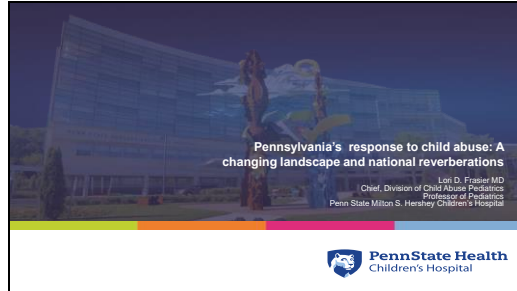


Slide 1



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Slide 2



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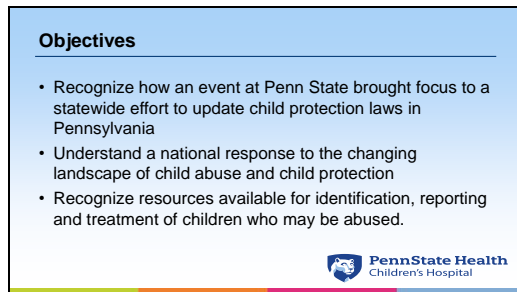
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Slide 3



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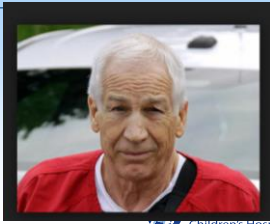
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Slide 4

**A case study:**



**Health**  
Children's Hospital

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Slide 5

**Jerry Sandusky**

- Penn State graduate 1966
- Returned to Penn State in 1969 as assistant football coach under Joe Paterno and gained a national reputation as a successful defensive coach, and was well-known in the community and highly thought of for his work with youth.

**PennState Health**  
Children's Hospital

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Slide 6

**1977-1994**

- Jerry Sandusky establishes "The Second Mile" as a group foster home devoted to helping troubled boys.
- A victims says that after a couple of years in the program Sandusky started touching him during car rides and in the shower (came out later during the Grand Jury Investigation)

**PennState Health**  
Children's Hospital

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Slide 7

**Time line-PSU beginning 1998**

- 1998: PSU Police and DPW investigate a complaint he showered with a boy. Athletic Director Curley states in email to Schultz SVP, "Behavior-at best inappropriate-at worst sexual improprieties, at min, poor judgement".. Then says in his notes: "Other Children?" Police decline making any crime entry because of "lack of clear evidence". Spanier is aware.
- University Police and DPW interview Sandusky, so as not to put him on the defensive, Sandusky admits to hugging the victim and promises not to shower with any children.



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Slide 8

**The victim's assessment:**

- The 11 yo boy described going alone to the facilities with Sandusky where they worked out, wrestled, showered together. Sandusky lifted the boy up to help him rinse his hair, bringing his feet up near to Sandusky's waist with the boy's back touching Sandusky's chest and his feet touching Sandusky's thigh. The boy felt weird and uncomfortable during his time in the shower. The boy's mother noted that the boy was upset when he got home, showered a second time and did not sleep well that night.



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Slide 9

**Assessment of victim**

- A detective interviewed the boy who reported the same thing and reported a 10 yo friend had a similar experience.
- The boy reported he was excited about getting to sit on the sidelines at Penn State Football games and didn't want to get Sandusky in trouble, because he might not invite him to any more games.
- Reported to Childline: "this met a likely pedophile's pattern of building trust and gradual introduction of physical touch within the context of a loving and special relationship."



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Slide 10

**Children and Youth Services**

- Multiple conflicts with Second Mile, including placement of children in SM residential program, contract to conduct children's evaluations.
- DPW (state) took over the case. New investigators interviewed the other boy, then the victim.
- A second evaluation of the victim was requested who reported the boy did not feel "forced" and this incident could not be termed "sexual abuse" because there was not a sequential pattern of logic and behavior which is usually consistent with adults who have difficulty with sexual abuse of children. He ruled out that this was grooming for future victimization, and recommended someone speak with Sandusky about what is acceptable with young children to help him "stay out of gray areas"



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Slide 11

**May 1998**

- Sandusky calls the boy again, the mother calls the police and the police hide inside the house to listen to conversation between Sandusky and the mother.
- Sandusky apologizes, says he loves the boy but it's not sexual. Sandusky says: "I understand. I was wrong. I wish I could get forgiveness...I wish I were dead."
- The DA drops the case. This DA has disappeared, never found, and declared dead.



