



# Penn State sex abuse scandal chips at Joe Paterno legacy

By Erik Brady and Jack Carey, USA TODAY

STATE COLLEGE, Pa. — [Joe Paterno](#) isn't just [Penn State](#)'s football coach

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He has long been seen as the avuncular symbol of all that is good and right with the game. His 409 wins are the most of any coach in major-college history. They were amassed by generations of players in vanilla uniforms, and without a cheating scandal. Now, a little more than a week after Paterno got his record-setting 409th win, the view of his storied, 46-year career suddenly is undergoing a stark revision — tarnished by a child sexual abuse scandal at Penn State with echoes of the one that rocked the [Roman Catholic Church](#).

Two Penn State officials surrendered Monday to authorities in Harrisburg, Pa., on charges they failed to report suspected abuse by [Jerry Sandusky](#), a former assistant coach. Sandusky, 67, who was on Paterno's staff for more than three decades and widely was seen as his heir apparent before retiring in 1999, is charged with multiple felonies in the alleged abuse of eight boys over a 15-year period.

Paterno, 84, has not been charged, and prosecutors say he is not a target of their investigation. But his actions — or lack of them — have many in the court of public opinion judging him harshly.

According to a grand jury report, a graduate assistant told Paterno in 2002 that he had seen a naked Sandusky sexually assaulting a 10-year-old in the showers at Penn State's athletics complex. Paterno reported this to his bosses, but it's unclear whether he did anything else — such as try to find out what his longtime assistant was doing or find the boy.

The *Harrisburg Patriot-News*, citing people with knowledge of the investigation, identified the former grad assistant as [Mike McQueary](#), now Penn State's receivers coach and recruiting coordinator.

Social critics are suggesting that Paterno and other Penn State officials kept quiet to protect the institution at the expense of children. Some say it's difficult to tell whether the institution they apparently were protecting was Penn State — or Paterno's saintly reputation.

"Sainthood is a word not often used in sports of any kind, college or otherwise," says [Robert Thompson](#), founding director of the Bleier Center for Television and Popular Culture at [Syracuse University](#). "That was a clean operation at Penn State. That's part of what gives this story the punch it's got."

"It's kind of like [Tiger Woods](#). He was this, if not terribly personable, this Mr. Nice Guy. And when that story broke, it was the dissonance between the image of him and what those stories were saying that made them more extraordinary. This story comes out of a program that seemed the epitome of squeaky-clean, and that's what raises its voltage." Penn State athletics director Tim Curley and senior vice president Gary Schultz are accused of failing to report the alleged abuse to police and perjuring themselves before a grand jury. They appeared in court in Harrisburg on Monday, one day after Schultz stepped down from his post and Curley was placed on administrative leave at his request. They were not required to set pleas, but a judge set bail at \$75,000 and ordered that they surrender their passports.

State Attorney General Linda Kelly said Paterno was "not regarded as a target at this point. We believe that under the statute, he had an obligation to report it to the school administrators, and he did that."

Kelly was asked whether Paterno had a moral obligation to go further.

"Those of us who have been in the law for a while know that there is a difference between moral and legal guilt," she said. "Right now, those of us up here are concerned about legal guilt. I'm not going to comment on morality."

State police commissioner Frank Noonan did just that, however. "Somebody has to question about what I would consider the moral requirements for a human being that knows of sexual things that are taking place with a child," Noonan said. He added that means anyone: "Whether you're a football coach or a university president or the guy sweeping the building. I think you have a moral responsibility to call us."

That view is shared by [David Clohessy](#), director of the Survivors Network of those Abused by Priests.

"If I see my neighbor's house being broken into or my neighbor's wife being beaten up, I may not have a legal duty to report it," Clohessy said. "When a child is being sexually violated by a powerful, charismatic adult, the moral imperative to call police is dramatically higher and stronger."

Paul Mones is a sexual abuse attorney and children's rights advocate in Portland, Ore., who has represented victims of sexual abuse in litigation against youth organizations, religious institutions and schools, including suits against the [Boy Scouts of America](#) and the [Catholic Church](#). He declined to comment on the Penn State case directly, but addressed why even a potential witness to child abuse might not step in.

"I don't think it's in our cultural [DNA](#) to intervene in certain situations. I would also say in my almost 30 years of doing this kind of work, it is extremely unusual for someone to walk in at the time a sexual assault on a child is taking place. And so it's almost like the person who witnesses it can't integrate it into their understanding of things as they see the world.

