

THE REAL FACTS ABOUT JOE PATERNO AND PSU - SUMMARY

CRITICAL ANALYSIS OF THE FREEH REPORT ON THE JERRY SANDUSKY SCANDAL

August 10, 2012

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All words in black are verbatim from The Freeh Report

[My words in blue.]

This report is not for Penn State and Joe Paterno advocates only. It is for everyone who desires justice. It is for anyone who is attending, has attended or will be attending a college. It is for all of you who are collegiate athletes or have been or will be in the future. It is for all intercollegiate fans across the nation and around the world. It is for all of you. If you do not stand against this fictitious and fraudulent work of Freeh which released the unharnessed power of the NCAA, you one day could find yourself gasping for a breath of truth in this sea of injustice too. And finally, this is for the victims of Sandusky who came forward and for those who did not, it is for the victims of child sexual abuse everywhere. If the entire truth of this scandal is not unearthed, then the reality and magnitude of Sandusky's crimes will stay buried forever, leaving countless of innocent children with no hope, with no voice.

The single goal we demand is the complete, unabridged, irrefutable truth.

KEY NOTE:

- On page 2 of the Opening Remarks, Freeh states, 'To be absolutely clear, this public release is the first time anyone outside of our investigation team has seen the report.' On page 3, Freeh states, 'Let me assure you that none of these leaks came from the Special Investigating Counsel team.' [[If NO ONE outside the team had seen or had knowledge of the report, how can you then proclaim that NO ONE inside the team leaked the emails? Both of those statements cannot be true, which means at least one of those statements is a lie.]]

PART ONE- WHO WAS INTERVIEWED BY FREEH'S TEAM?

- Overall, ONLY THREE (3) out of NINETEEN (19) KEY WITNESSES from the 1998 and 2001 incidents WERE INTERVIEWED.
- Freeh states on page 1 of Opening Remarks (OR), that his law firm was 'retained...to conduct a full, fair and completely independent investigation into the facts and circumstances raised by the Grand Jury report and the criminal charges against former Assistant Coach Gerard Sandusky.' (Jerry Sandusky). How can interviewing only 3 key people out of 19 produce a 'full, fair and complete investigation?' On page 2, it says they took steps to 'ensure ...the thoroughness of our investigation.'
- Freeh says 'We analyzed over 3.5 million emails and documents...the discovery of critical 1998 and 2001 emails – **the most important evidence in this investigation.**' [(Emphasis added.) It is important to note here that the ENTIRE BASIS of the conclusions in Freeh's report regarding Joe Paterno's knowledge of Sandusky's criminal behavior of the molestation of boys, lies within 3 sentences of 3 emails out of the 3.5 million emails and documents.

PART TWO- Freeh's Conclusion of Joe Paterno's knowledge of Sandusky's behavior

- Freeh's investigation concludes that the top four men, including Paterno, at PSU knew that Jerry Sandusky was a child molester back in 1998 and for the next 14 years covered it up and did nothing and thus 'allowed' Sandusky to continue to molest young boys year after year from 1998 until 2011, when Sandusky was arrested.

PART THREE-ANALYSIS OF 1998 INVESTIGATION

REVIEW OF 1998 CASE:

- Several staff members and football coaches regularly observed Sandusky showering with young boys in the Lasch Building /football facilities but did not believe the practice to be improper

- In early May, 1998, a mother reports to Univ. Park Police that Jerry Sandusky showered with her son
- The University Park/Campus Police Dept, Children and Youth Services, Dept. of Public Welfare, Prosecutor and District Attorney all handled this 1998 report and investigation
- Psychologist Chambers and her colleagues clearly labeled Sandusky's behavior of showering with a boy as a likely pedophile's pattern, gave her report to Pennsylvania child abuse line and to Det. Schreffler
- Counselor Seasock, who went against orders to interview boy, determined that Sandusky "didn't fit the profile of a pedophile," and that he couldn't find any indication of child abuse. Seasock reviewed with Schreffler.
- DPW caseworker was never given Chambers' report
- It is unclear if Det. Schreffler, who was the lead detective, knew the entire case, reviewed all reports and listened to Jerry's confession, ever discussed Chambers' report to prosecutor Arnold or DA Gricar
- By June 1, 1998, the local District Attorney declined to prosecute Sandusky for his actions with the boy in the shower in the Lasch Building on May 3, 1998 because the case against Sandusky was "severely hampered" by Seasock's report
- The entire 1998 law enforcement team of University Park/Campus Police, CYS, DPW, District Attorney who were paid and trained to protect society all got a free pass by Freeh for letting Jerry Sandusky get away with child sex abuse, even though they had a report that he was a pedophile, had 2 child witnesses and heard Sandusky admit he often took showers with young boys, and then apologized and 'wished he was dead.'

