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TRANSCRIPTION OF RECORDED INTERVIEW

OF

Rusty Areias

September 27, 2012

Sacramento, California

Investigation of Department of Parks  
and Recreation - Financial Irregularities

Interviewed by: Thomas M. Patton  
Deputy Attorney General  
Office of the Attorney General  
State of California

Transcribed by: Donna Gould  
eScribers, Inc.  
October 4, 2012  
New York, New York

(SA201210710)

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1 (On the record at 10:17 AM)

2 MR. MATSON: I have 10:17.

3 MR. PATTON: All right. We're on the record. It is  
4 Thursday, September 27. Thomas M. Patton, Deputy Attorney  
5 General speaking. With me is Michael Matson, Special Agent  
6 with the Department of Justice. And we have this morning --  
7 sir, if you'd introduce yourself and spell your last name?

8 MR. AREIAS: Tom, Rusty Areias, A-R-E-I-A-S.

9 MR. PATTON: Good morning, Mr. Areias. Thanks for  
10 coming.

11 MR. AREIAS: Thank you.

12 MR. PATTON: So you, I understand, have a background  
13 that includes some work at State Parks. If you could tell us  
14 what that was and how you got there and how long you were  
15 there.

16 MR. AREIAS: Well, in 1998, I was named State Parks  
17 Director by -- by Governor Gray Davis and --

18 MR. PATTON: When in 1998 was that?

19 MR. AREIAS: Actually, I think Gray was elected in  
20 '98. I probably didn't actually get appointed until like  
21 February of '99 if my memory serves me correctly, but it would  
22 have been a few months after Gray was elected, which would  
23 have been November of '98, and I think it was like February or  
24 March by the time he got around to appointing me. It wasn't a  
25 job that I had solicited. I had actually viewed myself in

1 other roles as best being able to serve him and the state, and  
2 he asked me to be State Parks Director, and I spent three  
3 years in that position.

4 MR. PATTON: And you'd never worked at Parks before?

5 MR. AREIAS: No, I had been a state legislator and I  
6 had been Chair of the Coastal Commission.

7 MR. PATTON: Okay.

8 MR. AREIAS: And, you know, 280 miles of the state's  
9 coastline is state parks, so as Chairman of the Coastal  
10 Commission and in the legislature, you deal with those issues  
11 but, you know, I'd held elective office -- run for office  
12 twenty times probably, you know, won most of them, then kind  
13 of hit a bad streak.

14 MR. PATTON: Hit a slump, then you decided okay, so  
15 you took a directorship.

16 MR. AREIAS: Slumped in old age.

17 MR. PATTON: And so you went in early 1999, and you  
18 served in that position until -- do you remember when you left  
19 the office?

20 MR. AREIAS: I think -- I thought I left  
21 approximately three years later, and I left to run for the  
22 state Senate seat --

23 MR. PATTON: Okay.

24 MR. AREIAS: -- that had opened up as a result of --  
25 I think it was reapportionment. It was actually

1 reapportionment, a newly reapportioned seat that Dennis  
2 Cardoza was special -- was supposed to run for. He ended up  
3 running for Congress against Gary Condit.

4 MR. PATTON: So it would have been you think maybe  
5 the beginning of 2002 then that you left?

6 MR. AREIAS: I think mid-2002.

7 MR. PATTON: Mid-2002.

8 MR. AREIAS: Yeah, I believe mid-2002. I think I  
9 worked up until April or May of that year and then left.  
10 Something like that.

11 MR. PATTON: So from '99, 2000 -- so you worked most  
12 of '99, all of 2000, all of 2001 --

13 MR. AREIAS: Correct.

14 MR. PATTON: -- and then mid-2002 you leave, so  
15 you're there a little over three years?

16 MR. AREIAS: Right.

17 MR. PATTON: Okay. It's interesting --

18 MR. AREIAS: Probably March or April of 2003 is when  
19 I would have left.

20 MR. PATTON: They may have your --

21 MR. AREIAS: Payroll records would show that.

22 MR. PATTON: They may have your -- yeah, they may  
23 have your service dates because their organization chart for  
24 2001, they show you on as the Director in -- May of 2000 is  
25 the date of the organization chart. September 1, 2001,

1 they've got Ruth in as Acting Director --

2 MR. AREIAS: Right.

3 MR. PATTON: -- but I'm not sure if their date -- you  
4 know, who knows if it's correct. Okay. So you're there we  
5 know '99, 2000, 2001, and I've got this organization chart. I  
6 see you had a Chief Deputy Director was Mary Wright?

7 MR. AREIAS: Correct.

8 MR. PATTON: And then the title shows Chief Deputy  
9 Director for Admin Services Denzil Verardo.

10 MR. AREIAS: Correct.

11 MR. PATTON: And I was under the mistaken impression  
12 there were like two Chief Deputy Directors, one was Verardo,  
13 one was Wright, and you're shaking your head no.