"But clearly if we are to believe the grand jury report that (the grad assistant) told somebody about it, it is the rare person who will intervene, especially in large institutions. You very rarely find reports of abuse where the person is directly confronted. So, for instance, in the Catholic Church cases, when abuse happens, they don't confront the priest and tell him to stop. They go to the person's superior."

Clohessy draws parallels between Penn State officials and Catholic bishops in the church's recent abuse scandal.

"First, their refusal to call police, immediately or ever," he said. "Second, the apparent concern for the reputation of an institution over the safety of kids. And third, the absolute bare minimum of action by smart men who know better."

"You have to question motive here," Clohessy said. "Common sense strongly suggests Paterno was protecting himself, his reputation and the reputation of his football program and the university itself, or some combination thereof."

#### **'He did what he had to do'**

On Penn State's campus, colloquially known as [Happy Valley](#), some students spoke supportively of the coach old enough to be their great-grandfather.

"Apparently, he did what he had to do," said junior [John Diamond](#), 20. "As old as he is, he's just kind of a public figure for us. Everybody loves him because he's always been there and been such a great coach all these years. He should stay until he's ready to leave."

Junior Stephen Kutys, 21, said students from other schools are mocking Penn State.

"They're giving us all this trash," he said. "When you heard about things at other schools, like Ohio State, they would say Penn State is the clean school."

Penn State senior Dan Farbowitz, 24, held a sign calling on Penn State President Graham Spanier — who raised eyebrows last weekend by putting out a statement expressing his absolute support for Curley and Schultz — to step down.

"It's fairly clear what went on," Farbowitz said. "I believe the university leadership needs to be held accountable."

Other signs critical of Spanier, Curley and Paterno were posted in the HUB-Robeson Center, the common meeting place for students at the heart of campus. Pages of newspapers with Sandusky's picture littered the floors of campus buses. Students gathered around television and computer screens as news reports came in from the court proceedings in Harrisburg.

"People here are in shock over it," said R. Scott Kretchmar, a professor of exercise and sports science and editor of the *Journal of Intercollegiate Sport*. "And people are disappointed."

### **A case of crisis management**

Penn State's 12th-ranked Nittany Lions (8-1) host No. 17 Nebraska (7-2) on Saturday. [Bobby Bowden](#), the retired Florida State coach and Paterno's coaching contemporary, expects Paterno to have his team ready.

"He's the No. 1 guy in college coaching, and everybody looks up to Joe," Bowden said. "When something like this occurs to his program, all it just says is, 'Joe, hey, you're just like all of us. You have problems like all of us.' "

"You just have to face it," Bowden said. "You have to bite your lip and say, 'Oh my gosh, this is awful. This will give us a black eye, but we're going to pick up the pieces and we're going to do better.' "

"And I don't know anybody who knows how to do that better than Joe."

David Finkelhor, a professor of sociology at the [University of New Hampshire](#) and director of its Crimes against Children Research Center, said it can be difficult to sort out whether somebody such as Paterno had a responsibility to find out what happened after he reported an incident.

"I sure know that if I had made a report about that kind of thing to my superior on the assumption it was going to get acted on," Finkelhor said, "I would have followed up and said, 'Well, what happened?' ... This is a busy guy who has an awful lot of responsibilities and other stuff on his mind than this particular issue. So I can be sympathetic with it. ...

"It's very hard for big organizations that are in the spotlight to handle this well. There's always concern about: 'How's this going to look for us? How are we going to deal with the negative publicity?' There's always the ability to make the argument that 'Maybe we can handle it better on our own.' "

For all of that, Finkelhor calls Paterno "somebody who has accomplished a great deal and clearly has good judgment in a lot of areas. ... This is somebody who I think probably deserves just a little bit of slack until the evidence really comes out."

Syracuse's Thompson says Joe Paterno, the person, and Penn State football, the program, are by now interchangeable.

"When we say 'Joe Paterno,' I don't know if we're referring to the individual who wakes up every morning and puts on his pants and goes about his business," Thompson said. "We think of Joe Paterno ... as an institution."

"When a story like this breaks, it's natural to ask, 'Who was in charge, and how could they not have known? And were they trying to protect the reputation of the institution, the team, themselves and all of the rest of it?' Reputations are not made in court. Reputations are made in the culture at-large. Who goes to jail is decided in court. The state of one's legacy is seldom decided there."

*Contributing: Nicole Auerbach in Harrisburg, Audrey Snyder in State College and Steve Wieberg*