

## **Branstetter, Jennifer**

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**From:** Tomalis, Ronald  
**Sent:** Tuesday, June 12, 2012 8:52 AM  
**To:** Branstetter, Jennifer  
**Subject:** today's philly inq has the paterno hook.....

[http://www.philly.com/philly/news/20120612\\_E-mails\\_may\\_lead\\_to\\_Spanier\\_charges.html?cmpid=125459078](http://www.philly.com/philly/news/20120612_E-mails_may_lead_to_Spanier_charges.html?cmpid=125459078)

### **Graham Spanier may face charges over e-mails about Sandusky**

By Susan Snyder and Jeremy Roebuck  
Inquirer Staff Writers

Investigators have uncovered e-mails that raise the specter of criminal charges being brought against former Penn State president Graham B. Spanier for his handling of child sexual abuse allegations against assistant football coach Jerry Sandusky, sources said Monday.

The e-mails between Spanier and two former administrators - Timothy Curley and Gary Schultz - included the suggestion it would be "humane" not to contact authorities after Sandusky was seen showering with a young boy in a university locker room. It was unclear from the e-mails, sources said, whether the administrators had been told Sandusky was allegedly molesting the boy as well, as has been claimed since.

While lawyers for Curley and Schultz portrayed the e-mails as showing the administrators trying to "responsibly deal" with the allegations, sources said that the university is preparing for the possibility of charges being brought against Spanier, who was forced to resign in the wake of the scandal.

Members of Pennsylvania State University's board of trustees learned within the last couple weeks that Spanier was facing possible indictment by the state Attorney General's Office, sources said.

Investigators hired by the university to unravel the case unearthed the series of e-mails between Spanier and Curley and Schultz, who already have been indicted on perjury charges in the case.

The e-mails, which the investigators turned over to the Attorney General's Office, led the prosecution to change a key date in the allegation made by Mike McQueary, a former assistant football coach who was then a graduate assistant. McQueary's account of Sandusky raping a boy in a campus shower initially was reported as having occurred in 2002. The e-mails, however, showed that the incident happened in 2001, according to sources familiar with the investigation.

McQueary has alleged he was clear in his account to Curley and Schultz that Sandusky was raping the boy. The administrators say he was much less specific.

It wasn't clear from the e-mails whether Spanier thought the incident was merely "horseplay" as he later told the grand jury that investigated Sandusky or if he had any inkling that it involved sex, according to a source familiar with the content of the e-mails.

That source said the e-mails also indicated that the school's iconic football coach, Joe Paterno, had been consulted by at least one of the three men about the incident.

Spanier has sued the university to obtain the e-mails and has said he will not talk to the university's internal investigators led by former FBI director Louis Freeh unless he gets them. His attorney, Peter Vaira, could not be reached for comment Monday.

The Attorney General's Office declined comment on whether Spanier could be indicted or on the existence of the e-mails.

"Given the ongoing nature of our grand jury investigation, we cannot comment," said spokesman Nils Frederiksen.

But the Attorney General's Office in a court filing in Dauphin County on Monday acknowledged the e-mails and cited them as evidence that perjury charges against Schultz should not be quashed.

"The commonwealth has come into possession of computer data . . . in the form of e-mails between Schultz, Curley, and others that contradict their testimony before the grand jury," the filing said.

Caroline Roberto and Tom Farrell, lawyers for Curley and Schultz, interpreted the information attributed to the e-mails in another way.

They said it shows that both men "conscientiously considered" McQueary's account of the shower encounter between Sandusky and the young boy, reported it to Spanier and "deliberated about how to responsibly deal with the conduct and handle the situation properly."

Penn State acknowledged that the e-mails were discovered in the course of the Freeh investigation but declined to comment further.

"In deference to the legal process, the university could not comment further on the specifics of the ongoing case as it unfolds," said spokesman David La Torre.

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