14 MR. AREIAS: No.

15 MR. PATTON: Mary was the Chief Deputy Director?

16 MR. AREIAS: The Chief Deputy Director.

17 MR. PATTON: Okay. And then Denzil was in charge of  
18 the Admin Services side?

19 MR. AREIAS: He ran -- there were a bunch of Chief  
20 Deputy Directors.

21 MR. PATTON: Okay.

22 MR. AREIAS: But there were a bunch of -- there were  
23 a bunch of Deputy Directors, then there was one Chief Deputy  
24 Director --

25 MR. PATTON: All right.

1 MR. AREIAS: -- who was -- who was Mary Wright.

2 MR. PATTON: So it looks to me like, based on what  
3 you're saying, is that that title on this organization chart  
4 for 2000 of Denzil is actually a little incorrect. It should  
5 be Deputy Director like Dick Troy was Deputy Director for Park  
6 Operations.

7 MR. AREIAS: Denzil probably drew up the chart.

8 MR. PATTON: So Mary was your number two, Denzil was  
9 in charge of Admin Services and Dick Troy was in charge of  
10 Park Operations?

11 MR. AREIAS: Right. Correct.

12 MR. PATTON: Okay. And had you known any of these  
13 people before you went into the job?

14 MR. AREIAS: Not -- well, I knew Denzil because his  
15 wife, Ginny Verardo, had worked for me as -- when I was an  
16 assembly person in my Salinas office. They lived in  
17 Castroville at the time, but he had been a career guy at State  
18 Parks.

19 MR. PATTON: Denzil had?

20 MR. AREIAS: I -- but I didn't know him well. I  
21 mean, his wife Ginny worked for me and, you know, I'd see him  
22 at Christmas parties and occasionally but did not know him  
23 well.

24 MR. PATTON: And then how did -- did you select Mary  
25 Wright to be the Chief Deputy?

1 MR. AREIAS: Yes. Right. I mean, I -- I -- you  
2 know, I really didn't know anything about State Parks. You  
3 know, Gray -- my own self-image was not -- had never been as a  
4 State Parks Director, didn't see myself in that role, and for  
5 whatever reason, Gray Davis did.

6 And he had offered me numerous positions throughout  
7 state government, and anyway, I ended up taking the State  
8 Parks job, and it was one of the best decisions I ever made  
9 and, you know, had a great three-year run there and was really  
10 impressed with the quality of the people, you know, on my  
11 executive team, you know, very, very, very impressed with  
12 their commitment, their talents, their commitment to State  
13 Parks, to the state government, you know, the system.

14 MR. PATTON: Did you have much interaction with the  
15 people -- I assume you interacted fairly regularly with Denzil  
16 Verardo. He's the guy who's in charge of matters financial.

17 MR. AREIAS: Correct. Yes. Yes.

18 MR. PATTON: So you would meet with him regularly?

19 MR. AREIAS: Correct.

20 MR. PATTON: How often did you meet with someone like  
21 Denzil on financial matters?

22 MR. AREIAS: Well, Denzil would have been a part of  
23 our executive team so, you know -- and I don't remember  
24 whether we met every two weeks or whether we met weekly, you  
25 know, as an executive staff but -- but, you know, he was --

1 MR. PATTON: It was frequent?

2 MR. AREIAS: -- he was one of the four or five top  
3 people, you know, that were always in the meeting.

4 MR. PATTON: Is he the guy that you relied on to give  
5 you briefings about financial matters?

6 MR. AREIAS: Yes, and -- and at times -- depended --  
7 you know, and a lot of that was -- it depended on the time of  
8 the year. You know, obviously if you were -- if you were  
9 doing -- you know, preparing for budget or subcommittee  
10 hearings, then, you know, you would -- you would spend time --  
11 more time on those issues and, you know, he might bring in his  
12 support staff.

13 MR. PATTON: So who of his support staff would you  
14 also get briefed by?

15 MR. AREIAS: Tom Domnitch.

16 MR. PATTON: Tom Domnitch. I see he was the  
17 Financial Management Division head.

18 MR. AREIAS: Right. Becky Brown.

19 MR. PATTON: I see she was the Budget Section  
20 Leader --

21 MR. AREIAS: Yeah.

22 MR. PATTON: -- the Budget Officer. Is that your  
23 recollection?

24 MR. AREIAS: Yeah, more often Becky than -- than  
25 Freda.



1 MR. PATTON: Freda was the accounting -- Freda  
2 Luan-Dun --

3 MR. AREIAS: Right.

4 MR. PATTON: -- L-U-A-N hyphen D-U-N.

5 MR. AREIAS: Right. And then Ruth Coleman because  
6 Ruth -- Ruth had -- you know, had significant budget  
7 experience having worked for Mike Thompson and, you know, been  
8 over to LA, and she was -- she was a part of that also.

9 MR. PATTON: Now, during your tenure as Director, she  
10 was the Deputy Director for legislation?

11 MR. AREIAS: Correct.

12 MR. PATTON: Okay. So she was your legislative  
13 liaison?

14 MR. AREIAS: Right. But with stints of budget  
15 experience.

16 MR. PATTON: Yeah.

17 MR. AREIAS: Right.

18 MR. PATTON: Because she came from the LA -- the  
19 Legislative --

20 MR. AREIAS: She had been -- she had been Mike  
21 Thompson's chief budget person --

22 MR. PATTON: Okay.

23 MR. AREIAS: -- and he was -- he was Budget Director  
24 of the Senate.

25 MR. PATTON: Now, do me a favor for a transcriber

1 because we're going to have this transcribed, so don't -- wait  
2 until I finish -- the air escapes my --

3 MR. AREIAS: Okay. Okay. All right.

4 MR. PATTON: -- before you start. Okay? Makes it  
5 easier on them. So Ruth would be involved back then in the  
6 budget discussions as well?

