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IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION

ASSOCIATION OF COMMUNITY ORGANIZATIONS FOR
REFORM NOW, et al.

VS.

DEBORAH E. SCOTT, et al.

Case No. 08-4084-CV-C-NKL

DEPOSITION OF DIONNE O'NEAL

JUNE 19, 2008

ORIGINAL

Exhibit M

OFFICES MISSOURI ■ ILLINOIS ■ KANSAS

HEADQUARTERS: 711 NORTH ELEVENTH STREET, ST. LOUIS, MISSOURI 63101

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www.midwestlitigation.com

1 A Yes, it is.

2 Q How long have you lived at that address on
3 Maple Avenue?

4 A Ever since February the 18th.

5 Q Is that of 2008, ma'am?

6 A Yes.

7 Q Where did you live before your current
8 address?

9 A 5134 Terry.

10 Q And when did you move to that address?

11 A December the 12th -- I think it's -- well,
12 I stayed there three years, so I'm guessing it was
13 '05, because this is '08 -- '04.

14 Q So, do you think it was sometime in the
15 winter of 2004, that you moved to 5134 Terry?

16 A December the 12th.

17 Q Okay. Have you ever lived at 3039 MLK?

18 A Yes.

19 Q When did you live there?

20 A I moved there in 2001.

21 Q And did you move to the Terry Street
22 address from Martin Luther King?

23 A Yes.

24 Q Have you ever lived on Leduc Street?

25 A Yes.

1 was around the 10th -- it was in the middle of
2 February.

3 Q How often do you have to reapply or
4 recertify your food stamp benefits to keep getting
5 food stamps?

6 A Approximately one every year.

7 Q Has it always been once every year that
8 you've had to reapply?

9 A I would think so.

10 Q Did you go into one of the Department of
11 Social Services offices this February to reapply for
12 food stamps?

13 A No, ma'am.

14 Q So, you haven't been into the office to
15 reapply for food stamps since February of 2007?

16 A Correct.

17 Q Have you reapplied for food stamps since
18 then by mail or over the phone?

19 A I think I've done it once by mail.

20 Q When did you do it by mail?

21 A I can't remember, but I think it's -- it
22 was once -- yeah, it had to be after my daughter
23 passed, in '07.

24 Q Miss O'Neal, did you receive food stamps
25 throughout the year, 2006?

1 A Yes.

2 Q Did you receive food stamps throughout the
3 year, 2004?

4 A Yes.

5 Q And did you also receive food stamps
6 throughout the year, 2003?

7 A I would think so.

8 Q How do you know when it's time to reapply
9 for food stamps?

10 A Because they would send me a letter.

11 Q You mentioned a minute ago that there was
12 one time that you reapplied by mail. Do you
13 actually physically go into one of the Department of
14 Social Services offices to renew your food stamps?

15 A The only reason I would do that is if to
16 start to open up a case.

17 Q So, if you are -- are you familiar with
18 the term reinvestigation?

19 A Yes, ma'am.

20 Q Okay. If there is a reinvestigation, do
21 you have to go into the DSS office to participate in
22 that, to respond to the information that they want
23 for the reinvestigation?

24 A No, ma'am.

25 Q How do you provide that information?

1 A Yeah -- yes, ma'am.

2 Q I'm going to ask you a question about
3 something in paragraph two of that Declaration, and
4 I think if you look at the third page that will be
5 easier to read.

6 When you're referring to public assistance
7 agencies in paragraph two, are you referring to
8 Social Services offices?

9 A Social Services -- yeah, food stamps.

10 Q Okay. Are there any -- the phrase
11 public -- I'm sorry, go ahead, ma'am.

12 A In '93, I wasn't getting any food stamps.
13 I did -- I got some once, but that was only for one
14 month because we moved on Leduc in '94, and I stayed
15 there for six years. And I only got food stamps but
16 one time when I lived on Leduc.

17 Q How long did you get food stamps when you
18 were on Leduc?

19 A One time. And I still do have that old
20 card put up somewhere, but I only got food stamps
21 one time.

22 Q Okay. And how long -- on that one
23 occasion, how long did you receive the food stamps?

24 A I would say one -- two months, I think.

25 Q Did you receive Medicaid the entire time

1 Q Do you remember his name?

2 A I think it's Dave.

3 Q Did you write any part of the Declaration
4 yourself?

5 A No, ma'am, I just signed it.

6 Q Did you read it before you signed it?

7 A He wrote -- he read it to me.

8 Q Okay. Did you -- the Declaration that
9 Dave read to you, is it the same as -- I'm going to
10 back up because what I mean by this is, when Dave
11 first read out the Declaration that he had written
12 out for you to sign, was there anything that needed
13 to be changed on it or that you told him needed to
14 be different because dates were different or
15 anything like that?