What did Joe Paterno know about the 1998 incident?

- An email originated from Curley on 5/5/98 with subject "Joe Paterno". Curley writes Schultz: "I have touched base with the coach. Keep us posted. Thanks."
- Assuming that 'the coach' refers to Paterno, what does 'touched base' mean? Freeh determines 'touched base' to mean that Paterno was told every detail

about the 1998 investigation. However, since the investigation involves a highly sensitive issue that would be detrimental to Sandusky if not true, and it involved a minor, it is very likely that no details were given to Paterno. It is very possible that Curley ‘touched base’ with Paterno to let him know that the authorities were talking to Sandusky about an issue and that if it developed into anything concrete Curley would divulge the details to Paterno. This email by no means gives any specific evidence of what Curley told Paterno. So to say that Paterno knew the details about this 1998 case is far reaching and only a small possibility, not a probability.

- About a week later from the first email, Curley writes: “Anything new in this department? Coach is anxious to know where it stands.” Freeh alleges that ‘Coach’ refers to Paterno, and that Paterno knows the details and is following this case very closely and is anxious to get updates. However, Freeh assumed ‘the coach’ in the first email refers to Paterno because the subject of the email is ‘Paterno’. So why doesn’t Freeh apply the same logic here and conclude that ‘coach’ in this email refers to Sandusky since the subject of this email is ‘Jerry’? Freeh changes his logic whenever it suits him to make sure that this report points directly at Paterno for being culpable of a cover up for Sandusky’s heinous crimes.
- It is much more reasonable to conclude that ‘coach is anxious’ is referring to Sandusky. #1 because the subject is ‘Jerry’ and #2 because Sandusky is the one who is being investigated and his reputation, career, and life are on the line. He certainly would be anxious. And he would want to know where it stands. And it is most probable that Curley would be in touch with Sandusky because Sandusky is a football coach, a full-time employee of PSU at this time and he is being investigated by the law, so SOMEONE from PSU would be in touch with Sandusky about this matter.
- So here you have 2 of 3 emails of the entire investigation that are ***the most important evidence in this investigation.*** Are they definitive as to who is referred to as ‘coach’? No. Are they definitive as to what exact details were told to ‘coach’? Absolutely not. Therefore, one cannot reasonably conclude that

'coach' in both emails were Paterno nor that Paterno was told any details about the 1998 shower investigation of Sandusky.

- Even with such inconclusive evidence, Freeh states, Despite their knowledge of the [1998] criminal investigation of Sandusky, Spanier, Schultz, Paterno and Curley took no action to limit Sandusky's access to Penn State facilities or took any measures to protect children on their campuses. Again, they showed no concern about the victim. [[These statements make absolutely no sense. Why would the PSU officials limit Sandusky's access to PSU facilities? He was a coach and he was found innocent of any wrong doing by the law enforcement and the DA. Why would Penn State officials need to protect children on their campus? The authorities determined that the children were not being abused, so why would the children need protection from Sandusky? How were the top officials at PSU supposed to show concern for the victim in 1998 when the DA determined there was no victim?]]
- Unfortunately, these are the words and conclusions that everyone heard or read on July 12, 2012. And instead of taking the time to read the actual evidence, the media and public took Freeh's report, which vilified Joe Paterno, as complete truth.