7 MR. AREIAS: Yeah, typically, you know, in terms of  
8 strategies and those types of things, you know, preparation  
9 because of her experience, right.

10 MR. PATTON: Yeah. Were you --

11 MR. AREIAS: She didn't just do legislation. Of  
12 course, the budget is legislation so --

13 MR. PATTON: Right. And you were aware that in her  
14 previous capacity, she had actually worked at the Legislative  
15 Analyst's office and --

16 MR. AREIAS: Oh, absolutely. Sure. I hired her.

17 MR. PATTON: Oh, okay. Into that Deputy Director --

18 MR. AREIAS: I hired her at Dave Widell's  
19 recommendation.

20 MR. PATTON: To be the Deputy Director of  
21 legislation?

22 MR. AREIAS: Correct.

23 MR. PATTON: Okay. And that one of her areas of  
24 experience had been the Parks Department budget. Did you know  
25 that?

1 MR. AREIAS: I didn't know that.

2 MR. PATTON: Okay.

3 MR. AREIAS: I don't recall that. I mean, I know it  
4 at the time, but I don't recall --

5 MR. PATTON: But you knew that she had budget  
6 experience?

7 MR. AREIAS: Right.

8 MR. PATTON: Okay.

9 MR. AREIAS: And legislative experience.

10 MR. PATTON: Right.

11 MR. AREIAS: You know, and a Harvard degree and, you  
12 know, Claremont College and -- you know, I mean, she had a  
13 very impressive resume.

14 MR. PATTON: So you've obviously paid attention to  
15 the media. You've seen the reports about fund report  
16 discrepancies?

17 MR. AREIAS: Tom, when my name's in the media, I pay  
18 attention.

19 MR. PATTON: Okay. And before we went on the record,  
20 I showed you the spread sheets, and I have explained that what  
21 I'm really interested in knowing is whether -- and I've showed  
22 you the spread sheets showing the discrepancy in reports --  
23 year-end reports to Controller in Finance regarding the State  
24 Park & Rec Fund going back as far as '93.

25 And then we looked at this. I showed you where that

1 discrepancy that was around five million, give or take, from  
2 '93 through '97 started growing at the year-end '98, and again  
3 in '99, 2000, 2001 through, it grew until the end of '04. So  
4 it kind of started growing before you got there and this  
5 discrepancy continued to grow until even after you left.

6           And I guess the first basic question is did your  
7 financial people, any of them, Ruth or Denzil or Tom Domnitch  
8 or Becky Brown or Freda Luan-Dun, did any of those financial  
9 people ever mention to you that they were having a little  
10 trouble reconciling the balance statement being reported to  
11 Finance with the balance statement being reported to  
12 Controller?

13           MR. AREIAS: No.

14           MR. PATTON: Okay. So I assume then that when the  
15 stories about this hit, that I assume then was a complete  
16 surprise to you?

17           MR. AREIAS: Well, it was a complete surprise that --  
18 that it -- there was mention that this had been going back  
19 twelve years and, you know, when I quickly calculated, you  
20 know, who was Parks Director twelve years ago and who was  
21 governor, you know, it was -- it was Gray Davis and Rusty  
22 Areias, well, you know, I called the reporters who had  
23 reported this and asked them where they got the information,  
24 and they said it had come out of the press conference, not  
25 naming us specifically but that it had been going on for

1 twelve years.

2 And so I called -- I called, you know, my -- some of  
3 my old contacts at the Department of Finance and I said, you  
4 know, get me those numbers, I want to -- I want to see those  
5 numbers, and they got them back to 1998, which was Wilson's  
6 last year, and obviously, you know, that would have been, you  
7 know, this year right here, and there was a discrepancy then.

8 MR. PATTON: Right.

9 MR. AREIAS: You know, so I knew it had gone on  
10 longer than --

11 MR. PATTON: Even longer than the twelve years.

12 MR. AREIAS: Than the twelve years, that it went back  
13 into, you know, well -- probably well into the Wilson  
14 administration as well so, you know, why they had chosen, you  
15 know, the twelve-year period, you know, and -- and, you know,  
16 indicated that it had started under Gray Davis -- and when I  
17 was Parks Director, you know, I didn't know what the  
18 motivation or the reasoning for that was.