16 A Well, about the '93 part, that I didn't --
17 I didn't think to tell him -- well, he didn't
18 explain -- he just read over it --

19 Q Okay.

20 A -- and told me what it was about, and so I
21 signed it.

22 Q What did he tell you that --

23 A As I'm thinking, that's what happened.

24 Q Okay. Do you remember what Dave told you
25 when he told you what the Declaration was about?

1 Commissioners in a lawsuit that you are a party to
2 that's pending in the Western District of Missouri.
3 I do have a couple questions for you today.

4 You indicated that you first registered to
5 vote in 1986, is that correct?

6 A The first time, yes, sir.

7 Q Where did you register to vote in 1986?

8 A It was in a church off of Kingshighway and
9 Cabanne.

10 Q And how did you register to vote?

11 A They mailed me a card, and I walked down
12 the street that evening and registered and voted
13 that evening.

14 Q When you say they mailed you a card, who
15 mailed you a card?

16 A Election voters card that comes in the
17 mail.

18 Q Did you fill out an application at the
19 church?

20 A I can't remember.

21 Q Did you actually vote at the church or did
22 you register to vote?

23 A I registered.

24 Q You registered to vote at the church?

25 A Registered.

1 you moved to Leduc?

2 A Yes, sir. Yes, that was before I voted.
3 So, the first time I went there, they refused me.
4 And then, when they sent me the card like I spoke,
5 then I got a chance to vote, the second time.

6 Q And have you voted since then?

7 A No, sir.

8 Q And that was in 1993?

9 A That's correct.

10 Q Have you ever attempted to vote since
11 1993?

12 A No, sir.

13 Q Have you ever completed a change of
14 address form?

15 A Yes, sir.

16 Q When?

17 A This year, at the post office.

18 Q Who did you provide the change of address
19 form to?

20 A The post office on Kingshighway.

21 Q The United States Post Office?

22 A Yes.

23 Q Did you provide a change of address to
24 anyone else?

25 A No, sir -- well, the SSI, telephone

1 company, people like that, yeah.

2 Q Did you ever provide that change of --
3 your address change information to the St. Louis
4 City Board of Election Commissioners?

5 A No, sir.

6 Q Have you ever lived outside the City of
7 St. Louis?

8 A Yes.

9 Q Have you ever lived outside the City of
10 St. Louis in the last twenty-five years?

11 A Yes.

12 Q When?

13 A You're looking at -- oh, no, no, no.

14 Q Since 1993, have you always lived in the
15 City of St. Louis?

16 A Yes, sir. Yes, sir.

17 Q When you moved to Leduc, you indicated
18 that you completed a form after you attempted to
19 vote?

20 A What I did when I moved on Leduc, I went
21 to the Salvation Army and they -- I couldn't, I
22 could not vote because they did not have my
23 paperwork because I wasn't in that district.

24 And somehow several months later,
25 something came up and the next door neighbor and

1 A No, sir.

2 Q How did you become a member of ACORN?

3 A I was at home and the flier was in my
4 door. And as she would always come down the street,
5 she knocked on my door. And we just became --
6 conversate, and so I just joined.

7 Q And you said she -- I didn't catch her
8 name --

9 A Miss Ruth. I can't remember her last
10 name. Her first name is Ruth.

11 Q Okay, Ruth.

12 A I think her last name is Myers, I think.

13 Q Miss O'Neal, you identified what was
14 marked as Deposition Exhibit 1, that there was an
15 inaccurate statement included in that, I think in
16 paragraph two --

17 A Yes.

18 Q -- in reference to 1993?

19 A Yeah, '93, because when I was living on
20 Terry -- I mean Leduc -- let's see, yeah, Leduc. I
21 got some food stamps once when I was living there.

22 Q Are there any other inaccuracies in the --
23 in what's been marked as Deposition Exhibit Number
24 1?

25 MR. MELLOR: Is all of this accurate for

1

--

2

THE WITNESS: Yeah, it's right.

3

MR. MELLOR: I just want to make clear --

4

MR. PAYNE: Yeah, that's fine.

5

THE WITNESS: Everything is right.

6

MR. MELLOR: Paragraph four --

7

THE WITNESS: Yes, this one here says

8

every six months, that's in paragraph four. It

9

should have been -- sometime -- it is once a

10

year that I go and update the food stamps.

11

Q (By Mr. Payne) And what you have in front

12

of you marked --

13

A Every six months.

14

Q And so, that would be actually every year,

15

is that what you're saying?

16

A Yes, sir.

17

Q Miss O'Neal, have you ever contacted

18

anyone at the St. Louis City Board of Election

19

Commissioners?

20

A No, sir.

21

Q Have you ever had any telephone

22

communication with anyone at the St. Louis City

23

Board of Election Commissioners?

24

A No, sir.

25

Q Have you ever sent any correspondence or