

# Mike McQueary Bombshell: Original 2010 Police Report Reveals Lies

## BACKGROUND OF THEORY: Baldwin Gives Schultz's File to OAG

In my [July 2015 article](#), I put forth strong evidence of the theory that former PSU attorney Cynthia Baldwin had retrieved Gary Schultz's 'secret' Sandusky file (that he actually informed her about) and submitted a copy of the file to the Pennsylvania Office of Attorney General (OAG) in early January 2011 behind her client's back, breaching attorney-client privilege.

At that time Baldwin was representing Penn State's Gary Schultz, Tim Curley, and Joe Paterno (who soon hired outside counsel) who were being questioned in the Jerry Sandusky investigation about a 2001 incident that was reported to them by Mike McQueary.

The article, if true, lays out a strong case of malpractice by Baldwin and exposes many lies of the state actors relating to the 2001 incident where McQueary walked in on Sandusky and a boy showering at night in the Lasch Building.

Gary Schultz testified that he told Baldwin that he may have a file in his old office at Penn State and that it would help him to jog his memory if he could look at it. (We later learn the file was indeed right where he told her it was.) She told him that would not be necessary and that he should not retrieve the file or refresh his memory.

Looking at the evidence produced in my article, it certainly appears that Baldwin retrieved the file, made a copy and gave that copy to the OAG. At this point it seems the PSU men were no longer being looked at to help prosecute Sandusky but rather be prosecuted themselves.

If Baldwin did give Schultz's file to the OAG then they had the exact date of the 2001 incident: February 9, 2001. The file included communications, notes, and emails regarding the 2001 incident that was reported by McQueary to Joe Paterno. Paterno then reported it to Tim Curley and Gary Schultz, and the latter two in turn reported it to Graham Spanier. Looking at the notes, out of context, the OAG felt the PSU men may have failed to report or even covered up the 2001 incident. The OAG was now not only investigating Sandusky but Schultz, Curley, Paterno, and Spanier as well.

The current date at the time of this apparent file transfer from Baldwin to the OAG was early January 2011. The real date posed a problem because the OAG could not make it fit under the existing statute of limitations in 2001. However, a 2002 date could be made to fit under a 2006 amendment to the statute that was enacted in 2007.

At this point, McQueary was not sure if the incident happened in 2001 or 2002. This was golden for the OAG. If the incident happened in 2002, then it was within the limit. Curley and Schultz were charged in November 2011.

As I said in the article, "charging the PSU officials the same day as charging Sandusky helped give birth to the false narrative that Penn State was to blame for Sandusky's crimes.

In essence, the ONLY way for the OAG to charge Curley and Schultz with perjury would have been with the benefit of Schultz's notes and the ONLY way to charge them with Failure to Report in 2011 was to PRETEND they did not have Schultz's notes and then choose the 2002 date (over the correct 2001 date) provided by Mike McQueary."

## THE RUDY RUSE

It is now December 2011, a year has passed since McQueary, Paterno, Curley and Schultz were questioned before the Grand Jury. Sandusky, Curley and Schultz have now been charged.

At this point the OAG is still using 2002 as the year for the shower incident to charge Curley and Schultz. The OAG knows it cannot admit the file was turned over by PSU attorney Baldwin but must somehow 'discover' the correct date before the Sandusky trial so this snafu is not used by the defense to throw out the 2001 incident. After all, Mike McQueary is

their star witness and the 2001 incident is their ace in the hole. (Schultz himself would turn over the file in April 2012 but at this point they don't know that. The OAG would also give it to Freeh who would later claim he discovered the 'secret file' but this would be after the Sandusky trial.)

The OAG must find a way to 'discover' the true date. During this year (from Nov 2010-Dec 2011) they devise a plan. They find a program or movie on tv the night of 2-9-01 and have McQueary 'remember he was watching it' and bingo! They now can go through tv guides to 'discover' the actual date. And they didn't just find any movie, they found a football movie. Who would ever question that?

So, on December 16, 2011 McQueary takes the stand at the first Curley-Schultz preliminary hearing. We now hear, for the first time, the details of that late winter/early spring '2002' evening. McQueary testifies that he in fact was home early that Friday evening, already in bed, watching a football movie. (At Sandusky trial he names the movie - Rudy.) About half way through the movie (around 9pm) he got 'motivated' and decided to go to Lasch building to watch/pick up some recruiting tapes. He also decided to drop his new sneakers off at his locker before going to his office to watch/pick up the tapes.

Of course we know that upon entering the locker room, he hears the showers on, goes to his locker and sees Sandusky and a boy in close proximity to one another in the shower.

The Rudy movie is now part of his official story of the events of that night when he walked in the Lasch locker room.

