

July 16, 2017

Len Amato  
President, HBO Films  
1100 Avenue of the Americas  
New York, NY 10036

Dear Mr. Amato,

When it was announced several years ago that Ed Pressman had optioned Joe Posnanski 's book, *Paterno*, I sought a dialogue with Melissa Glassman, a production assistant in Pressman's office. At that time, with the Sandusky/Second Mile scandal in full public view, there were many more questions than answers. As a concerned alumnus, my interest was in the truth – primarily, understanding how a pedophile like Sandusky could operate as he did, and secondarily, understanding why Penn State (its administrators, football program AND entire culture) was being so unfairly – and irrationally –blamed. Melissa graciously accepted my phone calls and was on the receiving end of dozens of press releases from Penn Staters for Responsible Stewardship, a volunteer watchdog organization – NOT affiliated with the University – of which I'm a part, that's been seeking truth and transparency in light of this tragedy.

It is my hope is that before she left Pressman, Melissa shared that folder of information with someone who is working on the current project. It would've been a treasure trove of information for your researchers and writers as your group moves into full production on the Paterno project, set to begin filming on Monday.

For the last several weeks, I've been working alongside, and on behalf of, the Paterno family to open a line of communication, and perhaps facilitate a meeting with the production team to contribute to the accuracy of the project. To be sure, Joe Paterno's 85 years -- 66 of them spent at Penn State – as a husband, father, educator, coach, philanthropist and humanitarian should not be defined entirely by the Sandusky tragedy. He was actually lauded for his expediency and professionalism in handling the original Sandusky report. However, as you know, in recent years, the media has treated Paterno as if he had acted otherwise, seeking to discredit his lifetime of accomplishments with often false, outlandish and nearly always unsubstantiated reporting.

Simply stated, if your fact-checkers have been checking against media reports, they likely do not have all the facts.

In the interest of time, I've taken the liberty to list some of the most misreported or underreported FACTS about the complex Sandusky story as they pertain specifically to Joe Paterno. Certainly, there are many more. I've also attached for you a relevant and very thoughtful letter recently sent to Al Pacino, for his consideration, as he embarks on his role as Paterno.

Thank you in advance for reviewing these documents at this stage in your project. With your commitment to truth and accuracy, this film has the potential to be a meaningful piece of work that honestly and realistically portrays one on the most intriguing leaders of our time. I wish you the best in that endeavor.

Respectfully,

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- **Joe Paterno's handling of the 2001 incident reported to him by graduate assistant Mike McQueary followed university protocol, Pennsylvania statutes and ironically, became the NCAA's standard for sexual assault reporting.**
  - Joe Paterno followed University policy and Pennsylvania state law to the letter when he went "up the chain of command," and reported the next day to his direct superior, athletic director Tim Curley. Child abuse/protection professionals have indicated that this is the proper, lawful way to handle such an allegation. For detail, please see statutes 23 PA.C.S.6301, 23 PA.C.S. 6337, and 23 PA.C.S. 6340.
  
- **There continues to be much dispute over the exact information that Mike McQueary reported to Joe Paterno. In fact, McQueary's grand jury testimony differs from his police interview, which differs from his Penn State whistleblower testimony.**
  - Court documents reveal that Mike McQueary contacted PA prosecutor Jonelle Eshbach in November 2011 out of concern that the Attorney General grossly misrepresented his testimony in the grand jury presentment. In an email, McQueary forcefully reiterated that he DID NOT actually see a rape in the shower, as it was written. Eshbach urged him to be quiet and not correct the misinformation.
  - Mike McQueary's father and neighbor Dr. Dranov (himself, a mandatory reporter) have both testified in court that Mike's description of the Lasch shower incident on that very night did not rise to the level of being immediately reportable to authorities. Instead, these men advised McQueary to speak with Paterno about it the next day, which he did.
  - Court documents indicate that months after Mike McQueary met with Joe Paterno to tell him about the Lasch shower incident, Paterno sought out McQueary to ask him if he was satisfied with the way the University had been handling his complaint. McQueary answered affirmatively.
  
- **There is actually no official identity of Victim #2, the individual alleged to be seen by Mike McQueary with Sandusky in the Lasch showers. This victim did not testify in any court proceedings, and has never been named.**
  - After six years, Victim #2 is "known only to God," according to prosecutors. However, one individual has come forward publicly to claim that he was in the showers with Jerry Sandusky during the evening, about that time in 2001, and that nothing sexual occurred.
  - Sandusky was acquitted of the rape charge relating to this incident.