19 MR. PATTON: For what?

20 MR. AREIAS: For why they would have chosen twelve  
21 years.

22 MR. PATTON: Oh, well, I wouldn't take personal  
23 offense. I mean, at that point -- and we have the press  
24 release out in front of us. I think at that point, there was  
25 still an effort, and the effort remains ongoing, to identify

1 the numbers, and initially I think --

2 MR. AREIAS: Well, I -- it's not about personal  
3 offense but, you know, me in my position, not in state  
4 government, I had no trouble accessing the 1998 numbers --

5 MR. PATTON: Yeah.

6 MR. AREIAS: -- which showed a discrepancy, so why  
7 would you choose twelve years --

8 MR. PATTON: Yeah.

9 MR. AREIAS: -- to go back? You know, and frankly,  
10 it was troubling to me and I was -- I began calling, you know,  
11 my deputies and other people trying to reconstruct, you know,  
12 what -- what took place --

13 MR. PATTON: So let's talk about that.

14 MR. AREIAS: -- because I'm very proud of my time at  
15 State Parks.

16 MR. PATTON: Let's talk about that. Who did you  
17 contact? Who have you talked to?

18 MR. AREIAS: Well, I mean, I first contacted, you  
19 know, Mary Wright, I talked to Dick -- Dick Troy, and  
20 everybody said have you talked to Denzil, you know, and I  
21 finally got a hold of Denzil. I think he was on vacation.  
22 And nobody seemed to really have any -- any answers.

23 You know, Denzil had mentioned he was going to talk  
24 to -- to Tom Domnitch and he was going to try to get a hold of  
25 Becky Brown, but I don't -- I don't -- at the time, he didn't

1 know where she was or what she was doing but, you know, I  
2 never did -- I mean, until you and I had our discussion  
3 earlier today, I really -- I was kind of in the dark. I had  
4 my own theories about, you know, what had happened and why it  
5 had happened and, you know, what incentives there might be  
6 to -- to -- you know, to not disclose.

7 But our problem was -- in the three years I was there  
8 was that we had too much money. We couldn't spend the money  
9 we had. There was -- you know, it was -- it was a paradox to  
10 me, illogical that we would be trying to -- you know, that  
11 anybody would be trying to hide money. We had more money than  
12 we could spend because of the bond issues and because of the  
13 156 million that Gray Davis gave us --

14 MR. PATTON: Okay. Let's stop for a second.

15 MR. AREIAS: -- just for maintenance.

16 MR. PATTON: So just for the record, you mentioned  
17 the discussion that you and I had previously earlier --

18 MR. AREIAS: Yeah.

19 MR. PATTON: -- before we went on the record, and I  
20 just want the record to reflect what we did, which was I  
21 showed you the spread sheet --

22 MR. AREIAS: Right.

23 MR. PATTON: -- which has the State Park & Rec Fund  
24 and the OHV, Off-Highway Vehicle fund numbers, and I gave you  
25 a little bit of a background briefing as to the numbers that

1 are now available, and I showed you that now we have a spread  
2 sheet going back to '93 that shows there was a disparity in  
3 funding reports back then, right?

4 MR. AREIAS: Right. That's correct.

5 MR. PATTON: So this is what we were talking about  
6 earlier. I wanted to give you a little -- I wanted to give --

7 MR. AREIAS: And we don't have anything prior to '93?

8 MR. PATTON: Not that I have seen.

9 MR. AREIAS: Right.

10 MR. PATTON: Okay. So we went over these numbers. I  
11 wanted to show you that it appears that there was a growth  
12 period between '98 and '04, and then we started talking  
13 about -- and which is what I -- now we're on the record, I  
14 want to talk about the conversations you've had. You  
15 indicated you talked with Mary Wright and you said you talked  
16 with Dick Troy, and they both said have you talked with  
17 Denzil --

18 MR. AREIAS: Right.

19 MR. PATTON: -- Denzil Verardo. Now, did you have  
20 any more conversation other -- with Mary Wright other than to  
21 say -- her saying to you have you talked to Denzil? I mean,  
22 what did she say about what she'd seen and you'd seen in the  
23 press release and the articles?

24 MR. AREIAS: You know, I -- I mean, in the case of  
25 Mary, I mean, because, you know, there is almost no one who



1       cares more deeply about -- about State Parks than Mary Wright,  
2       I mean, she was just devastated, I mean, to the point where  
3       she was scheduled to be the head of the Save the Redwoods  
4       League.

5               MR. PATTON:   Scheduled now?

6               MR. AREIAS:   To be the next president of the Save the  
7       Redwoods League where she was considering -- or has removed  
8       herself from consideration because -- because of what's taken  
9       place in State Parks.

10              MR. PATTON:   She was a long-term employee there,  
11       right?

12              MR. AREIAS:   And, I mean -- and --

13              MR. PATTON:   Well, tell me what her background was to  
14       the best of your recollection.

15              MR. AREIAS:   You know, grew up in Boston --

16              MR. PATTON:   I mean with Parks.   What was her Parks  
17       experience?   Because you indicated she'd been there --

18              MR. AREIAS:   She'd been there a long time.   She  
19       started out as a -- you know, went to ranger school --

20              MR. PATTON:   Yeah.

21              MR. AREIAS:   -- the academy and became a ranger but,  
22       you know, it goes back to when -- she used to go on family  
23       vacations to the national parks as a kid.   Those were her  
24       family vacations.   They'd pack everything in the station wagon  
25       and drive across the country and go to state parks.

1 MR. PATTON: Had she spent time -- when you picked  
2 her as Chief Deputy, had she spent any time in the  
3 headquartered administration? Had she had experience with the  
4 financial side of things?

5 MR. AREIAS: I think she was more operational.  
6 Maybe some. I think she had spent some time in Sacramento but  
7 not a -- not a great deal.