Interestingly, on cross examination on 12-16-11, when asked if it was 2001 or 2002, McQueary said he was not positive but said 'If you give me 30 minutes I can think of some event in my life to relate whether it was 2001 or 2002. But, not off the top of my head.' It has been a year since the police first sought him out and interviewed him. Wouldn't he at some point during that year have taken 30 minutes to think about life events so he would know without a doubt the exact year the incident took place?

#### TRUE DATE REVEALED

Anthony Sassano, special investigator for OAG, testified at Sandusky's trial that, in order to confirm the exact date of shower incident, he went through 2001 and 2002 tv guides and found Rudy on tv at 8:05pm on February 9, 2001. The OAG has now 'discovered' the true date of the shower incident without ever having to reveal Baldwin's malpractice.

Remember these 'facts.'

McQueary has now testified under oath FOUR times that on the night of the shower incident he was:

- 1) At home in bed by 8pm watching Rudy.
- 2) Was motivated halfway through the movie to go into his office and watch recruiting tapes.
- 3) Left his home and drove to Lasch and on way to his office he first stopped by his locker to drop off sneakers and
- 4) Saw Sandusky in shower with a boy.

Of course, the idea that Baldwin gave the OAG Schultz's file and the OAG fabricated the Rudy movie story for McQueary is all just theory.....up until now.

#### BOMBHELL RECORDS PROVE THEORY

I recently received a bombshell from an anonymous source. I was sent the original November 2010 police report and

handwritten statement of Mike McQueary.

These two pieces of evidence are McQueary's first statements, unadulterated and untainted by any outside force.

In the 2010 police report, Trooper Scott Rossman records the following:

**INTERVIEW: MICHAEL JACOB MCQUEARY:**

On 11/22/10 at 1300 hrs Agent SASSANO and I interviewed Michael MCQUEARY in the presence of his attorney William Timothy FLEMMING at the law office located at [REDACTED]. MCQUEARY related that in March of 2002, the Friday before Penn State went on spring break, he was working late on the campus of the Pennsylvania State University. MCQUEARY related that prior to going home he needed to take his sneakers to his locker which was located in the football building on campus. MCQUEARY related that at approximately 2200 hrs he entered the mens locker room in that building and heard the showers running.

Remember McQueary's sworn testimony from 12-16-11, 6-12-12, 7-29-13, and 10-21-16. Compare these sworn statements (in black) to the **original** police report (in red.)

1) On that Friday evening, I was working late on the PSU campus.

1) On that Friday evening I was home early in bed watching Rudy @8pm.

2) Before going home @ 10pm, I wanted to take my sneakers to my locker in the football building (Lasch.)

2) I got motivated @ 9pm and decided to go to the Lasch building and look at recruiting tapes.

3) Upon entering the locker room

3) I parked the car and upon going into building I went DIRECTLY to locker room to put sneakers away that I had just bought.

4) I saw Sandusky and a boy in the shower.

4) I saw Sandusky and a boy in the shower.

#### AN ABOUT FACE OF THE FRIDAY NIGHT ACCOUNT

It is understandable not to recount specific details from 10 years prior. It is also understandable that some details may change slightly the more you think back and remember. But, his police statement is in DIRECT contradiction to his later testimony under oath.

He tells police he was on campus late that night and before going home he swung by the Lasch building to put sneakers away. A year later he testifies that he was at home in bed watching a movie and decided to go into work to the Lasch building on campus. These two statements could not be more antithetical.

But why? Why would McQueary change his story that he was 'on campus late and went to Lasch building before going home,' to 'being at home in bed early watching a movie and then going to Lasch building on campus later that night?'

There is absolutely no reason why McQueary would lie to police about being at home watching a movie before going to the Lasch building. In addition, On October 21, 2016, at his whistle-blower trial, McQueary, on cross examination testified: In my verbal statement to investigators (11-22-10) 'I told them everything and was as specific as I could. I tried to tell them everything that I could about the incident.'

There you have it. McQueary testifies that in his original, unadulterated police report, he '**told them everything**' and '**was as specific**' as possible. This proves that only afterwards, within that next year, his story changed. And that change had to come from the OAG. As postulated before, the OAG knew the incident happened in 2001 not 2002, but they needed 2002 to stick until they charged the PSU officials. This incredible change of events of McQueary on that night in

2001 is key to proving OAG misconduct. The Rudy Ruse and Baldwin Gives Schultz's File to OAG theory is now becoming less theory and more reality.

