

# **EXHIBIT B**

**In The Matter Of:**

*Davidson vs  
City of Cranston*

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*Debbie Flitman  
January 30, 2015*

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1 district, police force.  
 2 Q. Anything else?  
 3 A. Not that I recall.  
 4 Q. Have you ever reached out to your councilman  
 5 individually for any particular issue?  
 6 A. Not that I recall.  
 7 Q. Have you reached out to the council at large,  
 8 the council -- strike that. Have you ever reached out  
 9 via e-mail like you did with the school committee to  
 10 the entire council?  
 11 A. Not that I recall.  
 12 Q. So other than attending the council meetings you  
 13 mentioned, have you had any interaction with your  
 14 councilman regarding City business?  
 15 A. No.  
 16 Q. Have you ever attended a City Council meeting  
 17 regarding redistricting?  
 18 A. No.  
 19 Q. Have you ever reached out to your councilman  
 20 regarding redistricting?  
 21 A. No.  
 22 Q. When did you decide to take action to cause the  
 23 complaint to be filed against Cranston?  
 24 A. When I heard there was an issue regarding  
 25 this matter.

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1 Q. How did you hear there was an issue regarding  
 2 this matter?  
 3 A. I don't recall exactly. It could either have  
 4 been in the newspaper or from the ACLU.  
 5 Q. Are you a member of the ACLU?  
 6 A. Yes.  
 7 Q. Are you on the board of the ACLU, local chapter  
 8 of the ACLU?  
 9 A. Yes.  
 10 Q. Do you hold a position on the board?  
 11 A. No, I don't.  
 12 Q. How long have you been a member of the ACLU  
 13 Rhode Island?  
 14 A. I've been a member for two years, to the best  
 15 of my knowledge. Something like that.  
 16 Q. So would you say that's 2013 or 2012?  
 17 A. 2013. I guess I became a member exactly in  
 18 2013.  
 19 Q. Did you join the board at that time, or were you  
 20 a member?  
 21 A. No, I did not join the board at that time.  
 22 Q. When did you join the board?  
 23 A. I was elected to the board 12 months ago.  
 24 Q. How did the ACLU notify you of the redistricting  
 25 issue?

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1 A. To the best of my recollection, by e-mail.  
 2 Q. Did you have ACLU meetings regarding the  
 3 redistricting issue?  
 4 A. I was not at any ACLU meeting where they  
 5 discussed that.  
 6 Q. So you never attended any meeting where that was  
 7 discussed?  
 8 A. No.  
 9 Q. In your own words, what is the redistricting  
 10 issue?  
 11 MR. LIOZ: Objection, legal conclusion.  
 12 A. Well, in my opinion, it's that the prisoners  
 13 at the ACI that are serving time under a misdemeanor  
 14 charge, or just maybe waiting until they show up for  
 15 court, are being counted as part of the voting  
 16 population in that ward.  
 17 I don't think they should be part of that voting  
 18 population, because they reside someplace else. You  
 19 know, they have a permanent address someplace else.  
 20 That's where they vote from.  
 21 Q. To your knowledge, is the population that's  
 22 counted toward the voting group, is it just the medium  
 23 security and the other group you mentioned, or is it  
 24 the entire population of the ACI?  
 25 MR. LIOZ: Objection, calls for

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1 speculation.  
 2 A. I don't know what kind of securities are at  
 3 the ACI. I don't know how they define security.  
 4 Q. You mentioned two sets of, two sets of people at  
 5 the ACI. You mentioned a medium security, I believe?  
 6 A. No, misdemeanor.  
 7 Q. I apologize. You mentioned misdemeanors, and you  
 8 mentioned intake; is that correct?  
 9 A. Well, I don't know if you call it intake.  
 10 I'm not a lawyer. It's the people that are, maybe  
 11 were arrested last night and they're waiting for their  
 12 day in court, or they were arrested last week and  
 13 they're being held temporarily. I don't really know  
 14 how it works when it comes to jail, thank goodness.  
 15 Q. I appreciate you trying. So it's your contention  
 16 that they should not be counted toward the Cranston  
 17 population?  
 18 MR. LIOZ: Objection, legal conclusion.  
 19 A. It's my opinion that they shouldn't be  
 20 counted as constituents in a certain ward or district.  
 21 Q. What does the word constituent mean to you?  
 22 MR. LIOZ: Objection, legal conclusion.  
 23 A. In my opinion, the constituents are the  
 24 population that an elected official represents as part  
 25 of their public duty.

