

EXHIBIT 13

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

KAREN DAVIDSON, DEBBIE FLITMAN,
EUGENE PERRY, SYLVIA WEBBER,
AND AMERICAN CIVIL LIBERTIES
UNION OF RHODE ISLAND, INC.,

Plaintiff

C.A. No. 1:14-CV-00091-L-LDA

v.

CITY OF CRANSTON, RHODE ISLAND,

Defendant

DEFENDANT'S RESPONSE TO PLAINTIFFS' FIRST SET OF INTERROGATORIES

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, the City of Cranston, Rhode Island (the "City"), by Mayor Allan Fung and its undersigned counsel, hereby answers and objects to Plaintiffs' First Set of Interrogatories (the "Interrogatories") as follows:

OBJECTIONS AND RESPONSES

The City does not concede that any information requested is properly discoverable from the City, relevant to the subject matters of this lawsuit, admissible as evidence or reasonably calculated to lead to the discovery of admissible evidence.

The City will respond to the Interrogatories as reasonably understood and interpreted. The City reserves the right to supplement or alter this response. The City also reserves the right to rely, at the time of trial or in other proceedings in this action, upon documents and evidence in addition to the responses provided herein regardless of whether, inter alia, any such documents and evidence are newly discovered or are currently in existence.

Counsel for the City will be prepared to discuss the objections presented herein with counsel for the plaintiffs for the purpose of resolving any disputes that may arise without the need for intervention by the Court.

INTERROGATORY NO. 1:

For any Request for Admission (submitted separately and contemporaneously) to which the answer is anything other than an unqualified admission, provide all facts and/or reason(s) for the denial, qualification or otherwise declination to admit the alleged facts.

ANSWER 1:

Based on the City's response to plaintiffs' Request for Admission, no response is required.

INTERROGATORY NO. 2:

Identify each occasion between January 1, 2003 and December 31, 2012 on which the needs, interests, and/or welfare of the person incarcerated at the Adult Correctional Institutions (ACI), or any issues pertaining to the interests or experience of those incarcerated at the ACI, has been discussed at, and/or has been an explicit agenda item for, any meeting of the Cranston City Council.

ANSWER 2:

Objection. Interrogatory No. 2 is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving said objection, the City refers to and fully incorporates herein its responses to plaintiffs' request for production of documents. Answering further, the City states that discovery is ongoing, and the City expressly reserves its right to supplement this response as new evidence is discovered.

INTERROGATORY NO. 3:

Are children of persons incarcerated at the ACI whose parents are not otherwise residents of the City of Cranston eligible to attend Cranston public schools by claiming residence of a parent at the ACI?

ANSWER 3:

Objection. Interrogatory No. 3 is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving said objection, the City responds in the negative to the inquiry.

INTERROGATORY NO. 4:

Are there now, or have there ever been, any children of persons incarcerated at the ACI enrolled in Cranston public schools, other than the children of parents who lived in Cranston prior to being incarcerated at the ACI?

ANSWER 4:

Objection. Interrogatory No. 4 is irrelevant and not reasonably likely to result in the discovery of admissible evidence. This Interrogatory is also overbroad and unduly burdensome in that the City could not possibly have knowledge as to whether any child of a person incarcerated at the ACI who did not live in Cranston prior to incarceration has ever been enrolled in a City public school.

INTERROGATORY NO. 5:

Identify each occasion between January 1, 2003 and December 31, 2012 on which the City of Cranston has attempted to apply any of its local ordinances to the incarcerated population of the ACI, and describe the number and nature of all such instances.

ANSWER 5:

The City states affirmatively that certain ordinances are applied to the ACI population as whole, including but not limited to sewer service. Other examples are more fully detailed in the City's responses to the plaintiffs' request for production of documents.

Answering further, the City states that discovery is ongoing, and the City expressly reserves its right to supplement this response as new evidence is discovered.

INTERROGATORY NO. 6:

Do you contend that individuals incarcerated at the ACI have access to or have made use of City of Cranston services or resources? If so, please describe the number and nature of each of these instances that occurred between January 1, 2003 and December 31, 2012.

ANSWER 6:

The City states affirmatively that incarcerated individuals at the ACI have access to and use the City's services and resources. There are several examples of such use. Those examples are more fully detailed in the City's responses to the plaintiffs' request for production of documents. Answering further, the City states that discovery is ongoing, and the City expressly reserves its right to supplement this response as new evidence is discovered.

The City also states that the individuals incarcerated at the ACI tax the City's sewer service system. The incarcerated population and visitors thereof have access to and use the City's police, fire and rescue services as calls are made from the ACI.

