

EXHIBIT 19

**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' SECOND 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' Second Set of Interrogatories (the "Interrogatories") as follows:

INTERROGATORY NO. 1:

Identify each occasion, of which the City is aware, of the active maintenance of records of voters registered in the City of Cranston by the State of Rhode Island, the County of Providence, or the Board of Canvassers, including but not limited to purging or other list maintenance activities. Active maintenance does not include adding individual voters to the list of registered voters.

ANSWER 1:

Objection. Interrogatory No. 1 is irrelevant, vague, ambiguous and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further states that such records held by the Secretary of State are not within the care, custody, or control of the

City. Additionally, this Interrogatory is unduly burdensome in that it requests documents that are not sufficiently limited in scope to comply with the Rules of Civil Procedure.

INTERROGATORY NO. 2:

Based upon records in the City's possession, identify the number of communications or contacts between January 1, 2008 and December 31, 2012 a) between the Mayor and any constituent; b) between any member of the City Council and any constituent; and c) between any School Committee member and any constituent.

ANSWER 2:

Objection. Interrogatory No. 7 is irrelevant, overbroad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 3:

Identify the names of the persons who have served the City of Cranston anytime between January 1, 2003 and December 31, 2012 as Mayor, At-Large-City Councilor, or Ward 6 City Councilor.

ANSWER 3:

Objection. Interrogatory No. 3 seeks information that is irrelevant, not reasonably calculated to lead to the discovery of admissible evidence, and publicly available.

Notwithstanding and without waiving said objection, the following is in response to Interrogatory No. 3:

YEAR OF TERM	MAYOR	COUNCIL CITY-WIDE	COUNCIL WARD 6
2003-2004	Stephen Laffey	Peter Pastore Allan Fung Randall Jackvony	Kirk McDonough
2005-2006	Stephen Laffey	Aram Garabedian Allan Fung Michael Pisaturo	Jeffrey Barone
2007-2008	Michael Napolitano	Aram Garabedian John Lanni Anthony Lupino	Jeffrey Barone

2009-2010	Allan Fung	John Lanni Anthony Lupino Mario Aceto	Michelle Bergin-Andrews
2011-2012	Allan Fung	Anthony Lupino James Donahue Leslie Luciano	Michael Favicchio

INTERROGATORY NO. 4:

With respect to the police records the City produced pursuant to Plaintiffs' first document request (Bates #81-210), identify the entries that describe or relate to a) police responses to incidents within the boundaries of the ACI or relating directly to a staff member of the ACI or a person incarcerated therein ; b) police responses to incidents in the vicinity of the ACI that do not relate directly to a staff member of the ACI or a person incarcerated therein; c) transports of persons arrested by Cranston police to the ACI for purposes of confinement therein; or d) other.

ANSWER 4:

Objection. Interrogatory No. 4 is irrelevant, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. The City also objects as already asked and answered. Plaintiffs have the information available to it and made inquiries along this line of questioning to the person most knowledgeable in its Fed. R. Civ. Pro. 30(b)(6) deposition.

INTERROGATORY NO. 5:

Of the 2,365 total fire and rescue calls related to the ACI between and including 2003 and 2012 identified in the City's response to Plaintiffs' first document requests, identify which of these calls was related to which particular facility within the state complex, including but not limited to the Maximum Security, High Security, Women's Facilities, Eleanor Slater Hospital, and Harrington Hall homeless shelter.

ANSWER 5:

Objection. Interrogatory No. 4 is irrelevant, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. The City also objects as already asked and answered. Plaintiffs have the information available to it and made inquiries along this line of questioning to the person most knowledgeable in its Fed. R. Civ. Pro. 30(b)(6) deposition.

INTERROGATORY NO. 6:

Identify the total number of calls for assistance that the Cranston Police Department received and/or responded to each year for the years between and including 2003 and 2012.

ANSWER 6:

Objection. Interrogatory No. 6 is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving said objection, below are the total number of calls for assistance that the Cranston Police Department received and/or responded to for the years between and including 2003 and 2014.