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1 Q. In your opinion, as part of their public duty do  
2 they represent children?  
3 MR. LIOZ: Objection, legal conclusion.  
4 A. Yes.  
5 Q. Do they represent illegal immigrants?  
6 MR. LIOZ: Objection, legal conclusion.  
7 A. I don't know.  
8 Q. What about students that are temporarily dormed  
9 or living in that particular geographical area?  
10 MR. LIOZ: Objection, legal conclusion.  
11 A. I would say, in my opinion, say yes, they  
12 represent anybody that uses the services in that city  
13 or town.  
14 Q. So in your opinion, if the population of the ACI  
15 is not counted in the geographical bound of Cranston,  
16 where would you have them counted?  
17 MR. LIOZ: Objection, legal conclusion.  
18 A. I think that the people that are incarcerated  
19 should be counted at their last permanent address or  
20 legal address.  
21 Q. We're talking about the State ACI; is that  
22 correct?  
23 A. Well, I don't know who owns the ACI.  
24 Q. Well, to your knowledge, does the City of  
25 Cranston own the ACI?

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1 ward or the City of Cranston. I think they should be  
2 counted out, they should be counted by their legal  
3 residence or where they used to reside prior.  
4 Q. How do you know that everybody in there doesn't  
5 live in Ward 6?  
6 A. I don't know that.  
7 Q. Is it fair to say that there are people in there  
8 from all parts of the state?  
9 MR. LIOZ: Objection, calls for  
10 speculation.  
11 A. My opinion, the residents of the ACI could be  
12 from any state in the union and then some.  
13 Q. Okay. In Paragraph 24, take a look at that for  
14 me, Paragraph 24 of the complaint.  
15 THE WITNESS: Page 6?  
16 MR. PELLEGRINO: Yes.  
17 A. Yes.  
18 Q. Take a look at that paragraph, and let me know  
19 when you're all set.  
20 A. I finished reading it.  
21 Q. Now, just for the record to be clear, you agree  
22 with this paragraph?  
23 A. Yes.  
24 Q. This is an assertion you are making?  
25 A. Yes.

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1 A. I have no idea.  
2 Q. Do you believe that the City of Cranston can  
3 unilaterally not count the population of the ACI for  
4 population purposes?  
5 MR. LIOZ: Objection, speculation, legal  
6 conclusion.  
7 A. I think that the prison population can be  
8 counted, because they are people, but I don't think  
9 they should be considered residents of that district  
10 or that ward of that city, unless they have a  
11 permanent address or a legal address. To the best of  
12 my knowledge, I don't think the ACI is considered  
13 somebody's permanent legal address.  
14 Q. Where did you get that information that it's not  
15 their permanent or legal address at the ACI?  
16 A. It's my opinion.  
17 Q. Do you feel that the issue you raised in the  
18 complaint along with others is a voting issue or  
19 population count issue?  
20 MR. LIOZ: Objection, legal conclusion.  
21 MR. PELLEGRINO: I'm just asking her  
22 opinion on what she brought in the complaint.  
23 A. It's an opinion. I think people have to be  
24 counted, but I don't think they should be counted at  
25 the ACI as part of the resident population of that

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1 Q. The last sentence, the last part of the last  
2 sentence, it says, The City seriously undermined the  
3 central redistricting goal of population equality  
4 among districts; is that correct?  
5 A. Yes.  
6 Q. In your own words, what does that mean?  
7 MR. LIOZ: Objection, calls for legal  
8 conclusion.  
9 A. In my opinion, when the wards were, the wards  
10 or districts are defined by the City of Cranston, it's  
11 based on the population. So that each ward or  
12 district has close to, within, you know, the same  
13 amount of residents that they're representing.  
14 Q. So to your knowledge, the ACI population is  
15 counted within Ward 6 of Cranston, correct?  
16 A. Yes.  
17 Q. That would be a population within the  
18 geographical confines of Ward 6, correct?  
19 MR. LIOZ: Objection, legal conclusion.  
20 MR. PELLEGRINO: There is nothing legal  
21 about that.  
22 A. The residents that they are counting at the  
23 ACI are being counted toward Ward 6, and perhaps  
24 they're also being counted wherever else they live,  
25 where their permanent or legal residence is.

