

THE PANEL'S TEN FINDINGS CLASSIFIED BY CATEGORIES OF ERROR

| PANEL FINDINGS | | TYPE OF ERROR | | | | | | | | | |
|----------------|--|---------------|---|---|---|---|---|---|---|---|----|
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| A | Applies Non-Existent Rule | | | | Y | Y | Y | | | | |
| B | Contradicts this Court | | | Y | | | | | | | |
| C | Improper use of Rule 8.4 | Y | | | Y | | | Y | | Y | Y |
| D | Fails to Find "Materiality" | Y | Y | | Y | Y | | | | | |
| E | Fails to Find "Knowledge" | Y | Y | | Y | | | | Y | | |
| F | Contradicts Judges Anderson, Owens, King, or DeFries Report | Y | Y | | | Y | Y | | | Y | |
| G | Misstates record | | Y | Y | | | Y | | Y | Y | Y |

①

“When asked by a Grand Jury member [i]f this mandatory report applied to 14-15 year olds, Mr. Kline states, ‘Yes.’”

–Stephanie Hensel’s complaint letter of July 31, 2008. R.3, 180 (Ex. 7, at 1).

“The Respondent advised the Grand Jury that it would be mandatory to report the fact that a fourteen (14) or fifteen (15) year old child had sex.”

–R.1, 764 (Second Amended Formal Complaint, ¶ 43).

JUROR NO. 14: There is still mandated reporting for a 14- and 15-year-old; correct?

MR. KLINE: Yes. Under the statute, reason to suspect harm caused by sexual abuse. All of this is defined as sexual abuse. The only issue you are dealing with is reason to believe there’s harm caused by.

– Grand Jury transcript of Dec. 17, 2008. R.3, 2432 (Ex. 96, at 37).

②

MR. HAZLETT: Subpoenas to the Department of Labor and Revenue go out right before you start on January 9th. Is that correct?

MS. HENSEL: Yes.

.....

MR. HAZLETT: Before any of those subpoenas went out . . . [did] you know the Aid for Women litigation existed?

MS. HENSEL: No.

R.3, 2485-86.

The Grand Jury voted to issue the Labor and Revenue subpoenas after Mr. Maxwell, Judge McClain, and the Jurors discussed the Aid for Women litigation on January 9, 2008. R.3, 2879-2894 (Ex. 100).

3

“Paragraph 49 of the Formal Complaint alleged that Respondent . . . filed State’s Motion to Enforce Grand Jury Subpoena and Original Citizen Petition *as a public filing* (R.I., 31).”

–Brief of Petitioner, at 70.

Paragraph 49 of the Formal Complaint does not contain the word “public.”

“49. On February 26, 2008, the respondent and John Christopher Pryor, Assistant District Attorney, filed a pleading in the Grand Jury matter entitled State’s Motion to Enforce Grand Jury’s Subpoena and Original Citizen Petition. . . .” R.1, 31 (Formal Complaint of January 10, 2010).