(Edit 3/27/16: The Rudy story and his original story just don't jibe. Mike can't say now that when he said 'I was on campus late' meant that is when he came to Lasch to watch the tapes. First of all, it is clear that he was not at Lasch when he was on campus late because he said before going home he wanted to take his sneakers to his locker in the Lasch bldg. (i.e. a totally different place then where he was currently). Secondly, he testified several times that as soon as he got to Lasch, he went straight to his locker. So he was never working/watching tapes at Lasch that night.)

This is the very first statement from McQueary in Nov 2010:

9. STATEMENT:

ON THE FRIDAY BEFORE SPRING BREAK IN EITHER THE YEAR  
2001 OR 2002, 2002 I THINK, AT APPROX 10 PM  
IN THE LASCH FOOTBALL BUILDING ON THE PENN STATE  
CAMPUS I WITNESSED IMPROPER BEHAVIOR BY JERRY SANDUSKY

McQueary wasn't sure of the date, but the OAG later went with 2002 in order to charge Curley and Schultz within the '10 year' statute of limitations. As previously theorized: over that year, from McQueary's first statement on 11-22-10 to his testimony on 12-16-11, the OAG had to figure out a way to 'discover' the 2001 date without outing Baldwin's malfeasance. The 2010 Police Report proves McQueary changed the events of that night. It now appears for certain the OAG fabricated the Rudy Ruse and made McQueary testify to watching the Rudy movie. They now have the basis for 'discovering' the February 9, 2001 date with tv guides.

This complete change of events on the night of February 9, 2001 blows the case wide open in favor of the Penn State men- Paterno, Curley, Schultz and Spanier- who were thrown under the bus by Penn State's own Board and the OAG. It proves that the OAG tampered with McQueary's original story of being on campus late before going home. It proves that McQueary is not credible. And it proves that nothing McQueary testified to can be believed to be 100% truth, especially relating to what he told Paterno, Curley, and Schultz regarding the 2001 shower incident.

The events that McQueary changed about that night were not subtle nuances he suddenly remembered. It was a complete 180 from being on campus late and going to Lasch before going home to being home in bed early watching a movie and then going to Lasch. His police statement that was 'as specific as possible' and included 'everything' did not mention being home, being in bed, watching a movie, being motivated to get out of bed, or going to Lasch to watch recruiting tapes. NONE of those details were in his 'specific as possible' report.

I believe the police report provides a preponderance of evidence that the Rudy story was just a ploy in order for the OAG to 'discover' the real date of the 2001 shower incident before the Sandusky trial. This allowed them to protect Baldwin who committed a breach of ethics when she handed Schultz's file over to the OAG.

In addition, it is possible the defense for Sandusky and/or the defense for the PSU3, had they known the content of the original police report, may have grilled McQueary about this change in his story. His credibility, or lack thereof, would have been hammered home. They also would have most likely questioned him being downtown/on campus late and if he had been drinking. His eyewitness report of seeing Sandusky and a boy in the shower in two, 1-2 second glances would have been that more unreliable had he been tipsy or intoxicated. Changing the story to being home in bed helps avoid such questions, not only for McQueary but for his father and Dr. Dranov as well. I would have liked to hear their answer to whether they had any indication that Mike had been drinking that night.

MORE POLICE STATEMENTS TURNED INTO LIES

In addition to McQueary's blatant change to his original story from being on campus late to being at home early in bed watching a movie, the police report and handwritten statement confirm other discrepancies that I have revealed over the years regarding McQueary's testimony.

In the Nov 2010 Police Report and Hand-written Report, McQueary only mentions 2 glances into the shower. One glance on his way in and one glance on his way out of the locker room. He never mentions slamming a locker, a third glance, or that Sandusky and the boy were separated when he left (testimony he adds later at the hearings and trials.) And again, these two reports were as 'specific as possible' and included 'everything.'

related that the mirror was on the wall in front of the shower entrance to his left, MCQUEARY related that when he looked in the mirror he could see the reflection of the inside of the shower. MCQUEARY related he saw the reflection two naked people in the shower. MCQUEARY related the one person was Jerry SANDUSKY and the other person was a young boy. I asked

that he immediately went to his locker, opened it and put his sneakers in the locker. MCQUEARY related he turned around and started to leave because he just wanted to get out of there as fast as he could. MCQUEARY related as he walked toward the door he looked directly in the direction of the shower and observed SANDUSKY and the boy standing there naked and

HEAR THE SHOWERS RUNNING RUNNING, UPON MY ENTRY I TURNED IMMEDIATELY TO MY RIGHT TO OPEN MY LOCKER. WHILE PLACING ITEMS IN MY LOCKER I LOOKED INTO THE MIRROR AT A 45° ANGLE; IN THE REFLECTION I COULD SEE A YOUNG BOY APPROX. 10/11 YRS OLD FACING A WALL WITH JERRY SANDUSKY DIRECTLY BEHIND