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1 Q. So is your concern about double counting?  
 2 A. Yes.  
 3 Q. Do you have any other concern with regard to this  
 4 redistricting, other than double counting?  
 5 A. Yes.  
 6 Q. What is that?  
 7 A. That my district, my family, myself, we're  
 8 not being treated fairly. We do not, you know,  
 9 they're making Ward 6 seem to have a larger voting  
 10 population than they actually do, because they're  
 11 counting the people in Ward 6 that are in the prison.  
 12 Where I live, they're counting people that are  
 13 really using the services in the City, and it's just  
 14 not equal, because the people that are in the ACI  
 15 don't use the same services that my family does,  
 16 including the schools or the libraries, things like  
 17 that, on a regular basis.  
 18 Q. Do they use other services, to your knowledge?  
 19 MR. LIOZ: Who?  
 20 Q. Do the people in the ACI use City of Cranston  
 21 services, to your knowledge?  
 22 MR. LIOZ: Objection, speculation.  
 23 A. In my opinion, there are some services that  
 24 they might use.  
 25 Q. Like what?

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1 MR. LIOZ: Objection, speculation.  
 2 A. In my opinion, maybe if they are injured and  
 3 need to be transported to the hospital, they might be  
 4 using the fire department to get transported. I can't  
 5 think of really any other service right off the top of  
 6 my head.  
 7 Q. Sewer service?  
 8 MR. LIOZ: Objection, speculation.  
 9 A. I don't know if they're on a sewer or septic.  
 10 I don't know what their plumbing system is like.  
 11 Q. Can you give one example of an action that the  
 12 City Council took that unfairly advantaged Ward 6  
 13 because of the alleged imbalance of power?  
 14 A. Well, in my opinion, every time the Ward 6  
 15 representative or the school committee representative  
 16 speaks publicly, they have been known to say, I speak  
 17 on behalf of all of my constituents. Really by saying  
 18 that, in terms of those in Ward 6, that cannot  
 19 possibly be true.  
 20 Q. Why is that?  
 21 A. Because the people in the ACI are not true  
 22 constituents of that ward. That's not their primary  
 23 or legal residence. They're not using all of the  
 24 services.  
 25 Q. So in your opinion, true constituent is the same

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1 as legal residence?  
 2 MR. LIOZ: Objection, legal conclusion.  
 3 A. No, not legal residence. Residence with a  
 4 legal address. I don't know what their, you know,  
 5 some of them could be, have, you know, they could be  
 6 an immigrant in the process of getting their documents  
 7 in order. I don't know what that status would be, but  
 8 they're not incarcerated.  
 9 Q. What about illegal immigrant; does that change  
 10 your analysis?  
 11 MR. LIOZ: Objection, legal conclusion.  
 12 A. In my opinion, I haven't really thought about  
 13 what the status of an illegal immigrant is in terms of  
 14 services.  
 15 Q. Can you give, very similar question, can you give  
 16 one example of an action the school committee took  
 17 that unfairly advantaged Ward 6 because of its alleged  
 18 imbalance of power?  
 19 A. Well, again, when I've attended school  
 20 committee meetings and they said they're voting a  
 21 certain way on a certain issue based on what they  
 22 think their constituents would want, I think, once  
 23 again, it's not a fair balance. My ward against  
 24 Ward 6.  
 25 Q. Do you know the percentage of the ACI population

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1 who are felons that cannot vote?  
 2 A. No, I don't know.  
 3 Q. Do you know if any inmate could change his or her  
 4 domicile to Cranston?  
 5 MR. LIOZ: Objection, calls for legal  
 6 conclusion and speculation.  
 7 A. Could you ask the question again?  
 8 Q. Do you know if an inmate could choose to change  
 9 his or her domicile to Cranston?  
 10 A. I don't know.  
 11 Q. For redistricting purposes of the General  
 12 Assembly, do you know where the ACI population is  
 13 counted?  
 14 MR. LIOZ: Objection, speculation.  
 15 A. In a district that is not my district.  
 16 Because there is a district for the, it's districts  
 17 for the General Assembly, and then it's wards for the  
 18 school committee and City Council. So it's kind of  
 19 two different things.  
 20 Q. Do you know who the General Assembly  
 21 representative is for where the ACI is geographically  
 22 located?  
 23 A. I believe, to the best of my knowledge, it's  
 24 Representative Mattiello.  
 25 Q. So when, do you know when the state redistricted