8 MR. PATTON: She had --

9 MR. AREIAS: She had maybe been there a year or two.

10 MR. PATTON: She hadn't been part -- so she was in  
11 Sacramento when you picked her?

12 MR. AREIAS: No. No, she was -- she was in -- she  
13 was in Monterey contemplating retirement.

14 MR. PATTON: Okay. So as far as you knew, she had  
15 never been in headquarters running Administrative Services?

16 MR. AREIAS: She -- no, but she did have -- if my  
17 memory serves me correct, she did have some Sacramento  
18 experience. She'd spent some time --

19 MR. PATTON: Okay. Okay.

20 MR. AREIAS: -- in Sacramento. I don't know it was  
21 six months or a year but --

22 MR. PATTON: So --

23 MR. AREIAS: -- most of the time she had been in the  
24 field.

25 MR. PATTON: So all indications you got from her was

1 that this was a huge surprise and story to her as well that  
2 there was a discrepancy in Fund Balance Reports?

3 MR. AREIAS: Correct.

4 MR. PATTON: Okay. Then you talked -- you said  
5 also --

6 MR. AREIAS: It was -- the conversations were really  
7 kind of a reconstruct.

8 MR. PATTON: Well, what did you reconstruct?

9 MR. AREIAS: Our time there.

10 MR. PATTON: Yeah.

11 MR. AREIAS: I mean, twelve years later, go back and  
12 try to reconstruct and see what people remember, kind of just  
13 trade information trying to get an answer.

14 MR. PATTON: What answers did you get?

15 MR. AREIAS: None.

16 MR. PATTON: Okay. So let me ask, just step by step,  
17 so then you talked to Dick Troy, and he had been the Deputy  
18 Director for Operations when you came in, right?

19 MR. AREIAS: Right. Correct.

20 MR. PATTON: Did you pick him also as Deputy Director  
21 for Operations?

22 MR. AREIAS: He may have -- I probably did, you know,  
23 but he may have been there already. I -- I don't recall  
24 exactly but -- but he -- you know, he was -- he was a critical  
25 part of our team. You had a southern California chief --

1 MR. PATTON: Yeah.

2 MR. AREIAS: -- a northern California chief and then  
3 you had somebody that was overall -- you know, both and then  
4 there were --

5 MR. PATTON: And that was Dick Troy?

6 MR. AREIAS: Dick Troy, correct.

7 MR. PATTON: Now, what, if anything, did he say --  
8 what was his response to the reports that there were  
9 disparities in Fund Balance Reports?

10 MR. AREIAS: I mean, devastated. These people love  
11 State Parks. They've spent their entire careers there, yeah.

12 MR. PATTON: Okay. So he indicated this was all news  
13 to him as well?

14 MR. AREIAS: He indicated it was all news to him and  
15 have you talked to Denzil.

16 MR. PATTON: Okay. Did you talk with Denzil?

17 MR. AREIAS: I did talk to Denzil.

18 MR. PATTON: What did Denzil say?

19 MR. AREIAS: Denzil -- Denzil was just trying to  
20 reconstruct it also. He never -- I said Denzil, was there  
21 ever any conscious effort on anybody's part to -- to not  
22 disclose fund balances, and he said absolutely not. He said I  
23 don't -- you know, and he said I -- I've talked to Tom  
24 Domnitch, I don't know how to get a hold of Becky Brown or --  
25 or Freda. He said --

1 MR. PATTON: So Denzil indicated he had talked to Tom  
2 Domnitch?

3 MR. AREIAS: Yeah. Yeah.

4 MR. PATTON: Did he indicate what Tom Domnitch had  
5 told him, how that conversation went?

6 MR. AREIAS: I mean, he just -- there was nothing --  
7 there was nothing that -- he didn't find out anything.

8 MR. PATTON: He wasn't getting any answers out of  
9 Domnitch?

10 MR. AREIAS: No.

11 MR. PATTON: And he didn't -- he indicated he might  
12 try to talk to Becky Brown, but he didn't indicate he --

13 MR. AREIAS: Didn't know how to get a hold of her --

14 MR. PATTON: Hadn't been success --

15 MR. AREIAS: -- or where she was.

16 MR. PATTON: Had not been successful?

17 MR. AREIAS: Correct. Correct.

18 MR. PATTON: Okay. Did --

19 MR. AREIAS: Thought maybe Freda worked somewhere in  
20 Finance or somewhere --

21 MR. PATTON: Okay.

22 MR. AREIAS: -- that she was still working somewhere  
23 in state --

24 MR. PATTON: Freda Luan-Dun?

25 MR. AREIAS: Right.

1 MR. PATTON: Let me finish my --

2 MR. AREIAS: Right.

3 MR. PATTON: Got to let me finish my sentence.

4 MR. AREIAS: Okay. Yeah, I'm kind of a self --

5 MR. PATTON: Got to.

6 MR. AREIAS: -- I'm kind of a self-interview, Tom.

7 MR. PATTON: I know.

8 MR. AREIAS: Yeah.

9 MR. PATTON: So he did not indicate he had talked to  
10 Freda Luan-Dun? Okay. You talk with anybody else? Talk with  
11 Ted Jackson?

