.

14. Q. Okay.

A. I'm pretty sure of that, but I'm not – I'm not positive. I could have been Chair of Oversight, but – Well who was Speaker at the time, was Fox the Speaker?

15. Q. Yeah, he was. Yup. Yeah.

A. If he was the Speaker in 2010, then I – I could have been Chairman of Oversight, but

we didn't meet because he didn't want it to meet, so ...

16. Q. Right.

A. -- we didn't meet.

17. Q. Okay. Yeah, May of 2010 he was the Speaker. Do you – do you remember the Jobs Creation Guaranty Program come through some time around May of 2010?

A. Yeah, I remember voting on it. I remember voting for it.

18. Q. Okay. It – And it was on the – it was on the floor on like May 28th, I think was actually the -the date. Do you – do you remember the – the debate on the floor in regards to the bill?

A. No, I just remember that it was supposed to be like, you know, to create loan guarantees for small business to, you know, create jobs.

19. Q. Mm hmm. All right. Well, ...

A. About all I remember.

20. Q. Were there any particular businesses that were – were brought up during a presentation or?

A. Absolutely not.

21. Q. Okay. Do you remember who actually did the presentation on the bill?

A. Corporal, to tell you the truth, I don't remember at all. [Laughs]

22. Q. W- Was it ...

A. I mean ...

23. Q. -- it Mr. Constantino?

A. I'm sure it was we – because he was ...

24. Q. Yeah.

A. -- Finance Chair, so ...

25. Q. Okay.

A. But, so – But I – I don't – you know, I don't remember.

26. Q. Was that the first time that you heard of this bill?

A. Yeah, pretty much.

27. Q. Okay.

A. Yeah, pretty much. I mean it was – it was said to us that it was going to be – you know, to help economic development in the State, and, you know, they needed money to be able to help, you know, businesses, various businesses, you know, get started and things like that.

28. Q. Right. Okay. So 38 Studios was never brought up during any of that debate then.

A. I never heard of 38 Studios until it became public in the paper and stuff like that.

29. Q. Okay. All right. So, okay, anybody, you know, off the record to you talk to – talk to you about, you know, the Jobs Creation program and, and / or the purpose of it?

A. No.

30. Q. Okay. Michael Corso, do you know him?

A. Don't know him, never met him. You could be him for all I know.

31. Q. Heh heh heh.

A. You know, I don't know the guy from Adam. I saw his picture in the paper, but I don't

...

32. Q. Yeah.

A. -- even remember what he looked like.

33. Q. Right. Well let me ask you something as the Majority Leader, ...

A. Yup.

34. Q. I mean, I know y- I know it's been a short time. Prior, were – were – were you in the leadership prior to the – being a Majority Leader? Were you the WHIP?

A. No, I was – I was – In 2010, I was either Chairman of Municipal Government or Chairman of Oversight.

35. Q. Okay. All right.

A. I'm not sure, you know, which one I was.

36. Q. Right.

A. But one of those two.

37. Q. So – so how does it work, does – does everybody know ev- you know, are all the details that one particular rep has when it comes to a particular bill coming forward, does it – does everybody get to, you know, know all that information or is, you know, is – is some of it maybe withheld for – for whatever reason, you know, in your experience?

A. It would be in - It would be impossible for everybody to know everything I would imagine. It's like your ...

38. Q. Right.

A. -- in your outfit, how could everybody know everything unless you're in on every single meeting or, you know.

39. Q. Right. Well, I mean things that le- if I'm at a meeting and somebody asks me my opinion on a particular subject, I mean, I'm – you know, I ask the questions, you know, that would – that, that are going to help me make that decision, or if I ... were in a – were in a setting where there's a vote, you know, there's some – there's some sort of a presentation and there's an expectation that all the information is going to be laid out on the line. I guess that's my question.

A. Well yeah. Well, no, the – the expectation that ...

40. Q. Right.

A. -- if – if some- if there's a floor debate, if you're talking about a floor debate, ...

41. Q. Yup.

A. I mean, there is certainly the expectation that the m- the – the leadership will tell all the, you know, whatever information they know ...

42. Q. Right.

A. -- about a certain piece of legislation if they're advocating for the legislation on the floor, certainly they have that responsibility I would assume that they wouldn't withhold anything.

43. Q. Okay. Do you – do you think you had all the information when it came to voting on this Jobs Program Guaranty Act?

A. Absolutely not.

44. Q. Okay. All right.

A. [Indiscernible]

45. Q. And what – and what do you think you didn't know?

A. Well we didn't know it was for one company, that's for sure.

46. Q. Yeah. Okay. Or – or at least a good portion of it was ...

A. Yeah, like, absolutely not.

47. Q. Right. Okay.

A. And I don't think anyone would have voted for it if they knew it was for one company. I mean, common sense, I mean if – if there's a start-up company and their main competitor is Sony, I don't think it's got a pretty good chance to prevail, do you?

48. Q. Right. Right. Right.

A. You know. But ...

49. Q. Okay. Anything I haven't asked you that you think is important for us to know or – and it doesn't even have to have anything to do with 38 Studios, it can be a completely different topic.

A. No. No. I think you pretty much covered it.

50. Q. Okay. Very good.

A. But if you need – if you have any other questions, feel free to get a hold of me. You got my office ...

WITNESS STATEMENT OF REPRESENTATIVE JOHN DESIMONE

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51. Q. Yeah.
- A. -- number ...
52. Q. Yup.
- A. -- [Indiscernible] if you need to get me.
53. Q. Excellent. All right.
- A. All right, Corporal?
54. Q. I thank you very much for your time.
- A. Thank you, Corporal.
55. Q. All right. And if there's anything else, you have my number also, right?
- A. Yes, I do.
56. Q. Okay. Thank you very much.
- A. Okay. Have a nice day.
57. Q. Okay.
- A. Bye.

STATEMENT TAKEN BY:

WITNESSED BY:
