

SANDUSKY vs. SANDUSKY: It's in the Numbers

By Eileen Morgan

The following analysis clearly proves the Penn State Board of Trustees MUST uphold their fiduciary responsibility and review the claim by Matt Sandusky before the settlement is dispersed.

VICTIM 4's PIVOTAL ACCOUNT

In the November 2011 Grand Jury Presentment¹ Victim 4 testified that abuse by Jerry Sandusky began in 1996 or 1997. During the first day of the Sandusky Trial in June 2012, we learned that Victim 4 first went to a Second Mile camp in 1996 but did not actually meet Jerry Sandusky until the next year during the second camp he attended in July 1997. According to Victim 4, the abuse by Sandusky began in the fall of 1997 (Day 1, p. 45)².

Seated in the courtroom that day, in support of Sandusky, were his wife and their children, including 33 year old Matt Sandusky. Matt had publicly stood by and supported his father for years. According to a 2012 NBC News report³, defense attorney Karl Rominger confirmed Matt's support of his father. "You have to understand that Matt has worked with him (Jerry), Matt has helped the defense, Matt literally carried boxes in the courthouse with us," Rominger said. "Matt has given multiple investigators from the government and our side ironclad statements of support for his father."

MATT FLIPS ON HIS FATHER

However, after listening to Victim 4's account that first day of the trial, Matt Sandusky decided to come forward and declare that he too, was abused by Jerry as a child.

In the NBC News report, Michael Isikoff writes:

Matt Sandusky contacted police and volunteered to testify on behalf of the prosecution. In his interview with police, Matt Sandusky was asked directly why he decided to change his previous denials of abuse and cooperate with police.

"I came forward, I mean, for different reasons," he said. "But I mean for my family you know so that they can really have closure and see what the truth actually is. And just to right the wrong, honestly, of going to the grand jury and lying."

Matt Sandusky also said that he has been working with a therapist and, as a result, "more memories are coming back."

Matt Sandusky said his father would enter his bedroom at night and "blow raspberries" on his stomach, then move his hand down his body, rubbing up against his genitals. Matt said he would sometimes cower "in a fetal position" in his bed trying to avoid his father.

¹ <http://www.attorneygeneral.gov/uploadedFiles/Press/Sandusky-Grand-Jury-Presentment.pdf>

² <http://co.centre.pa.us/centreco/media/upload/SANDUSKY%2C%20GERALD%20061112%20JT.pdf>

³ <http://usnews.nbcnews.com/news/2012/06/26/12417694-nbc-exclusive-matt-sandusky-details-alleged-sex-abuse-by-his-father?lite>

Matt told police he was molested, saying that his father would become sexually aroused by rubbing against him in the shower, during wrestling sessions and in bed.

A 2012 online ESPN article⁴ also details Matt's abuse:

"If you were pretending you were asleep and you were touched or rubbed in some way, you could just act like you were rolling over in your sleep, so that you could change positions," Matt Sandusky said.

Matt said that he was undergoing therapy and that his memories of abuse were only now surfacing. He said on the tapes that he tried to flee Sandusky's house and also attempted suicide.

"I know that I really wanted to die at that point in time," he said.

On the recording, Matt Sandusky says he was sexually abused off and on between ages 8 and 15. While being questioned, he said Jerry Sandusky would blow raspberries on his stomach and touch his genitals. The acts described were similar to accounts relayed by eight accusers who offered graphic testimony on the witness stand.

Defense attorney, Karl Rominger, declared that Matt Sandusky, on the tape, makes "allegations that directly contradict sworn testimony ... directly contradict police statements he'd given previously, directly contradict public statements and absolutely contradict everything his family knows."

NBC's Isikoff further reports:

Matt Sandusky also said that his father's molesting stopped when he (Jerry) started to "transition" to another young man who used to stay at the Sandusky house. That boy, now a man known in court documents as "Victim 4," was the first witness at Sandusky's trial, testifying to years of sexual abuse.

The police detective said on the tape, "You told us that you feel (Victim 4) took over for you, and that he was your dad's transition?"

"I believe my dad moved on from me to (Victim 4), yes," Matt Sandusky replied.