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Slide 12

**January 1999-Sandusky announces he will retire and transition to outreach program (Second Mile)**

- Paterno agrees to allow Sandusky to continue to work with young people through Penn State as a "Volunteer Position Director", gets free lifetime use of Penn State Facilities
- Sandusky is granted "lifetime emeritus rank" by the President Spanier (unusual because Sandusky was only an assistant professor for his whole term)



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Slide 13

**Timeline 1999**

- December 1999-Sandusky brings young victim to Alamo Bowl and assaults him at a team hotel
- November 2000- Sandusky assaults another victim in showers at Penn state
- Janitor observes it and does not report: "They'll get rid of all of us". The University will close ranks to protect the football program.



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Slide 14

**Timeline-2001**

- January 2001: Sandusky assaults another victim in the shower at Penn State facilities, witnessed by Student coach McQueary—graphic description in the Freeh report
- McQueary reports it to Paterno—who says he will "figure it out" on Feb 10.
- Paterno reports to his Curley (AD)and Schultz (SVP) on Feb. 11
- Spanier (President) Curley and Schultz meet to discuss and review the 1998 incident, and considering reporting to DPW



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Slide 15

**Timeline Spring 2001**

- Curley changes his mind about reporting, and decides to tell Sandusky he has a problem and offer him professional help. They would inform his charity, Second Mile, but if he gets help they won't inform DPW. They decide this is the "humane" way of handling it and decide to "play it by ear". Tell Sandusky he can't bring guests to facilities.
- During this period, Spanier, keeps this from the Penn State Board of Trustees
- Curley tells Second Mile—they call it a "non- incident".



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Slide 16

**Summer 2001**

- Sandusky assaults another victim in the Penn State showers.



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Slide 17

**2005-2009**

- 2005-07: Sandusky grooms another young victim
- 2009: The mother calls the boy's principal, about Sandusky showering with her son and hugging him and makes a report to the coach. The school reports incident to the police.
- 2009: Sandusky under investigation



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Slide 18

**2010-11**

- University receives subpoena from AG regarding Sandusky correspondence
- *Patriot-News* reporter starts *Sara Ganim* an investigation
- Grand Jury subpoenas, Schultz, Paterno, Curley, and Spanier
- Board of Trustees kept in the dark about all of this
- October 2011 Jerry Sandusky attends a Penn State Football game and sits in the Nittany Lion club in Beaver Stadium



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Slide 19

**November 2011**

- 11/4: Criminal charges filed against Sandusky in Centre County
- 11/4: Criminal charges filed against Schultz and Curley in Dauphin County. Later Spanier is charged
- 11/9: Spanier and Paterno are fired by the Board of Trustees
- 11/9: Students protest
- Paternal dies in January 2012, 3 weeks after being diagnosed with lung cancer



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Slide 20

**Timeline**

- June 21, 2012: Sandusky is convicted on 45 counts on 10 victims and sentenced to 30-60 years
- June 2, 2017: Spanier is sentenced 4-12 months, Curley and Schultz 23 months
- As of November 2017 Penn State has paid \$110 million to settle suits with 33 people.



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Slide 21

**This is not a unique case:**

- Of a pedophile using an organization that serves children to groom and abuse children.
- Of a careful, well connected pedophile being protected by those in authority who also failed to protect children.
- Of abuse that goes on for many years before being discovered.



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Slide 22

• What is unique is that it informed a university's, a state's, and a nation's response to child sexual abuse and child abuse in general.



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Slide 23

Pennsylvania House and Senate resolutions Dec. 2011

"Recent events require a review of laws and procedures relating to the reporting of child abuse and the protection of the health and safety of children".



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Slide 24

**2011: Formation of the task Force on Child Protection in PA**

- The General Assembly established a Task Force on Child Protection to conduct a thorough and comprehensive review to determine any inadequacies regarding the mandatory reporting of child abuse and " and restore public confidence in the ability of the Commonwealth to protect victims of child abuse."



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Slide 25

**Goals of the Task Force**

- Examine and analyze the practices, processes and procedures relating to the response to child abuse.
- Review and analyze law, procedures, practices and rules relating to the reporting of child abuse.
- Hold public hearings, accept and review written comments from individuals and organizations.