12 MR. AREIAS: Briefly. But Tony Perez. I talked to  
13 Tony Perez, right.

14 MR. PATTON: Okay. What did Tony Perez tell you?

15 MR. AREIAS: Tony told me he believed that -- I mean,  
16 that's where the theory really kind of came from.

17 MR. PATTON: What theory?

18 MR. AREIAS: That -- that there was this additional  
19 money, that he believed that the people highest up in state  
20 government --

21 MR. PATTON: Tony Perez indicate to you that he also  
22 had been aware there was additional money?

23 MR. AREIAS: He thought that there was additional  
24 money and that -- and that people higher up were aware of it  
25 and that Michael Harris and Ruth, who both loved to tinker

1 with the budget numbers, according to him, that they were --  
2 they were aware of it and that, you know, what would happen  
3 was that every year they would -- they would go into -- into  
4 this -- this budget process and they would -- they would say  
5 you've got to cut so much out and --

6 MR. PATTON: "They" who would say?

7 MR. AREIAS: Finance would say.

8 MR. PATTON: To Parks leadership?

9 MR. AREIAS: To Parks. You've got to cut so much  
10 out, and then Parks would respond by saying well, we're going  
11 to have to close twenty or thirty or forty parks, seventy  
12 parks and --

13 MR. PATTON: To achieve the cuts you're proposing?

14 MR. AREIAS: Correct. And that no governor -- when  
15 push came to shove that every governor would blink, that none  
16 of them had -- had the political courage to do it.

17 MR. PATTON: Actually close parks?

18 MR. AREIAS: To be the first governor in the state's  
19 history to close parks --

20 MR. PATTON: Okay.

21 MR. AREIAS: -- for budget reasons.

22 MR. PATTON: Okay.

23 MR. AREIAS: And then Jerry Brown comes along --  
24 Governor Brown comes along and they propose a certain number  
25 and Parks --

1 MR. PATTON: "They" Finance?  
2 MR. AREIAS: Finance proposes a number and Parks  
3 says --  
4 MR. PATTON: Of closures?  
5 MR. AREIAS: Yes.  
6 MR. PATTON: Okay.  
7 MR. AREIAS: No. No, not of closures.  
8 MR. PATTON: A budget number.  
9 MR. AREIAS: A budget number.  
10 MR. PATTON: A finance number.  
11 MR. AREIAS: And Parks says okay, but we're going to  
12 have to close seventy parks, and Governor Brown's people said  
13 good, when can we start closing them, so he call -- Governor  
14 Brown called them on their bluff.  
15 MR. PATTON: Now, you're getting this information  
16 from where?  
17 MR. AREIAS: Tony.  
18 MR. PATTON: Okay. Tony Perez. Okay. Go ahead. So  
19 Tony -- I want to make sure we're clear on this. Tony gave  
20 you his opinion that --  
21 MR. AREIAS: Speculative.  
22 MR. PATTON: Okay.  
23 MR. AREIAS: Speculative but, you know, he was also  
24 there. I mean, he was there (indiscernible) --  
25 MR. PATTON: I understand that. I want to --



1 MR. AREIAS: -- and so it was -- it was more than the  
2 kind of speculation that had been taking place amongst the  
3 dialogue from those of us that had been there twelve years  
4 ago --

5 MR. PATTON: Right.

6 MR. AREIAS: -- you know, because Tony was actually  
7 there. And it all kind of made sense.

8 MR. PATTON: I want to -- I got to make this record  
9 clear.

10 MR. AREIAS: Go ahead.

11 MR. PATTON: Tony is telling you that this is his  
12 theory, his hypothesis as to whether or not the leadership was  
13 aware of any undisclosed monies?

14 MR. AREIAS: I would say it was an educated  
15 hypothesis.

16 MR. PATTON: Right. As opposed to someone telling  
17 him directly yeah, I know we have these monies but we're not  
18 going to report it.

19 MR. AREIAS: And as I recall it, he remembered being  
20 in meetings where the surplus was discussed.

21 MR. PATTON: Okay. So you've talked with Dick Troy,  
22 Mary Wright, Denzil, Tony Perez.

23 MR. AREIAS: And Tony was by far the most  
24 informative.

25 MR. PATTON: Okay.

1 MR. AREIAS: Which makes sense because he was there.

2 MR. PATTON: More recently.

3 MR. AREIAS: Well, the others hadn't been there in  
4 ten years.

5 MR. PATTON: Right. He was part of the recent  
6 administration. And before Tony Perez, the Parks Operation  
7 Director was someone named Ted Jackson. Do you know him?

8 MR. AREIAS: Yes.

9 MR. PATTON: Although he had not been Parks Operation  
10 Director when you were the director of the agency?

11 MR. AREIAS: Tony -- Ted Jackson was the liaison to  
12 the State Parks Commission when I was there.

13 MR. PATTON: Okay.

14 MR. AREIAS: We then -- where he did a great job. We  
15 then sent him to Fresno where he did a great job as a  
16 superintendent, then he went to Baldwin Hills where he also  
17 did a great job and --

18 MR. PATTON: What did Ted Jackson tell you about the  
19 financial discrepancies?

20 MR. AREIAS: I don't -- I don't really recall.  
21 Usually when I talked to Ted, he was calling me to inform me  
22 that he had left his position and that he was interested in  
23 putting his name in to be State Parks Director.