2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
58,869	67,547	63,720	72,083	71,853	66,866	66,423	67,151	65,730	66,966	68,863	64,591

INTERROGATORY NO. 7:

Identify the total number of calls for assistance that the Cranston Fire Department received and/or responded to each year for the years between and including 2003 and 2012.

ANSWER 7:

Objection. Interrogatory No. 7 is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving said objection,

below are the total number of calls for assistance that the Cranston Fire Department received and/or responded to for the years between and including 2003 and 2012:

2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
13,192	13,310	14,141	13,727	13,926	14,237	13,664	15,507	14,925	14,582

INTERROGATORY NO. 8:

What is and has been the total annual budget of the Cranston Police Department for 2008 through the current year?

ANSWER 8:

Objection. Interrogatory No. 8 is ambiguous, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving said objection, the City states that, to the extent it understands the inquiry, it provides the following annual fiscal year budgeted amounts for the Cranston Police Department:

Year	
2008	19,571,954
2009	20,324,576
2010	19,131,958
2011	20,651,716
2012	22,083,509
2013	19,371,211
2014	20,237,665
2015	20,712,254

INTERROGATORY NO. 9:

Has the budget of the Cranston Police Department at any time been divided, allocated, or otherwise demarcated by City ward?

ANSWER 9:

Objection. Interrogatory No. 9 is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving said objection, the City has no knowledge of the budget of the Cranston Police Department at any time being divided, allocated, or otherwise demarcated by City ward.

INTERROGATORY NO. 10:

What is and has been the total annual budget of the Cranston Fire Department for 2008 through the current year?

ANSWER 10:

Objection. Interrogatory No. 10 is ambiguous, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving said objection, the City states that, to the extent it understands the inquiry, it provides the following annual fiscal year budgeted amounts for the Cranston Fire Department:

Year	
2008	25,001,861
2009	25,849,090
2010	27,581,454
2011	29,331,205
2012	29,411,058
2013	26,847,676
2014	28,939,091

2015	29,134,614
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INTERROGATORY NO. 11:

Has the budget of the Cranston Fire Department at any time been divided, allocated, or otherwise demarcated by City ward?

ANSWER 11:

Objection. Interrogatory No. 9 is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving said objection, the City has no knowledge of the budget of the Cranston Fire Department at any time being divided, allocated, or otherwise demarcated by City ward.

INTERROGATORY NO. 12:

Does the City incur any sewage costs related to the ACI for which it is not fully compensated by the Rhode Island Department of Corrections pursuant to sewage contracts or memoranda of understanding produced for this litigation as Bates #s 40 – 70? If so, please provide documentation of such costs.

ANSWER 12:

Objection. Interrogatory No. 12 is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. The City also objects to Interrogatory No. 12 in that it is ambiguous as to the use of the phrase “fully compensated”. Notwithstanding, without waiving said objection and to the extent the City understands the question, the City states that the State of Rhode Island is billed for the entire state complex.

INTERROGATORY NO. 13:

How does the City determine the assessed value of the ACI for the purposes of applying for funding through the State’s payment in lieu of taxes (PILOT) program? What

factors are used to determine the value, and is the assessed value related in any way to the number of persons actually incarcerated or otherwise housed in the facility?

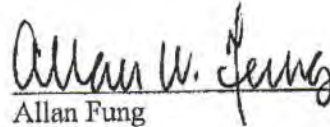
ANSWER 13:

Objection. Interrogatory No. 13 is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving these objections, the City states that, similar to every property in the City, assessment value is calculated by replacement cost minus depreciation. Further, triennial revaluations are conducted to assure properties are assessed at full and fair cash value, not to exceed 100%, according to state law. Location, quality, quantity, use and age of each property are some of the basic factors in determining value. The assessed value is in no way related to the number of people in the facility.

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 30th day of March, 2015 before me personally appeared Allan Fung, to me known and known by me or proved to me through satisfactory evidence of identification, which was personal knowledge [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: Robert J. Coupe
 My Commission Expires: 10/10/2015
 Notary Identification Number: 61147

As to Objections

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DATED: March 30, 2015

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing DEFENDANT'S RESPONSE TO PLAINTIFF'S SECOND SET OF INTERROGATORIES was e-mailed on this 30th day of March, 2015 to:

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