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## Paterno Knew Of Sandusky Abuse In '76, Court Docs Show

By **Braden Campbell**

Law360, New York (July 12, 2016, 4:34 PM ET) -- Longtime Pennsylvania State University football coach Joe Paterno knew former assistant coach Jerry Sandusky molested a teenage boy as far back as 1976 and did nothing about it, according to a cache of documents released on Tuesday in a Pennsylvania state court dispute between the school and its insurer.

In a 2014 deposition, a man known as "John Doe 150" said that he told Paterno in 1976 that Sandusky, who was sentenced in 2012 to 60 years in prison for molesting children, touched him inappropriately in the shower when he attended a football camp at Penn State as a 14-year-old.

The victim said that he told Paterno about the incident the following day but was brushed off and told that Paterno had "a football season to worry about."

"I was shocked, disappointed, offended," the victim said. "I was insulted."

The revelation suggests that the once-revered Paterno knew of the abuse decades before his awareness of a complaint was mentioned in a 1998 email released during the criminal trial in 2012.

The judge overseeing Penn State's suit against Pennsylvania Manufacturers Association Insurance Co. seeking to be reimbursed the millions it paid to defend and settle claims by Sandusky's victims **ordered the records unsealed** last month following a media request.

Other documents suggest other high-profile coaches, including former Tampa Bay Buccaneers head coach Greg Schiano, also knew of the abuse well before Sandusky's trial. In a statement to ESPN, Schiano denied witnessing abuse while he was a Penn State assistant in the 1990s.

According to John Doe 150's account, he was showering with his fellow campers when Sandusky touched him. He shouted, prompting Sandusky to say "I'm sorry. I didn't realize I was getting that close," John Doe 150 testified. The victim said he also told another camper and some of the players and coaches at the camp, none of whom reacted.

In a statement released before the documents were made public, Penn State President Eric J. Barron said that the school remains sympathetic to Sandusky's victims but said the cache should not be taken as proof that Paterno or other school employees knew of the abuse in 1976.

"Although settlements have been reached, it also is important to reiterate that the alleged knowledge of former Penn State employees is not proven, and should not be treated as such," Barron said. "Some individuals deny the claims, and others are unable to defend themselves."

The documents were released alongside an expert report in which insurance underwriter Raymond Williams said that PMA should not be on the hook because Penn State failed to disclose the 1976 incident as well as two instances of "improper sexual contact" between Sandusky and a minor in 1987 and 1988 witnessed by assistant coaches, and a report by an alleged victim given to a

former athletic director in 1988.

Williams said that the insurer would have modified or canceled the school's policy had it been aware of the ongoing sexual abuse.

Earlier this month, the judge who oversaw Sandusky's indictment **said he could not testify** in the former assistant's Pennsylvania state court bid for a new trial.

Penn State is represented by Jerold Oshinsky and Linda Kornfeld of Kasowitz Benson Torres & Friedman LLP, Patrick Wolfe Jr. of Narducci Moore Fleisher Roeberg & Wolfe LLP, and Alexander Bilus of Saul Ewing LLP.

PMA is represented by Steven Engelmyer and Paul Gagne of Kleinbard LLC.

The case is the Pennsylvania State University v. Pennsylvania Manufacturers' Association Insurance Co., case number 131103195, in the Court of Common Pleas of Philadelphia County, Pennsylvania.

--Additional reporting by Rick Archer and Kat Greene. Editing by Stephen Berg.

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