24 MR. PATTON: Did you talk with Ted Jackson after this  
25 story came out in July about the financial reporting

1 discrepancies?

2 MR. AREIAS: I don't recall. I may have, but it's  
3 not a conversation that --

4 MR. PATTON: Okay.

5 MR. AREIAS: -- that I recall.

6 MR. PATTON: Have you talked with Bill Barry,  
7 another --

8 MR. AREIAS: No.

9 MR. PATTON: -- former Parks Operation --

10 MR. AREIAS: No, I have not. I have not.

11 MR. PATTON: -- another former Parks Operations  
12 Deputy Director?

13 MR. AREIAS: I have not.

14 MR. PATTON: Okay. Anybody else you've talked to at  
15 Parks, former or --

16 MR. AREIAS: Dave Van Cleve.

17 MR. PATTON: Who is he?

18 MR. AREIAS: Dave Van Cleve was -- he's now with the  
19 Nature Conservancy, but he ran Anza-Borrego for us, our  
20 largest park, 640,000 acres and, you know, he had aspired to  
21 be State Parks Director, put his name in to be State Parks  
22 Director, so I talked to him.

23 MR. PATTON: Okay. And --

24 MR. AREIAS: But he was a superintendent down at  
25 Anza-Borrego, you know, as far south as you can get and still

1 be in the state when I was -- you know, when I was running --  
2 you know, when I was running State -- State Parks.

3 MR. PATTON: Have you talked to Ruth Coleman?

4 MR. AREIAS: No.

5 MR. PATTON: No?

6 MR. AREIAS: No.

7 MR. PATTON: Michael Harris?

8 MR. AREIAS: No.

9 MR. PATTON: So you -- we've covered everyone that  
10 you've talked to current or former Parks people?

11 MR. AREIAS: I think so. I talked to Kirk Sturm.

12 MR. PATTON: Kirk Sturm.

13 MR. AREIAS: Right.

14 MR. PATTON: And tell me -- now, Kirk worked for you  
15 as well?

16 MR. AREIAS: Yes.

17 MR. PATTON: What was his capacity when you were  
18 there?

19 MR. AREIAS: He was -- he took over Hearst Castle,  
20 superintendent of Hearst Castle at the -- at the monument at  
21 Hearst Castle.

22 MR. PATTON: And that's a pretty important post?

23 MR. AREIAS: Sure. Yeah, things had really  
24 deteriorated there. Relations with the community and county  
25 and city of San Luis Obispo had really deteriorated, and he

1 came in and just -- and the Hearst family. He just did a  
2 great job.

3 MR. PATTON: Did you -- did he ever work in any other  
4 position while you were Director?

5 MR. AREIAS: No.

6 MR. PATTON: Okay. So he was always the  
7 superintendent of Hearst?

8 MR. AREIAS: Well, initially -- initially he was --  
9 when I first became Director, there was a woman named Debra  
10 Weldon at -- at the Hearst Castle Monument, and we replaced  
11 her with -- with Kirk Sturm, so he was in another position,  
12 and I don't recall what it was.

13 MR. PATTON: So you talked to Kirk after this story  
14 broke in July about the funding disparities?

15 MR. AREIAS: Yes.

16 MR. PATTON: And what did he say?

17 MR. AREIAS: You know, I mean, everybody was kind of  
18 sick about it, but nothing really that enlightening.

19 MR. PATTON: So nobody's indicated to you that they  
20 ever had any knowledge that this disparity in reporting had  
21 been occurring?

22 MR. AREIAS: No.

23 MR. PATTON: Now, I showed you the numbers. I showed  
24 you where the SPRF disparity in reports to Finance and  
25 Controller grew from '98 to 2004, and I guess I'm repeating

1 the question. No budget person, no admin services person or  
2 any financial person ever talked to you about excess funds in  
3 their budgets that needed to be dealt with?

4 MR. AREIAS: Our entire -- our entire tenure at State  
5 Parks was -- was one of abundance. You know, the cupboard was  
6 overflowing. Two park bonds and we showed up with 156 million  
7 dollars -- Gray gave me 156 million to show up with for  
8 deferred maintenance which had accumulated over twelve years.

9 That's why this is so illogical to me, you know, that  
10 they -- that they'd take it back to our administration, you  
11 know, that -- that -- I mean, obviously there was a  
12 discrepancy that -- that was being carried forward and that  
13 was -- that was growing because our focus --

14 MR. PATTON: You're saying that -- you're saying  
15 that -- wait a minute. You're saying that based on what  
16 you're seeing in front of you?

17 MR. AREIAS: Correct.

18 MR. PATTON: Okay.

19 MR. AREIAS: That's correct. But -- but our focus  
20 was how do we manage this excess of abundance, this -- how do  
21 we manage these funds because you had -- you had a generation  
22 of superintendents who had never managed a capital outlay  
23 project, so I brought in Mark Schrader, you know, to train  
24 them to bring in projects on budget, on time, you know, how  
25 to -- how to conduct a competitive bidding process, you know,

1 those -- those types of things because, you know, I mean, 156  
2 million dollars for a bunch of superintendents who had never  
3 managed a project, I mean, it was a problem --

4 MR. PATTON: Okay. So --

5 MR. AREIAS: -- so we spent a lot of time and  
6 resources on that.

7 MR. PATTON: So my question was pretty bad. I asked  
8 you if anybody ever talked to you about surplus funds, and the  
9 response is well, clearly yes, we had a 156 million dollar  
10 infusion of funds and we had a lot of money to work with so --

11 MR. AREIAS: It was my mantra. I would tell people  
12 you get in trouble in state government when you have too much  
13 money.