I LOOKED AWAY'. IN A HURRIED/HASTENED STATE, I FINISHED AT MY LOCKER. I PROCEEDED OUT OF THE LOCKER ROOM. WHILE WALKING I LOOKED DIRECTLY INTO THE SHOWER AND BOTH THE BOY AND JERRY SANDUSKY LOOKED DIRECTLY IN MY DIRECTION. AFTER LEAVING THE LOCKER ROOM

In addition, McQueary makes it clear in both documents that he never spoke to law enforcement. In the police report McQueary doesn't remember Gary Schultz's name or his correct title. He says Schultz was VP of Athletics. Which clearly rules out that McQueary believed Schultz was 'head of the police department' when he spoke to him in 2001 (which McQueary claims later during 2011-2013 hearings and trial.)

MCQUEARY related that approximately one week later he met with the Vice President of Athletics and informed him of the incident. MCQUEARY related that he did not remember the name of the Vice President of Athletics however he knew that he retired a few years ago. MCQUEARY further related that a man named Tim CURLY was also present at the meeting when he

avoided SANDUSKY. MCQUEARY related that he did not know if the incident was ever brought to the attention of law enforcement. MCQUEARY related that he was not interviewed by any law enforcement personnel reference the incident.

After the Grand Jury leak McQueary admitted in an email to friends he was 'getting hammered for not doing anything to protect the boy.' He insisted, 'I did have discussions with police and with the official at the university in charge of police.' Also, in McQueary's email to Jonelle Eshbach and Anthony Sassano (OAG) in response to the grand jury presentment leak, McQueary says:

I have not been advised by my counsel on this matter, and my family's life has drastically wrong way. My life has drastically, drastically changed. My family's life has drastically changed. National media, and public opinion has totally, in every single way, ruined me. For what?

They have said "he is worse than Sandusky."

He only began to claim that Gary Schultz was 'police/law enforcement' in November 2011 because he was getting pummeled by peers, the media and the public for not stopping Sandusky. However, when he filed his whistle-blower lawsuit, he contradicted his previous testimony and claimed that 'Gary Schultz was not the police, and police/law enforcement was not contacted, and that Curley & Schultz misled him about their intention of contacting police.'

Clearly, his story changes to suit his needs....and the needs of the OAG.

## REVIEW OF 2010 POLICE REPORT VS LATER TESTIMONY

McQueary's first police report included 'everything' and was 'specific as possible.' If that is true then here are the **untruths (in red)** that have followed:

- 1) I was on campus late that night about to go home before heading to Lasch.  
**(I was actually at home in bed early that night watching Rudy and then went to Lasch.)**
- 2) I looked in the shower twice, once on my way in to my locker and once on my way out of the locker room.  
**(I actually looked into the shower 3 times.)**
- 3) I left because I just wanted to get out of there as fast as I could. I was in a hurried/hastened state. No mention of stopping it or that the two were separated when he left.  
**(I actually slammed the locker door to stop it. The two were separated when I left.)**
- 4) I spoke with Tim Curley and the VP of Athletics (Gary Schultz.) I did not speak to police. I was never interviewed by any law enforcement personnel. **("I did have discussions with police and with the official at the university in charge of police." "Gary Schultz was the police and the official in charge of police." "I thought I was talking to police. Gary Schultz in my mind was head of police.")**

## FUTURE INVESTIGATION?

Yes, Curely and Schultz have recently pleaded guilty to a misdemeanor. And Spanier was just found guilty of one charge, Endangering the Welfare of a Child (EWOC), a misdemeanor, but will no doubt appeal that conviction and likely win.

But will this truth- McQueary's FIRST police statement being totally altered- ever be investigated? Will McQueary ever be held accountable for changing his statements to police and on the witness stand? If he is investigated and found to have committed perjury I feel a lot of truths would begin to unravel.

The whole truth and nothing but the truth still matters and the conduct of so many within the OAG is highly suspect. Would an investigation expose:

Mike McQueary for perjury?

Baldwin for malpractice and pejury?

Sassano for perjury?

OAG/Fina for malpractice?

Maybe Penn State University will do the right thing once and for all and challenge the \$12 Million dollar judgment handed down to them by McQueary's lawsuit decision. They can start with the police report and expose the lies. Maybe then McQueary would finally reveal the nefarious conduct of the OAG. Incidentally, on the witness stand at Spanier's trial this past week, McQueary told the court that the 'OAG called to warn him they were about to leak the Grand Jury Presentment.' Penn State, there is your opening to start defending the school once and for all and uncover the truth. Start with McQueary.

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