



Written by [R. Cort Kirkwood](#) on July 16, 2012

Freeh: Paterno Lied to Grand Jury About Sandusky

[Joe Paterno](#) ([picture at right](#)), the late storied football coach at [Penn State](#), lied when he told a grand jury that he did not know about a report that his defensive coordinator [Jerry Sandusky](#) molested a boy in 1998, according to the report published by investigators who studied all the evidence at the request of the university.



Former FBI Director [Louis Freeh](#), whose [law firm](#) compiled [the report](#), [said top officials](#) at the university knew of Sandusky's crimes and did nothing to stop them. Their refusal to act in 1998 and afterward permitted Sandusky to wage a campaign of sexual terror on nearly a dozen boys.

On June 22, [a jury convicted](#) Sandusky, 68, of 45 of 48 charges of sexually abusing 10 boys. He targeted the boys through a program, the [Second Mile Foundation](#), that he created for the poor and disadvantaged.

The Findings

[Freeh said](#) his investigators' "[saddening and sobering finding](#) is the total disregard for the safety and welfare of Sandusky's child victims by the most senior leaders at Penn State. The most powerful men at Penn State failed to take any steps for 14 years to protect the children who Sandusky victimized."

Freeh said that Penn State former President [Graham Spanier](#), finance Vice President Gary Schultz, Athletic Director [Tim Curley](#), and Paterno "never demonstrated, through actions or words, any concern for the safety and well-being of Sandusky's victims until after Sandusky's arrest" on November 5, 2011.

[Police arrested](#) Sandusky about two months after the *Patriot-News* in Harrisburg contacted Spanier about a criminal investigation of Sandusky.

"In [critical written correspondence](#) that we uncovered on March 20th of this year," [Freeh said](#), "we see evidence of their proposed plan of action in February 2001 that included reporting allegations about Sandusky to the authorities." That correspondence includes incriminating e-mails that detail what everyone knew and when they knew it. Freeh continued,

After Mr. Curley consulted with Mr. Paterno, however, they changed the plan and decided not to make a report to the authorities. Their failure to protect the February 9, 2001 child victim, or make attempts to identify him, created a dangerous situation for other unknown, unsuspecting young boys who were lured to the Penn State campus and football games by Sandusky and victimized repeatedly by him.

Freeh said "they exposed this child to additional harm" by telling Sandusky, "who was the only one who knew the child's identity," that Assistant Coach [Mike McQueary heard Sandusky](#) sodomizing the boy.

[According to](#) Freeh,



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The most powerful leaders at Penn State University [Spanier, Schultz, Curley, and Paterno] [repeatedly concealed](#) critical facts relating to Sandusky's child abuse from the authorities, the Board of Trustees, Penn State community, and the public at large. Although concern to treat the child abuser humanely was expressly stated, no such sentiments were ever expressed by them for Sandusky's victims.

[The evidence shows](#) that these four men also knew about a 1998 criminal investigation of Sandusky relating to suspected sexual misconduct with a young boy in a Penn State football locker room shower. Again, they showed no concern about that victim. The evidence shows that Mr. Paterno was made aware of the 1998 investigation of Sandusky, followed it closely, but failed to take any action, even though Sandusky had been a key member of his coaching staff for almost 30 years, and had an office just steps away from Mr. Paterno's. At the very least, Mr. Paterno could have alerted the entire football staff, in order to prevent Sandusky from bringing another child into the Lasch Building. Messrs. Spanier, Schultz, Paterno and Curley also failed to alert the Board of Trustees about the 1998 investigation or take any further action against Mr. Sandusky. None of them even spoke to Sandusky about his conduct. In short, nothing was done and Sandusky was allowed to continue with impunity.

Freeh said that when McQueary told Paterno what he saw in the shower, Paterno told the young coach, "You did what you had to do. It is my job now to figure out what we want to do." Asked Freeh, "Why would anyone have to figure out what had to be done in these circumstances?"

[Freeh said,](#)

We also know that he delayed reporting Sandusky's sexual conduct because Mr. Paterno did not "want to interfere" with people's weekend.... Their callous and shocking disregard for child victims was underscored by the Grand Jury, which noted in its November 4, 2011 presentment that there was no "attempt to investigate, to identify Victim 2 or to protect that child or others from similar conduct, except as related to preventing its reoccurrence on University property."

None of these four men took any responsible action after February 2001 other than Mr. Curley informing the Second Mile that Mr. Sandusky had showered with a boy. Even though they all knew about the 1998 incident, the best they could muster to protect Sandusky's victims was to ask Sandusky not to bring his "guests" into the Penn State facilities.

Freeh [also noted](#) that university's board is partly responsible for permitting Sandusky's odious crimes to continue because "after a media report on March 31, 2011, the Board was put on notice about serious allegations that Sandusky was sexually assaulting children on the Penn State campus." Freeh continued,

The Board failed in its duty to make reasonable inquiry into these serious matters and to demand action by the President. The President, a Senior Vice President, and General Counsel did not perform their duty to make timely, thorough and forthright reports of these 1998 and 2001 allegations to the Board. This was a failure of governance for which the Board must also bear responsibility.

Schultz and Curley have been charged [with perjury](#) in connection with their testimony to the grand jury investigating Sandusky. They also face charges of failing to report child abuse. Spanier has not been charged but [was fired](#) along with Paterno.

[Paterno died](#) of lung cancer in January. [According to](#) ESPN.com, legal experts said that if Paterno were



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alive he “could be looking at charges such as child endangerment, perjury and conspiracy,” based upon the findings in [Freeh’s report](#).

The question is whether any other charges will be filed against [Curley, Schultz, and Spanier](#).

Paterno’s Reputation Is Gone

For years, Paterno has been the most notable figure at Penn State and one of the most famous college football coaches in history. He coached at the school for nearly half a century before the Sandusky scandal broke, amassing 409 victories, the record for the most victories by a coach in the Division 1/A Football Bowl Subdivision.

As the *Washington Post’s* [Sally Jenkins wrote](#),

If Paterno knew about ’98 [Sandusky’s molestation of a boy that year], then he wasn’t some aging granddad who was deceived, but [a canny and unfeeling power broker](#) who put protecting his reputation ahead of protecting children.

If he knew about ’98, then he understood the import of graduate assistant Mike McQueary’s distraught account in 2001 that he witnessed Sandusky assaulting a boy in the Penn State showers.

If he knew about ’98, then he also perjured himself before a grand jury.

Guilty.

[Jenkins reminded](#) readers of the interview in which Paterno said he was clueless about the molestation in 1998, which the boy’s mother promptly reported to university police officers.

Wrote Jenkins,

Paterno didn’t always give lucid answers in his final interview conducted with the *Washington Post* eight days before his death, but on this point he was categorical and clear as a bell.

He pled total, lying ignorance of the ’98 investigation into a local mother’s claim Sandusky had groped her son in the shower at the football building. [How could Paterno have no knowledge of this, I asked him?](#)

“Nobody knew,” he said.... “I never heard a thing,” he said.

In fact, Jenkins wrote, “everybody knew” and Paterno “heard everything.”



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