PARTS FOUR and FIVE- See Full Report

PART SIX - ANALYSIS OF 2001 SHOWER INCIDENT

- The true details of this incident are yet to be known as to what exactly did Mike McQueary see in February 2001 and what exactly did Mike McQueary tell Paterno, Curley, and Schultz in 2001. McQuery, Paterno, Schultz, and Curley have varying accounts of what McQueary told them and it appears that McQueary's story has changed since 2001.
- On February 9, 2001 Mike McQueary saw Sandusky and a boy in the football locker room shower. McQueary leaves upset and tells his father and a doctor friend. They ask him if he saw something sexual and said "no" but thought it was over the line. They tell Mike to tell Paterno.

- February 10, 2001, McQueary informs Paterno about the incident.
- February 11, 2001, Paterno informs Curley and Schultz about the incident.
- Freeh's evidence says: A February 12, 2001 meeting between Schultz and Curley reflects that the men 'reviewed 1998 history.' The note states that Schultz and Curley 'agreed [Curley] will discuss with JVP [Paterno] & advise we think Curley should meet with JS [Sandusky] on Friday. Unless he confesses to having a problem, [Curley] will indicate we need to have DPW review the matter as an independent agency concerned with child welfare.' Without ever speaking to McQueary, Schultz and Curley had already decided that not reporting Sandusky's conduct to authorities may be an option. [PLAN A]
- At a February 25, 2001 meeting, Spanier, Schultz and Curley discussed an action plan for addressing the Sandusky incident. Schultz's handwritten notes (Exhibit 5E) from this meeting indicate: "3) Tell Chair of Board of Second Mile 2) Report to Dept of Welfare. 1) Tell JS [Sandusky] to avoid bringing children alone into Lasch Bldg. [PLAN B]
- On February 27, 2001, however, after discussing the matter with Paterno the day before, Curley recommended a different course of action to Spanier and Schultz: they would offer Sandusky 'professional help'; assist him in informing 'his organization'(Second Mile) about the allegation; and, if Sandusky was "cooperative", not inform the Department of Public Welfare of the allegation. [Freeh alleges that Curley talked to Paterno after the Feb. 25 meeting and that Paterno changed Curley/Schultz's minds and convinced Curley/Schultz not go to Dept. of Public Welfare. However, there is no evidence of what Curley told Paterno nor what Paterno told Curley. The only evidence is that Curley was the one uncomfortable going to authorities at that time and he reverted back to his PLAN A, which had nothing to do with Paterno.]
- It appears the handwritten notes Exhibits 5C and 5E are not written by the same person. Freeh says they are both written by Schultz.

PART SEVEN – WAS THERE A COVER UP?

- Freeh concludes that the top four men (Spanier, Schultz, Curley and Paterno) covered up Jerry Sandusky's criminal activity on children for 14 years, dating back to 1998.
- The 1998 shower incident was cleared by law enforcement and the District Attorney. If there was a cover up in 1998 it was by local authorities and not by PSU officials or Joe Paterno
- The 2001 shower incident witnessed by McQueary was told to Paterno who took it to his superiors, Tim Curley and Gary Schultz (head of University Park Police), who he assumed would take care of the allegations and report to proper officials. They informed The Second Mile Chair about this report.
- The Second Mile employed Sandusky full time by 2001, they were aware day in and day out of how much time Sandusky spent with young boys. Why did they not take precautions to protect all those young boys? They were in constant contact with Dept. of Public Welfare and Child and Youth Services because those agencies placed the boys into the Second Mile programs. Why didn't Freeh hold them accountable? After all, Second Mile was Sandusky's employer and was responsible for the boys who Sandusky was showering with. How can this be a fair and complete report without any investigation into Second Mile? Were they covering something up?
- Did the PSU officials make a grave mistake? Yes, in hindsight they did. Was it out of total disregard for the safety of children just to avoid publicity? No. The 'publicity' they speak of in the email is regarding Sandusky's known behavior to shower with boys. It was NOT the publicity of Sandusky molesting boys, because they never knew that until 2011.
- Freeh's conclusions of the top four men covering up Sandusky's criminal behavior is baseless and absolutely false as proven here by his OWN EVIDENCE.