- **Louis Freeh’s 2012 report was bought and paid for by the Penn State Board of Trustees to seal a narrative that they unfortunately set into motion when they prematurely fired Joe Paterno without ever once speaking with him about the Sandusky allegations.**
  - The BoT paid Louis Freeh \$8 million for an incomplete report created without subpoena power and without interviewing the five central figures in the case. Freeh himself recently called it “only my opinion.”
  - In December 2012, Joe Paterno proactively sought out Freeh to be interviewed, but Freeh slow-played that communication, and then Paterno, unfortunately passed away.
  - As background on Louis Freeh’s credentials, he is known to have falsely pinned the Atlanta Olympics bombing on Richard Jewel, later discovered to be completely innocent. Since then, Freeh has been a hired gun to back into baseless conclusions meant to torch the reputations of Wen Ho Lee, Okada Gaming, and Christine Reitano, an attorney connected to the BP oil spill.
  - The Penn State Freeh Report has not been viewed as a credible document by a single legal expert who has reviewed it to date.
  - On the day of Freeh’s press conference, July 12, 2012, he feigned technical difficulties to prevent the media from gaining access to his full report in advance of the press conference. Instead, Louis Freeh presented the media with unsubstantiated conclusions that were not validated in his report. Within hours of the press conference, the narrative had been cemented through hundreds of news reports that were never checked against the actual report.
  
- **There is absolutely no evidence of a conspiracy to cover up child abuse by anyone at Penn State.**
  - Sandusky prosecutor Frank Fina said in a *60 Minutes Sports* interview with Armen Keteyian that through his research and investigation, he believed Joe Paterno did not ever witness, cover up or participate in a crime.
  - In Graham Spanier’s March 2017 trial on conspiracy and child endangerment charges, prosecutors were unable to present a single piece of evidence to support Louis Freeh’s baseless conclusion that “in order to avoid the consequences of bad publicity, the most powerful leaders at Penn State University – Messrs. Spanier, Schultz, Paterno and Curley – repeatedly concealed critical facts relating to Sandusky’s child abuse from the authorities.”
  - The conspiracy charge was dropped against Tim Curley and Gary Schultz, and Graham Spanier was acquitted of it.
  - NCIS Special Agent John Snedden has recently come forward to explain his role and findings in investigating Graham Spanier for the purposes of reinstating his national security clearances following the indictments. Snedden’s independent investigation determined there was absolutely no conspiracy to cover up child abuse crimes at Penn State.  
<http://www.bigtrial.net/2017/04/federal-agent-no-sex-scandal-at-penn.html>

- **Joe Paterno was not only NOT convicted of any crime, he was never charged with a crime, and didn't witness a crime.**
  - In fact, Paterno was a Commonwealth witness who offered testimony at the Grand Jury proceedings, and was lauded by the Attorney General for his expediency, professionalism and cooperation.  
[http://www.pennlive.com/midstate/index.ssf/2011/11/paterno\\_praised\\_for\\_acting\\_app.html](http://www.pennlive.com/midstate/index.ssf/2011/11/paterno_praised_for_acting_app.html) .
- **Jerry Sandusky was not an employee of Penn State University at the time of the 2001 Lasch shower incident.**
  - Sandusky retired from Penn State in 1998 and was a full-time employee of The Second Mile, the non-profit he had founded to serve at-risk children. Then-Provost Rodney Erickson negotiated Sandusky's retirement package, which included an on-campus office and access to the university's fitness facilities in the Lasch Building.
- **Pennsylvania state child protection experts evaluated and rubber-stamped Jerry Sandusky as a foster parent, adoptive parent and head of a charity for at-risk children for decades.**
  - The first time someone reported abuse by Jerry Sandusky (in 1998) to Penn State officials, the police were called immediately. Within a short time that alleged assault was investigated to the fullest by ALL of the authorities: PSU police, State College police, Centre County Children & Youth Services and the Department of Public Welfare. No criminal action was found.
- **Jerry Sandusky used his Second Mile nonprofit as the gateway to every one of his victims.**
  - It is chilling that Second Mile executives have not been held accountable for their failures as mandatory reporters.
  - Second Mile board members collectively donated more than \$650,000 to then-Attorney General Tom Corbett's 2009 gubernatorial campaign, at the very time that the Sandusky investigation stalled in the AG's office.
- **After recently dropping their lawsuit against the NCAA, the Paterno family has requested that all information collected through discovery be made public in the interest of exposing the truth.**