

## Exhibit A: Summary and Analysis of Factual Discrepancies and Testimony

This document presents a comparative analysis of the initial incident report, the subsequent videotaped forensic interview, the sworn testimony from the Victim Protective Order (VPO) hearing, and the trial testimony of the forensic interviewer. The analysis identifies significant and irreconcilable discrepancies across these accounts and highlights internal inconsistencies and forensic indicators that undermine the reliability of the allegations.

### I. Fundamental Alteration of the Core Narrative

*(This table remains the same, as it provides the foundational comparison.)*

Feature of Allegation	Initial Disclosure (Police Report)	Forensic Interview Narrative	VPO Hearing Testimony
<b>Location &amp; Context</b>	Living room, on the family couch.	Mother's private bedroom, after the child proactively went in "to snuggle."	<b>Maintains the bedroom story.</b> The child testifies she was in "my mom's bedroom." When asked if she told someone it happened on a couch, she denies it, stating, "No, it happened on a bed."
<b>Mother's Presence</b>	Not stated to be absent.	Explicitly absent from the home ("at the casino").	<b>Maintains the mother's absence.</b> The child testifies, "No, she was out with her friends."
<b>Touching of Suspect</b>	<b>Denied.</b> "Brionna stated she did not touch Dallas' penis."	<b>Affirmed with Force.</b> The narrative evolved to state the suspect "grabbed her hand and made her touch 'it'."	<b>Reverts to "Tried To."</b> The child testifies, "He tried to make me touch his penis," reverting to the initial, less severe allegation.
<b>Number of Incidents</b>	One incident, later amended to "numerous attempts."	Two distinct incidents: the bedroom event and a new wrestling/bra-unhooking event.	<b>Three distinct incidents.</b> The child testifies to the bedroom incident, the wrestling/bra incident, and a new third incident of the suspect touching her leg "in the living room on the couch, too, under a blanket."
<b>Timeline</b>	"sometime between November and	"before Mom and... boyfriend got married,"	<b>Contradictory and confused.</b> The child

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	December of 2018."	when she was 10.	states the main incident was "before Christmas" of the previous year, but the other incidents happened "after Christmas" of "this year."

## II. Deeper Analysis of VPO Hearing Testimony

The sworn testimony at the VPO hearing, occurring just seven days after the forensic interview, introduces new inconsistencies and confirms the narrative's instability through several key admissions and revelations.

- **Adherence to the Original Timeline:** Despite presenting a "new" version of events, the child's testimony repeatedly reverts to the original "before last Christmas" 2018 timeframe when questioned about specific anchor events. When asked if the first incident happened before Christmas, she answers "Yes". This demonstrates that her core memory of the alleged event is anchored to the original, factually problematic timeline, suggesting the "new" details and dates are a more recently learned script.
- **Admission of Pre-Hearing Coaching:** The child admitted under oath to being coached on what to do at the hearing. When asked if she spoke with her parents about coming to court, she replied, "Yes, only a little bit, though". Crucially, when asked if she discussed or asked "what you needed to do here today," she answered "Yes" [cite: 183-184]. This confirms the conversations went beyond simple encouragement and involved instruction on her role in the proceeding.
- [cite\_start]**Use of Coached Terminology:** The child's specific insistence on the word "detectives" when referring to law enforcement, to the point of correcting the defense attorney, is a strong indicator of coached language. Her stepmother even interjects to correct her ("Detectives are police, baby"), demonstrating active management of her testimony during the hearing itself. The child also testified that she "gave statements" to these detectives, though no such statements appear in the record.
- **Judicial Finding on a Lower Standard:** Despite these profound inconsistencies, the judge granted the protective order. [cite\_start]He explicitly stated he was not using a criminal "beyond a reasonable doubt" standard and found the child "pretty consistent" based on her testimony that day, a finding that stands in direct contrast to the documented evolution of her story across the various reports and interviews [cite: 324-326].

*(Sections III, IV, and V from the previous output remain relevant and would follow here.)*

## Revised and Finalized Sub-Propositions for Post-Conviction Claim (IRAC Analysis)

**PROPOSITION 1:** The forensic interview of the child victim is demonstrably unreliable as it was the product of a contaminated process, a conclusion corroborated by the State's own expert witness whose testimony under oath confirmed the process violated the very "best practices" she established for a trustworthy investigation.

**ANALYSIS:** The forensic interviewer testified that best practice requires minimizing the time

between disclosure and interview to "lessen the possibility for others to have influence" and avoiding prior interviews by "lay people." The undisputed facts show a week-long delay filled with multiple, evolving conversations with family members. The interviewer further conceded the child was clearly briefed on the interview's purpose, that the child's account lacked the tactile sensory details expected in a genuine memory, and that she herself used the suggestive technique of repeating the allegations back to the child multiple times. The expert's testimony provides a conclusive framework for finding that the interview failed to meet the statutory requirement of reliability.

**PROPOSITION 2 (VPO Hearing):** The child's sworn testimony at the VPO hearing definitively proved the unreliability of the allegations, as her testimony collapsed into a series of contradictions, admissions of coaching, and reversions to a timeline that constitutes an alibi for the defendant.

**ANALYSIS:** Under oath, the child's narrative proved to be unstable. **First**, her timeline reverted to the original "before last Christmas" 2018 timeframe when questioned about anchor events, revealing her core memory was tied to a period where the defendant was proven not to live in the home. This demonstrates the "new" timeline was a poorly rehearsed script. **Second**, she explicitly admitted to pre-hearing coaching, testifying that she had discussed with her parents "what you needed to do here today." This admission of preparation goes far beyond simple encouragement to tell the truth. **Third**, her testimony on the core allegation regressed, changing from the "forced touching" described in the forensic interview back to the less severe "he tried to make me touch" him from the initial disclosure. This instability, combined with the introduction of yet another new allegation during the hearing, proves the account is not a memory being recalled but a fluid story changing to meet the needs of the moment. The testimony was so internally inconsistent and demonstrably influenced that it failed to establish credible evidence of abuse.