14 MR. PATTON: But the question -- my real question is  
15 anybody ever tell you we've got an issue with discrepancies --

16 MR. AREIAS: No.

17 MR. PATTON: -- in our reports?

18 MR. AREIAS: No, never.

19 MR. PATTON: Okay.

20 MR. AREIAS: Never.

21 MR. PATTON: All right. And then we covered the OHV  
22 a little bit. I don't know. Who reported to you about  
23 financial status of the OHV accounts?

24 MR. AREIAS: Well, that -- that would have been Dave  
25 Widell who was my -- my Deputy Director.

1 MR. PATTON: Of OHV?

2 MR. AREIAS: Right. Now deceased.

3 MR. PATTON: Okay. And were there any issues you  
4 can -- first of all, any -- ever any mention of we've had a  
5 disparity in reports as to the OHV fund balance?

6 MR. AREIAS: No, I -- you know, at our executive  
7 meeting, I would get regular reports on the OH -- on the  
8 special fund balances. I would get those --

9 MR. PATTON: Yeah.

10 MR. AREIAS: -- and we -- and we would talk about  
11 those but --

12 MR. PATTON: But nobody ever said to you oh, look,  
13 Director, we've got a different number in the Finance reports  
14 as to the Controller's reports?

15 MR. AREIAS: Not that I recall.

16 MR. PATTON: Okay. Did he ever talk about any  
17 peculiarity -- you know, any significant issues in the OH  
18 funds that were brought to your attention, do you recall?

19 MR. AREIAS: You know, I mean, mostly it was -- it  
20 was there were other elements within the Parks family, other  
21 constituencies within that family who were trying to take that  
22 money, but that -- that had been going on from day one, you  
23 know, because I -- you remember how -- well, I described it  
24 that you have the ranger and lifeguard culture and then you  
25 have the environmental groups which increasingly become



1 dependent on the bonds and then you have -- you have the off-  
2 highway vehicle active recreation folks and, you know,  
3 culturally they were just a lot different than the other folks  
4 in Parks and -- you know, and --

5 MR. PATTON: So you were --

6 MR. AREIAS: -- they were trying to expand the number  
7 of off-highway vehicle parks that you have in California, and  
8 trying to locate one of those was like trying to locate a  
9 prison. I mean, it was -- you know, communities were not very  
10 welcoming and environmental groups would fight them and then  
11 they -- they would fight them in terms of trying to -- to  
12 locate the park --

13 MR. PATTON: Okay. I --

14 MR. AREIAS: -- and then when they couldn't get the  
15 park located, then they'd come after their money to try to use  
16 it for something else they wanted to do, and so it was this  
17 constant --

18 MR. PATTON: Okay. I need to take our discussion  
19 kind of to concluding back onto the issue of fund reporting.  
20 So I've asked you -- you've talked with a number of people.  
21 Everyone you've talked to, no one's indicated any prior  
22 knowledge of this issue that's been reported in the paper. Do  
23 you --

24 MR. AREIAS: Other than my discussions which I  
25 described to you with Tony Perez.

1 MR. PATTON: Okay. And -- that's right. And any  
2 other thing you want to add to this discussion on that issue  
3 of the existence of disparity in fund reports to Finance and  
4 Controller? Any other thoughts you've had? Anything I should  
5 have asked you that should be on this record?

6 MR. AREIAS: I don't -- I mean, I'm -- you know, I  
7 really have more questions than I have answers on this stuff.  
8 I mean, I don't -- I'm still trying to figure out, you know,  
9 what went wrong and how -- you know, how this all could have  
10 happened.

11 MR. PATTON: Okay.

12 MR. AREIAS: It's just been -- it's been, you know,  
13 devastating, I think, for State Parks and morale over there  
14 and not to mention the toll it's had on, you know, some  
15 individuals like Ruth Coleman which is, you know, a sad way to  
16 leave her position.

17 MR. PATTON: Okay. Do you have any -- I don't even  
18 want to ask for an opinion, but I think we're going to  
19 conclude at that unless you have anything further you want to  
20 add.

21 MR. AREIAS: I don't have anything else.

22 MR. PATTON: Okay. We will go off --

23 MR. AREIAS: Thank you.

24 MR. PATTON: -- go off the record at 10:53.

25 (Off the record at 10:53 AM)

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TRANSCRIBER'S CERTIFICATE

Rusty Areias interview on 9-27-12

STATE OF CALIFORNIA        )  
  )  ss.  
COUNTY OF SACRAMENTO     )

          This is to certify that I transcribed the foregoing  
pages 1 to 34 to the best of my ability from an audio  
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          I have subscribed this certificate at New York, New  
York, this 4th day of October, 2012.

\_\_\_\_\_

Donna Gould  
eScribers, Inc.

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[& - briefly]

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[bring - director]

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[identify - morale]

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[widell - york]

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