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Slide 26

**Task Force Goals**

- Submit reports which will include recommendations to improve the reporting of child abuse; implement any necessary changes in state laws and practices, policies and procedures relating to child abuse; and train appropriate individuals in the reporting of child abuse



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Slide 27

**Members of the Task Force**

- Hon. David W. Heckler Bucks County DA
- William Strickland CEO Manchester Bidwell Corp
- Dr. Cindy Christian MD, CHOP
- Delilah Brumberg, PECAR
- Dr. Rachel Berger MD, Children's Pittsburgh
- Garrison Ipock Jr. ED, Glenn Mills Schools
- Carole Hobbs-Piccioito, SW, City of Philadelphia
- Jason Kutulakis, Atty, ex CYS solicitor
- Jackie Bernard, Blair County DA
- Hon. Arthur Grim, Judge Berks County



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Slide 28

**Task force report November 2012**

- "If there had been a MDIT(Multidisciplinary Investigative Team) and CAC (Children's Advocacy Center) active in Centre County Sandusky's crimes would have been brought to light at the beginning of the millennium sparing his additional victims ten or twelve years of misery..."



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Slide 29

**But even before Sandusky there was a problem..**

- In 2010, Pennsylvania's child abuse hotline, ChildLine received approx 122,000 calls
- 40,000 referrals for General Protective Services.
- At least 344 Pennsylvania children died from abuse between 2002 and 2009 with many of them dying before their second birthday. Many of these families were known to Children and Youth.



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Slide 30

**California 2016 Data**

- 230,763 children received a CPS response (23,000 in PA).
- CA 75,033 Victims or 8.2/1000 children
- PA 1.2/1000 victims
- Population of California 38.8 million (PA 12.8 million)



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Slide 31

**NCANDS: National Child Abuse and Neglect Data System (2012)**

- National average across all states reporting 9.2/1000 children
- PA HAD THE LOWEST REPORTED RATE IN THE NATION!!!!!!

<http://www.acf.hhs.gov/sites/default/files/cb/cm2012.pdf>



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Slide 32

- Is there really less child abuse in Pennsylvania than any other state in the US?
- Of course not! The laws in PA had significant problems.
- As a result of the task force 24 pieces of new legislation were signed by the Gov. in 2014
- January 1, 2015: all new laws went into effect



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Slide 33

**What was wrong with Pennsylvania's laws**

- The "high bar" for determining abuse, and the ambiguity of the definition
- The determination of severe pain and impairment required for CYS to indicate a report is subjective, not child centered or developmentally appropriate
  - Is a 7 month old with an abusive humerus fracture disabled because they can't hold their bottle
  - A 7 yo with extensive bruising to the buttocks or a slap mark across the face who is running around and does not appear to be in pain meet criteria for abuse?
  - A 2 month with multiple healing rib fractures who does not appear to be in pain or have limited activity meet criteria for abuse?



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Slide 34

**2015-Child Abuse definitions change:**

- "Intentionally, knowingly, or recklessly doing any of the following... through recent act or failure to act."
  - Causes bodily injury (significant pain and/or impairment)
  - Fabricating, feigning, or intentionally exaggerating or inducing medical symptoms that results in potentially harmful medical evaluation or treatment of a child
  - Causing or substantially contributing to serious mental injury
  - Causing sexual abuse or exploitation



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Slide 35

**Child abuse**

- Definitions
  - Creating reasonable likelihood of bodily injury
  - Creating reasonable likelihood of sexual abuse or exploitation
  - Causing serious physical neglect
  - Engaging in ANY of the following:
    - Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child
    - Unreasonable restraining or confining a child based on consideration of the method location or duration of the restraint or confinement



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Slide 36

**Child Abuse-per se definitions**

- Definitions
  - Forcefully shaking a child under one year
  - Forcefully slapping or striking a child under one year
  - Interfering with the breathing of a child
  - Causing a child to be present in a methamphetamine laboratory



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Slide 37

**Child Abuse**

- Definitions
  - Leaving a child unsupervised with an individual other than the child's parent who
    - Is a sex offender (registered)
    - Is determined to be a sexually violent predator
    - Is determined to be a sexually violent delinquent child
  - Causing the death of a child through any act or failure to act



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Slide 38

**Newborns: Mandatory reporting**

- If a provider is involved in the delivery or care of a child under one year of age who is born affected by the following:
  - Illegal substance abuse by the patients mother
  - Withdrawal symptoms resulting from prenatal drug exposure
  - *Fetal alcohol spectrum disorder*



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Slide 39

**Widening the definition of a perpetrator**

- A perceived need to identify a perpetrator. Previously if a perpetrator was not identified the abuse could not be founded.
  - Broadened the definition of a perpetrator to just about anyone who is charge of a child (over age 14)
  - Allows indicating reports in cases of multiple or unknown perpetrators