⁴ http://espn.go.com/college-football/story/_/id/8097866/penn-state-nittany-lions-jerry-sandusky-adopted-son-talks-sex-abuse

DO THE MATH

Matt Sandusky was born on December 26, 1978. During Jerry Sandusky's trial in 2012, as chronicled above, Matt came forward and told the police he was abused by his father between the ages of 8 and 15. That means the abuse stopped around the end of 1993 into 1994. Matt also proclaimed to police that the abuse stopped when his father 'transitioned' from abusing him (Matt) to abusing Victim 4. However, according to the trial transcript, Victim 4's abuse did not start until the Fall of 1997, making Matt Sandusky almost **19 years old** when the abuse stopped.

Matt Sandusky was very clear about two things on the police recording: 1) the abuse by his father stopped when he was 15 years old and 2) it stopped when the abuse transitioned to Victim 4 in the Fall of 1997. It is IMPOSSIBLE for those two statements to be true. There is almost a 4 year discrepancy in Matt's recollection. Matt was practically a grown man when the abuse allegedly stopped and when Jerry first abused Victim 4.

PSU MAKES SETTLEMENT WITH MATT SANDUSKY

This week it was announced that Penn State University reached a financial settlement with Matt Sandusky. This settlement was based solely on Matt's statements against his father. Matt never testified against Jerry in a court of law. In fact, the only sworn testimony by Matt is in total support and defense of his father.

I have argued in [another article](#) that Penn State should NOT make settlements until the trials of Tim Curley, Graham Spanier, and Gary Schultz have concluded. These trials will once and for all determine Penn State's culpability. But, it is absolutely maddening to think that the Penn State Board of Trustees would not investigate and vet these post-trial allegations of abuse by Jerry Sandusky. How is justice being served to the true victims, who had the courage to come forward and testify, when millions of dollars are being given out to anyone merely claiming to be a victim?

DOES MATT HAVE GROUNDS FOR SETTLEMENT?

In addition, does Matt Sandusky actually have any legal grounds to get a settlement? The ESPN article also stated:

Unless he recovers memory of rape or deviate sexual intercourse, it doesn't appear Jerry Sandusky could still be charged in connection with the allegations by his son.

State Attorney General Linda Kelly said Friday after the verdict that the investigation was continuing. Matt Sandusky's abuse allegations date as far back as the late 1980s, about a decade before the allegations on which Jerry Sandusky was tried.

If the abuse ended by 1995, Matt Sandusky's deadline for pressing criminal charges appears to have expired in 2003 for rape or involuntary deviate sexual intercourse, and in 2000 for lesser sexual abuse, according to sex-crimes prosecutors.

On the civil side, Matt Sandusky may have missed his window for seeking damages from Penn State or others.

In Pennsylvania, accusers must now file lawsuits by age 30 in most cases, though exceptions are theoretically possible in the event of concealment or fraud.

"On the face of it, he's too late ... unless there's an exception around it," said lawyer Jeff Anderson, who filed the first lawsuit against Penn State over other Sandusky allegations. His client is not part of the criminal case because he came forward after the charges were filed.

Not only does the statute of limitations seem to have run out on Matt but why is PSU responsible for the abuse Matt Sandusky endured? It is horrific that he may have been abused, but according to Matt, the abuse ended when he was 15 years old which would have been around 1993-1994. Also according to Matt, the abuse ended when Jerry began abusing Victim 4, which was in 1997. Regardless which, if either, account is correct, the abuse was not reported to PSU and occurred well before 2001, when the Mike McQueary incident was reported to PSU officials.

TRUTH MATTERS

Scores of people on the outside continue to bash the Penn State Community because we won't accept the false narrative against Joe Paterno and our University that the Penn State Board of Trustees has willingly perpetuated by accepting 1) the falsified Freeh Report without review, 2) the illegal NCAA sanctions without a vote, and 3) victim settlements without investigating or sworn testimony. We will not accept the lies that have plagued our community for almost two years because to us, the truth still matters. We will not stop digging and uncovering the facts until the truth is known.

It cannot be repeated enough: The Penn State Board of Trustees **MUST** uphold their fiduciary responsibility and review the claim by Matt Sandusky before the settlement is dispersed.

Eileen Morgan
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