For approximately the last 25 years, the City's Senior Center has had a relationship with the ACI population in the Senior Center Work Program. In that program, three minimum security incarcerated individuals work in the nutrition division of the senior meals program assisting in various tasks that will aid the individual with finding employment once released.

Additionally, the City's Records Department and Probate Court has a long-standing practice of issuing proxy marriage licenses to individuals incarcerated at the ACI. Many cities/towns refuse to issue proxy marriage licenses while one marriage participant is incarcerated in the ACI. Prior to 2013, if a bride resided outside of this State, the proxy license would be issued in the city/town where the groom resided. Ultimately, the brides, for example, would request proxy marriage licenses from Cranston when the groom was incarcerated at the ACI. Subsequent to 2013, those seeking proxy marriage licenses request such licenses from the City because one of the two participants is incarcerated in the ACI. In 2014, four (4) proxy marriage licenses have been issued to ACI inmates from the City.

INTERROGATORY NO. 7:

Identify each occasion between January 1, 2003 and December 31, 2013 on which any incarcerated person at the ACI has communicated in any way with the Mayor, City Council, and/or any member of City Council, and any response to that communication provided by the Mayor, City Council, and/or any member of the City Council.

ANSWER 7:

Objection. Interrogatory No. 7 is irrelevant, overbroad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving said objection, the City states that in the week of May 4th of 2014, the Mayor toured the ACI on its Family and Friends Day. Additionally, the Mayor has occasionally interacted with members of the work release program from the ACI during events at the Cranston Senior Center. Answering further, the City states that discovery is ongoing, and the City expressly reserves its right to supplement this response as new evidence is discovered.

INTERROGATORY NO. 8:

Identify each occasion between January 1, 2003 and December 31, 2012 on which any family members or other visitors of persons incarcerated at the ACI, who are not themselves residents of Cranston, communicated any feedback or concerns to the Mayor, City Council, and/or any member of the City Council, about their visitation experiences or the welfare or experiences of individuals incarcerated at the ACI, and any action the City Council has taken in response.

ANSWER 8:

Objection. Interrogatory No. 8 is irrelevant, overbroad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving said objection, the City is not aware of any such communication under its care, custody or control. Answering further, the City states that discovery is ongoing, and the City expressly reserves its right to supplement this response as new evidence is discovered.

INTERROGATORY NO. 9:

Identify each occasion between January 1, 2003 and December 31, 2012 on which the Mayor and/or any member of the City Council has visited any person or persons incarcerated at the ACI.

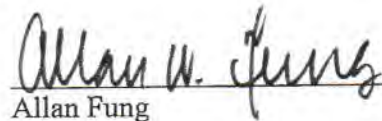
ANSWER 9:

Objection. Interrogatory No. 9 is irrelevant, overbroad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving said objection, the City states that in the week of May 4th of 2014, the Mayor toured the ACI on its Family and Friends Day. Answering further, the City states that discovery is ongoing, and the City expressly reserves its right to supplement this response as new evidence is discovered.

VERIFICATION

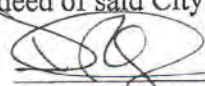
I, Allan Fung, declare as follows:

1. I am the Mayor of the City of Cranston, Rhode Island and am authorized to make this verification on behalf of the City of Cranston, Rhode Island.
2. The Answers to Interrogatories in the referenced matter were prepared from information gathered by City of Cranston, Rhode Island and its agents and from a review of various files and records. Subject to the foregoing limitations, I am informed and believe, and on that basis allege, that the answers given are true and correct.
3. I declare under penalty of perjury, pursuant to the laws of the United States of America and of the State of Rhode Island that the foregoing is true and correct to the best of my knowledge and belief.


 Allan Fung

STATE OF RHODE ISLAND
 COUNTY OF PROVIDENCE

In Cranston in said County, on this 22nd day of December, 2014 before me personally appeared Allan Fung, to me known and known by me or proved to me through satisfactory evidence of identification, which was personally known to me [type of identification] to be the Mayor of the City of Cranston, Rhode Island, and the person executing the foregoing instrument on behalf of, The City of Cranston, Rhode Island, the party executing this instrument, and he acknowledged said instrument by him so executed to be his free act and deed in such capacity and the free act and deed of said City of Cranston, Rhode Island.


 Notary Public
 Print Name: David J. Pellegrino
 My Commission Expires: 8/29/17
 Notary Identification Number: 62348

David J. Pellegrino
 Notary Public
 State of Rhode Island
 My Commission Expires
 August 29, 2017

As to Objections

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DATED: December 22, 2014

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing DEFENDANT'S RESPONSE TO PLAINTIFF'S INTERROGATORIES was mailed, postage prepaid, on this *22nd* day of December, 2014 to:

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