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Slide 43

### 2015 Child Protective Services Law

- Reiterates immunity from civil and criminal penalties for 'good faith' reporting
- Adds Child Abuse training (Act 31) requirements for *licensed* providers.
  - New license 3 hours
  - Renewal license 2 hours



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Slide 44

### Three years into the new laws: Are they working?

- Overwhelmed centralized reporting line-
- Web site crashes
- Overwhelmed front line workers
- Licensed mandated reporters confused about training requirements AND reporting requirements
- It's getting better



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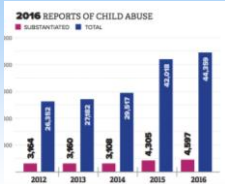
Slide 45

### 2016 PA Child Abuse Reports


4597/44,359 reports were substantiated (less than 10%). Nationally closer to 20%

52% were for Sexual Abuse (Nationally closer to 20%)

PA has 1/1000 children abused, (Nationally 9/1000)



Year	Substantiated	Total
2012	3,964	24,312
2013	3,660	22,242
2014	3,408	20,517
2015	4,206	22,078
2016	4,597	24,359



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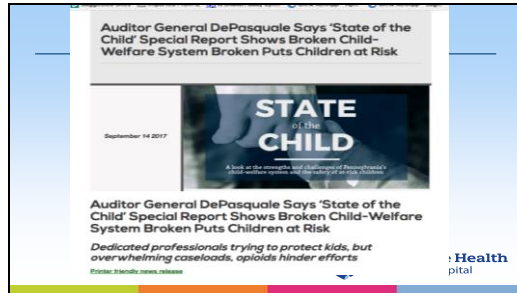
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Slide 46



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Slide 47

**“The Jerry Sandusky effect”-U Pitt Law Review 2013**

- The triggering of changes in reporting requirements and child abuse law in Pennsylvania and a majority of states following the indictment, conviction of Sandusky.
- As of June 2012 approximately 105 bills had been introduced in 30 states and the District of Columbia
- Florida, Kentucky, Louisiana, DC, Montana and NY have enacted laws to prevent similar episodes of abuse
- PA, Oregon, W. VA, Virginia, and S. Dakota, Indiana expanded lists of professionals required to report abuse



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Slide 48

**Sandusky effect**

- Hawaii amended their reporting laws to include acts of “omission” of those required to report
- California began working in 2012 to modify their list of mandatory reports as well as to whom they are to report to. The changes proposed would “require any person to report to a peace officer a known or suspected instance of a child being a victim of sexual abuse.” Died in committee, but California continues to work to amend its law.



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Slide 49

**Michigan State's Abuse Scandal Draws Comparisons to Penn State's** **January 2018**

By Fernanda Zamudio-Saenz | JANUARY 22, 2018



**PennState Health**  
Children's Hospital

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Slide 50

**#Metoo and a movement to empower survivors to speak their truth-Sexual Abuse/assault**

- Transcends age
- Transcends gender
- Transcends sexual orientation
- Transcends position/wealth
- Transcends race

• Violates Human rights: the right to not be abused and preyed upon by those in power

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Slide 51

**What happened at Penn State**

- Forfeited money from College Bowl football games was provided to the University to establish funding for the development of a network.
- Development of 12 faculty hires across the campuses
- Development of 4 centers dedicated to research, education and service in child maltreatment

**PennState Health**  
Children's Hospital

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Slide 52

**Penn State's Initiatives in parallel:**

- Formed the Network on Child Protection and Well Being in the fall of 2012 (Now the Network for Child Maltreatment Solutions\_
- Four centers
  - The Child Study Center (College of Liberal Arts)
  - Bennett Pierce Prevention Research Center (College of Health and Human Development)
  - Center for the Protection of Children (College of Medicine, Hershey)
  - Center for Children and the Law (Penn State Dickinson College of Law, Carlisle)



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Slide 53



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Slide 54

**We have come full circle**

- \$10 million/5 year competitive grant awarded to Penn State (thanks to Jennie Noll PhD)
- Penn State is THE NIH Capstone Center for Child Maltreatment Studies
- Abusive Head Trauma
- Longitudinal Studies on a cohort of PA children who suffered maltreatment



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Slide 55

**Thank you**

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- [lfrasier@pennstatehealth.psu.edu](mailto:lfrasier@pennstatehealth.psu.edu)



The slide features a light blue background with a horizontal gradient. At the bottom, there is a decorative bar with segments of green, yellow, orange, red, and blue. The logo for PennState Health Children's Hospital is located in the bottom right corner of the slide content area.

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