

**McKEAN COUNTY COURT OF COMMON PLEAS**  
**McKean County Courthouse**  
**Smethport, Pennsylvania 16735**

John M. Cleland  
Senior Judge

August 13, 2018

The Hon. Thomas G. Saylor,  
Chief Justice of Pennsylvania  
Pennsylvania Judicial Center  
Harrisburg, PA 17101

Dear Chief Justice Saylor and the Justices of the Supreme Court,

Attached is "Report 1 Interim - Redacted" of the 40th Statewide Investigating Grand Jury, including responses accepted by the supervising judge of the grand jury from individuals and entities that have not filed appeals with the Supreme Court. I have confirmed to Deputy Prothonotary Vaskov that the Office of Attorney General (OAG) has made all necessary temporary redactions and that these materials are ready for public disclosure.

This is the grand jury's complete report, except for redactions made by order of the Court that would reveal the identity of, or contested information linked to the identity of, those persons whose appeals are pending before the Court. As the Court noted in its July 27, 2018 order, the original Report #1 included redactions made by the grand jury. Consistent with the Court's order, the redactions made as a result of that order are identified in Interim Report #1 by the notation "REDACTED -- ONGOING APPELLATE LITIGATION."

In performing my duties as Master, I have been mindful of the Court's clearly expressed intention that the public receive as much information as possible about the work of the investigating grand jury and its report, while at the same time withholding only the minimal information necessary to ensure the reputational rights of those who have filed appeals will be protected until the Court determines if they are entitled to any relief under the Pennsylvania Constitution.

I have performed the process of reviewing and redacting the grand jury's report in compliance with the order and opinion of the Court dated July 27, 2018, and subsequent direction from the Court.

The July 27th order directed me to redact specific and contextual identifying references regarding any person with an appellate challenge to the report pending before the Court. The subsequent guidance directed me to also make redactions as necessary to preserve a petitioner's ability to argue at a later stage of the proceedings, if

given that opportunity, that particular assertions in the report are not supported by the record, while at the same time protecting the petitioner's identity if successful.

On August 3, the OAG submitted to me and the petitioners a version of the report which contained significant redactions in response to the Court's July 27 order. On August 7, some appellants filed objections to the OAG's August 3 version, arguing further redactions were needed. In response to those objections, OAG made additional redactions.

I then reviewed the remaining objections. The August 3 version of the interim report included redactions that had already been made by the grand jury and OAG, as well as redactions made as directed by the July 27 order. Consistent with the Court's July 27 order and subsequent guidance, I made additional redactions to parts of approximately 39 pages. I transmitted those additional redactions to the OAG, with the direction that the revised, redacted materials be provided to me by August 12. Through the office of the Prothonotary, I provided a copy of the additional redactions to all petitioners.

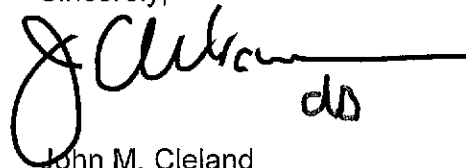
While the OAG submitted an updated version of the interim report and responses on August 12, it failed to make some of my indicated redactions. On my further direction, the OAG corrected its errors, submitting a revised version of the redacted materials on the evening of August 12, and providing a copy to petitioners on the morning of August 13.

My intention has been to preserve as much of the report as possible with the understanding that none of the redactions which the Court ordered are necessarily permanent. These redactions, as clearly directed by the Court, are intended only to preserve the status quo while the Court considers the legal issues raised in the various appeals. At some point, when the appeals have been decided, a final report will be released.

My responsibility as Master did not include redacting the report or any responses to the report to remove information that might reveal the identity of any victims, and I have made that fact clear in correspondence with the OAG. Nevertheless, some of the redactions contained in the attached interim report were made by OAG after its August 3 submission in order to protect victim identities.

In fulfilling my responsibilities as Master, my intention has been to adhere to the Court's direction to strike a balance between assuring the public is informed about a critically important issue while also assuring that the constitutionally protected right to due process, which our Constitution guarantees to all citizens, is afforded to those who have challenged the report's characterization of their conduct.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Cleland", with a long horizontal line extending to the right and the initials "ds" written below the signature.

John M. Cleland  
Senior Judge