

TELEPHONIC WITNESS STATEMENT

DATE: [Not Provided]

TIME: [Not Provided]

INTERVIEW OF: Representative Brian Patrick Kennedy

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. Corporal Buonaiuto. How are you. Sorry I missed your calls back a few times there. It's been a busy day. I appreciate you giving me a call back. How are you?

A. [No audible response]

2. Q. And it is Robert Kennedy, is that right?

A. [No audible response]

3. Q. Brian Kennedy. Okay. What district do you cover?

A. [No audible response]

4. Q. Okay. All right. Very good. 38. And how long have you been in the House of Representatives?

A. [No audible response]

5. Q. Whoo. Okay. So what are you going back to, what, '88 is that, are we?

A. [No audible response]

6. Q. Okay. All right. So you were sworn in '89 or were you...?

A. [No audible response]

7. Q. Okay. All right. Eighty-nine through 2014. All right. So thereafter. Well first of all, you know, let me start off, start this off as, and I'm sure you're aware because we -- you've talked to several representatives that I've probably spoken to already that, you know, we don't -- nobody in the House or the Senate is a target of any investigation, we're just doing our due diligence and making sure we talk to everybody that could possibly have information that would be interesting to us, so we're just opening up the doors of communication and giving everybody the opportunity to -- to speak with us. So that's the reason why we're reaching out to everybody, so. I would imagine during that time you've probably sat on multiple committees.

A. [No audible response]

8. Q. Mm hmm.

A. [No audible response]

9. Q. Wow, okay.

A. [No audible response]

10. Q. Okay.

A. [No audible response]

11. Q. Okay. Tell me what the Corporations Committee does.

A. [No audible response]

12. Q. Yup. Yup. Uh-huh.

A. ... telecommunications, public utilities, electricity deregulation, um -- Those are the big areas. Alcoholic beverages used.

13. Q. Yeah.

A. -- like if the community needs to - to have special legislation to be able to -- like, I think Smithfield, in order to approve a liquor license that's within 200 feet of a church, then

that comes through our committee.

14. Q. Okay.

A. And then sometimes we even get some of the things like for Resource Recovery and some of the other State agencies. We – we take up a lot of health insurance stuff because of the fact that we've got – I've been involved with so much insurance issues through the years that the – the Speaker is very confident about sending those type of things to my committee.

15. Q. Okay. Does it have anything to do with corporations coming to Rhode Island?

A. No.

16. Q. No. Okay.

A. Nope.

17. Q. All right.

A. So, we – we don't do anything as far as - We don't usually even see the – anybody from Economic Development Corporation or whatever they call themselves today ...

18. Q. Yeah. Okay.

A. -- ever coming through us, no.

19. Q. Okay. All right. Very good. So in 2010, May, actually, I think it was specifically May 25th, the Jobs Creation Guaranty Program bill came through the full House, ...

A. Mm hmm.

20. Q. -- came to the floor for a, a vote. Do you remember that?

A. I do recall the vote, and probably, as I'm sure you've talked with my colleagues,

21. Q. Mm hmm.

A. -- like them, we were told it was a job creations bill; we were told that the – that

originally I think it was going to be like 50 million, and then it got increased by 75 million, but we were told overall that it was going to be disbursed out to – to companies looking to either come to Rhode Island or those companies that are already in Rhode Island in order to create additional jobs. So we said, hey, anything for economic development for the state, why not. But I can tell you that at no point in time was it ever discussed on the floor that this was going to be something to do with Shilling and 38 Studios; at no point in time – in, in fact, it wasn't until after everything started to break in the newspaper that we started to learn about this whole thing. And in actuality, it – it was like around the time of the um, previous election like in 2012, that a lot of the stuff started to really percolate to the surface, and then that's when we started to hear more and more about 38 Studios and what was happening with this whole thing and how the whole thing was just, you know, falling beh- falling apart here in the state.

22. Q. Okay. You know, I failed to ask you earlier, are you in – Were you or are you in any sort of leadership role?

A. Other than the chairman of the committee, that – that is my extent.

23. Q. Okay.

A. You know, like I know there are people who are in leadership roles like deputy majority leaders who normally would meet with the Speaker and the majority leader on a weekly basis ...

24. Q. Mm hmm.

A. -- and other people like the Speaker Pro Tempore and the Deputy Speaker and people like that would also meet with the Speaker and the majority leader on a weekly basis. But I can tell you in our case as chairs, we did not meet [laughs]

25. Q. Yup.

A. -- on a weekly basis. In fact, in 2012, I don't think we had more than maybe two meeting with the Speaker and the majority leader. Other – other than that interaction, my interaction with the - with the majority leader would have been when it came time to discuss legislation that we're going to vote out of my committee.

26. Q. Okay. And, and who was doing most of the presentation regarding this bill?

A. Oh, as far as the legislation? Steve Costantino.

27. Q. Okay.

A. But – but keep in mind, even in his presentation on the floor, at no point in time was he talking about 38 Studios.

28. Q. Yup.

A. You know.

29. Q. Okay.

A. ...It's a jobs creation bill. Heh.

30. Q. Right.

A. So for all intents and purposes, you know, he was the one that - that was – that was the face on the floor. Jon Brien, who was a co-sponsor, he stood up and spoke on – about the bill as well. I – you know I, I remember Representative Watson speaking against the bill. I remember Representative Ehrhardt had concerns about the bill, but ultimately voted for the bill. I think Watson was the only one who voted against the bill.

