

# ON JOEPA

I was born in 1968. At that point, my grandfather was still a Penn State professor. My mom and her 3 siblings were all Penn State grads. Joe Paterno had been head coach at that point already for a year and a half. My entire life, this football coach has been an institution in my life, one my extended family cherished.

Then again, for much of my life, so was the Catholic Church.

I think Penn State clearly did the right thing by firing JoePa and the college President, Graham Spanier. As ESPN's Chris Fowler pointed out in their coverage, "this forestalls seeing JoePa carried off the field in triumph on Saturday."

For our society to come to grips with the kind of predation of which Sandusky is alleged to have committed, it is crucial that no one, particularly not powerful people like JoePa, escape accountability.

That said, I think that few people commenting on this have read the grand jury presentment in detail. I think that shows two things:

- JoePa avoided legal liability—but absolutely not moral liability—in 2002 when he referred the reports of a rape witness up his nominal chain of command. (If the two men accused of perjury did so to protect JoePa, as I think possible, that may change.)
- JoePa almost certainly forced Jerry Sandusky out in 1999 because of an

investigation into Sandusky's totally inappropriate actions (though apparently not anal rape) discovered in 1998.

The presentment shows that JoePa himself admits to having been informed by a graduate student in 2002 of seeing Sandusky doing something—the graduate student describes it as rape, Paterno described it under oath as “doing something of a sexual nature”—to a young boy.

Joseph V. Paterno testified to receiving the graduate student assistant's report at his home on a Saturday morning. Paterno testified the graduate student was very upset. Paterno called Tim Curley (“Curley”), Penn State Athletic Director and Paterno's immediate supervisor, to his home the very next day, a Sunday, and reported to him that the graduate assistant had seen Jerry Sandusky in the Lasch Building fondling or doing something of a sexual nature to a young boy.

Even putting aside Paterno's reluctance to call this rape, this makes it clear that Paterno learned of this incident and yet reported this only to Penn State officials, not the cops.

That's the only testimony from JoePa in the presentment, so we don't know what else he knew of Sandusky's behavior. But it seems almost certain that JoePa forced Sandusky out in 1999, after an earlier incident got investigated.

The presentment describes Sandusky showering with victim 6, who was then 11 years old, in spring of 1998.

While in the shower, Sandusky approached the boy, grabbed him around the waist, and said, “I'm going to squeeze your guts out.” Sandusky lathered up the boy,

soaping his back because, he said, the boy would not be able to reach it. Sandusky bear-hugged the boy from behind, holding the boy's back against his chest.

When the boy's mother, who reported this to the University Police, asked Sandusky whether his "private parts" touched her son when he hugged him, Sandusky responded, "I don't think so ... maybe."

Ultimately, the county DA decided not to press charges. The detective involved described the director of the campus police telling him to close the investigation. When confronted about this incident, Sandusky admitted it was wrong.

The presentment leaves a lot about this incident—particularly, whether the cops were pressured to drop the investigation, and if so by whom—unmentioned, though it does say there was a lengthy report on it. It also doesn't say whether this is the reason Sandusky was pushed into retirement the following year. It describes that Senior Vice President for Finance and Business, Gary Schultz (who oversaw the campus police), knew of the earlier incident. But here's the explanation Schultz offered for Sandusky's retirement.

Schultz testified that Sandusky retired when Paterno felt it was time to make a coaching change and also to take advantage of an enhanced retirement benefit under Sandusky's state pension.

In addition to this detail from Schultz's testimony the presentment also describes this detail from another victim.

Victim 4 remembers being emotionally upset after having a meeting with Joe Paterno in which Paterno told Sandusky he would not be the next head coach at Penn State and which preceded Sandusky's retirement. Sandusky told Victim 4 not

to tell anyone about the meeting. That meeting occurred in May, 1998.

All of which at least hints that Sandusky was forced out because of the 1998 investigation.

In his press conference last night, Board of Trustees Vice Chair (and US Steel CEO) John Surma made an oblique reference to people offering up information to the trustees, which I thought might be a reference to either the cops or victims or their families sharing information beyond what appears in the presentment (note, too, that one of the presumed victims from this period, referred to as "B.K," didn't testify to the grand jury, because he's serving overseas in the military). And he seemed to suggest the Board knew of additional information that had yet to come out.

But from what we know, there's a strong indication JoePa responded to evidence that Sandusky was abusing boys by separating him from the football program, not by reporting him to the police.