

IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY, PENNSYLVANIA  
CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA )

vs. )

GERALD A. SANDUSKY )

Nos. CP-14-CR-2421-2011 &  
CP-14-CR-2422-2011

*Commonwealth Attorneys:*

*Joseph McGettigan, Esquire*

*Jonelle H. Eshbach, Esquire*

*Defense Attorney:*

*Joseph L. Amendola, Esquire*

**DEFENDANT'S ANSWER TO COMMONWEALTH'S NEW MATTER CONTAINED**  
**IN COMMONWEALTH'S RESPONSE TO DEFENDANT'S MOTION FOR**  
**MODIFICATION OF BAIL CONDITIONS**

TO THE HONORABLE JOHN M. CLELAND, SENIOR JUDGE SPECIALLY ASSIGNED  
TO THESE MATTERS IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY,  
PENNSYLVANIA:

AND NOW, comes the Defendant, through his counsel, who answers the  
Commonwealth's New Matter raised in the Commonwealth's Response to the  
Defendant's Motion for Modification of Bail Conditions:

1. Admitted in part and denied in part. While the Defendant admits he  
has been charged by the Commonwealth with various offenses purportedly covering a  
period of years, he specifically denies the other averments contained in Paragraph No. 1  
of the Commonwealth's New Matter and reminds the Commonwealth that, under our  
legal system, he is presumed innocent of all charges filed against him.

2. Denied. While the Defendant has been made aware that certain of  
his neighbors have expressed dissatisfaction of the terms of the Defendant's current bail  
conditions which permit him to remain in his home as well as leave his residence under  
certain pre-approved specified conditions; the Defendant has always obtained the

approval of a representative from the Centre County Probation Department concerning any activities outside his home all of which were performed for legitimate and necessary reasons. The Defendant further denies that anyone is at risk in his neighborhood or any adjoining neighborhoods and that any fears on the part of any of his neighbors about their safety or the safety of others is totally unfounded. Under the terms of the request made by the Defendant for a modification of his bail conditions, the only additional times he might be permitted to leave his home would be in the company of a member of his defense team for the specific purpose of assisting in the preparation of his defense.

3. Denied. To date, the Defendant has complied with all terms and conditions imposed upon him by the Court and the Centre County Probation Department regarding the conditions of his bail and home confinement. The Defendant submits there is absolutely no basis for the Commonwealth to ask the Court to make his current bail conditions even more stringent than they currently are. Although the Commonwealth has alleged that Defendant's neighbors, teachers, and members of the public are alarmed by the Defendant's presence outside of his home, the Defendant is without knowledge as to these allegations as a result of which he demands strict proof thereof at the time of the hearing in this matter. Furthermore, even if the Commonwealth is able to establish that certain neighbors, teachers, and members of the general public are alarmed by the Defendant's presence outside his home on those very rare occasions when he obtains permission from representatives of the Centre County Probation Department to leave his home for specified reasons, such alarm is totally unfounded.

4. Paragraph No. 4 was not included in the copy of the Commonwealth's New Matter which Defendant's counsel received from the Commonwealth on February 7, 2012 in this matter.

5. Denied. The Commonwealth in its averments contained in Paragraph No. 5 of its New Matter has drawn legal conclusions to which the Defendant need not respond. Nevertheless, the Defendant reiterates his position that he has complied with all terms and conditions of bail imposed by the Court and the Centre County Probation Department in his current legal matters and is presumed innocent of the charges filed against him. He has maintained his innocence in regard to these charges from the outset of the allegations made against him and continues to assist his defense team in the preparation of his defense in these matters. Furthermore, the Defendant submits that, under both the current bail conditions as well as his request for a modification of certain of his bail conditions as set forth in his Motion filed in this matter, he will not pose a threat to anyone if his request for modification of his bail conditions is approved by the Court.

WHEREFORE, the Defendant respectfully requests that this Honorable Court deny the request made in the Commonwealth's New Matter contained in its Response to Defendant's Motion for Modification of Bail Conditions and, furthermore, grant the Defendant's request for the modification of his bail conditions as set forth in his Motion for Modification of Bail Conditions filed in this matter.

Respectfully submitted,

BY: Joseph L. Amendola  
Joseph L. Amendola, Esquire  
Attorney for Defendant  
110 Regent Court, Suite 202  
State College, PA 16801  
(814) 234-6821  
I.D. No. 17667

Date: February 8, 2012