31. Q. Speaking of Representative Ehrhardt, has he moved out of the state?

A. No, he still lives in North Kingstown...

32. Q. He is.

A. Because he was – he came to my committee back in April when we were hearing

one of the Governor's bills on an energy issue that I sponsored for the Governor.

33. Q. Would you happen to have a contact telephone number for him? Because the one that I have ...

A. I do not have a, ...

34. Q. No. Okay.

A. -- a number for Larry. Because I -- I really haven't stayed in touch with him. If -- if ...

35. Q. [Indiscernible]

A. -- you called my clerk at the State House though, ...

36. Q. Okay.

A. -- you can probably get it because my clerk, his name is Lou Mansolillo, ...

37. Q. Mm hmm.

A. -- and he should be in the Corporations room I would guess tomorrow. So I'll ...

38. Q. Tomorrow.

A. -- give you two numbers for -- for Lou.

39. Q. Okay. Yup.

A. And what happens is when people sign up to speak, ...

40. Q. Oh yeah. Right. Put down their telephone number.

A. -- [Indiscernible] they usually will give a telephone number or an email address or some type of contact information.

41. Q. Mm hmm.

A. So -- so if you want to try Lou at the office at ...

42. Q. Yeah.

A. -- the State House ...

43. Q. Okay.

A. -- it's 222 --

44. Q. Yup.

A. -- 2369.

45. Q. Okay.

A. And if you can't reach him at that number, his cell phone number is [REDACTED]

46. Q. Yup.

A. [REDACTED]

47. Q. Okay. Is he ...

A. But Lou - Lou can probably look up the information because Larry Er- Ehrhardt, as I said, came in and testified on my -- my piece of legislation I sponsored for the Governor dealing with helping him try to get electricity costs lower here in the State of Rhode Island. And, and Larry came in specifically because he had been involved when we had previously done hearings on the electricity deregulation legislation in the State. So he back then was on my committee before he went to the Finance Committee.

48. Q. Do you -- do you know does he work or is he retired?

A. He's -- As far as I know, he's retired.

49. Q. Okay. All right. Okay. All right, so go -- going back to this particular bill. You said that you didn't - nobody made any mention of 38 Studios or any other business that would have interest at this time in this bill ...

A. No.

50. Q. -- or in this program?

A. Definitely no -- no one at any point in time mentioned either on the floor or during

the – the debate ...

51. Q. Okay.

A. -- anything to do with, you know, 38 Studios.

52. Q. All right. And do – do you know anybody at 38 Studios?

A. I do not.

53. Q. Okay. How about Michael Corso?

A. Never met the man.

54. Q. Okay. You know who he is I guess through the media?

A. I – I've only from reading the newspaper articles and seeing Tim White's story a

couple of weeks ago ...

55. Q. Yeah.

A. -- on Channel 12. That – that's the extent that I know of Michael Corso.

56. Q. Okay. Earlier you said, Rep- Representative Jon, was it Brien you said?

A. Brien, yup. From uh ...

57. Q. How – how are you spelling that?

A. B-R-I-E-N.

58. Q. And is he p- presently a rep?

A. No.

59. Q. No.

A. No, he got beat in the last election.

60. Q. Okay. I don't – I don't seem to have him on my – my list, I – I don't – it's ...

A. He was one of, I think there was only three sponsors of the bill and he was one of them.

61. Q. Okay. Okay. That's fine. Well maybe we can get his contact info. Okay. Is there anything I haven't asked you that you think is important for me to know?

A. Not that I know of.

62. Q. Okay.

A. Matter of fact, I think if you heard the message I left you, ...

63. Q. Mm hmm.

A. -- Senator Algieri and I, and Representative Azzinaro, former Senator Mara, and Representative Walsh, we all did a -- an opinion piece that ran in the Westerly Sun ...

64. Q. Mm hmm. Yeah.

A. -- on this whole thing. Basically just reviewing the facts. And, and then the Providence Journal did a PolitiFact article, which basically came back and said, you know, what we had said in that particular thing about this Jobs Creation Guaranty Program was ...

65. Q. Mm.

A. -- in fact, the case, and when they reviewed the -- the videotape, it -- it proved out that there really was no mention at any point about 38 Studios, nor was there ever a debate or an actual vote on the issue of ...

66. Q. Mm hmm.

A. -- did we fund 38 Studios. So, ...

67. Q. Right.

A. -- you know, for intents and purposes it was wrapped into that or tightly wrapped into it to the point that I wish -- you know, hindsight is 20/20, I wish ...

68. Q. Right.

A. -- we had known, you know, then, exactly what we were voting on. Because ...

69. Q. Yeah.

A. -- I'm sure the vote would have been very different.

70. Q. Okay. Well I do appreciate your time, and you have my telephone number, I know that.

So if there's something that comes to mind to you that you think you want to let me know, please don't hesitate to call. And it doesn't -- it doesn't necessarily have to be 38 Studios-related, it could anything that you think is important for myself or State Police to know, please don't hesitate to call.

A. All right. Very good, Corporal.

71. Q. All right. Thank you very much for your time.

A. ... Take care.

72. Q. Okay.

A. Bye bye.

STATEMENT TAKEN BY:

WITNESSED BY:
