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

COMMONWEALTH : NO. CP-14-CR-2421-2011
 : NO. CP-14-CR-2422-2011

 VS :

GERALD A. SANDUSKY :

TRANSCRIPT OF PROCEEDINGS
(Sexually Violent Predator Hearing
and
Sentencing)

BEFORE: John M. Cleland, Senior Judge

DATE: October 9, 2012

PLACE: Centre County Courthouse
Courtroom No. 1
102 South Allegheny Street
Bellefonte, PA 16823

APPEARANCES:

FOR THE COMMONWEALTH:
Joseph E. McGettigan, Esq.
Frank G. Fina, Esq.

FOR THE DEFENDANT:
Joseph Amendola, Esq.
Karl Rominger, Esq.

NOTES BY: Patricia A. Grey, RPR
Official Court Reporter
Room 208, Centre County Courthouse
102 South Allegheny Street
Bellefonte, PA 16823
814-355-6734 OR FAX 814-548-1158

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INDEX TO THE WITNESSES

DIRECT CROSS REDIRECT RECROSS

COMMONWEALTH:

(None)

DEFENDANT:

(None)

INDEX TO THE EXHIBITS

ADMITTED

COMMONWEALTH:

No. 1 Report

5

DEFENDANT:

(None)

1 P R O C E E D I N G S

2 THE COURT: This is a most serious
3 matter that's scheduled for this morning and,
4 consequently, we will strictly enforce the
5 decorum of the Court and there will be no
6 toleration of any outbursts or any other
7 disruptions of any kind.

8 We'll begin with the Megan's Law
9 hearing. I note for the record the presence of
10 Mr. Fina, Mr. McGettigan, Mr. Amendola,
11 Mr. Rominger, and the defendant.

12 This hearing has been scheduled at the
13 request of the Commonwealth following receipt of
14 the report of the Sexual Offenders Assessment
15 Board dated August 21, 2012 and was subsequently
16 distributed to defense counsel and to the
17 defendant.

18 By letter dated October, 3, 2012 from
19 Mr. Amendola, I have been notified that the
20 defendant maintains his innocence but will not
21 present evidence opposing the findings that he is
22 a sexually violent predator; is that correct?

23 MR. AMENDOLA: That is correct, Your
24 Honor.

25 THE COURT: Okay. I would like to

1 confirm from the defendant that that is case.
2 I'll ask him to be placed under oath and then ask
3 if that's the situation.

4 Would you swear the defendant please?

5 Whereupon,

6 GERALD A. SANDUSKY

7 was called as a witness and having been duly
8 sworn, was examined and testified as follows:

9 THE COURT: You can be seated right
10 there, Mr. Sandusky.

11 You have heard Mr. Amendola's
12 representation that you do not oppose the
13 findings that you are a sexual violent predator;
14 is that correct?

15 THE DEFENDANT: Yes.

16 THE COURT: Mr. McGettigan, do you want
17 to make a record?

18 MR. McGETTIGAN: Yes, Your Honor. Thank
19 you.

20 Your Honor, the Commonwealth for
21 purposes of this hearing would mark as
22 Commonwealth Exhibit C-1 the report of the Sexual
23 Offenders Assessment Board, specifically the
24 report of Robert M. Stein, Ph.D., a member of the
25 Pennsylvania Sexual Offenders Assessment Board.

1 We would note as well for the record
2 that the document contains two cover letters
3 addressed to myself and Dr. Stein's report. This
4 report concludes, in pertinent part, that the
5 defendant, Gerald A. Sandusky, meets the criteria
6 to be classified as a sexually violent predator
7 under the Act. We move that this document be
8 entered into evidence.

9 We would also ask that the Court take
10 notice of the events of the trial, the record
11 generated thereby, and the finding of the jury
12 convicting the defendant of 45 counts of sexual
13 abuse of minors.

14 With that, Your Honor, we would conclude
15 our presentation. We would request --
16 respectfully request that the Court find the
17 defendant is a sexually violent predator.

18 THE COURT: Mr. Amendola, do you have
19 any objection to the admission of Exhibit 1?

20 MR. AMENDOLA: No, Your Honor.

21 THE COURT: Any objection to the Court
22 taking judicial notice of the verdict?

23 MR. AMENDOLA: No, Your Honor.

24 THE COURT: Okay.

25 Mr. Sandusky, yesterday at our

1 pre-sentence conference, I gave Mr. Amendola and
2 Mr. Rominger a copy of the Megan's Law notice and
3 I delivered that form to them and asked them to
4 review that with you. Did they do that?

5 THE DEFENDANT: Yes.

6 THE COURT: Have you read it?

7 THE DEFENDANT: Yes.

8 THE COURT: Was Mr. Amendola or
9 Mr. Rominger or both of them available to answer
10 your questions -- any questions you had about
11 your responsibilities to report under Megan Law?

12 THE DEFENDANT: Yes.

13 THE COURT: Do you have any questions
14 that they could not or did not answer for you?

15 THE DEFENDANT: No.

16 THE COURT: Do you understand that form?

17 THE DEFENDANT: Yes.

18 THE COURT: Did you read it?

19 THE DEFENDANT: I read it, yes.

20 THE COURT: And have you signed it?

21 THE DEFENDANT: Yes.

22 THE COURT: I've been handed the Megan's
23 Law notice form by Mr. Amendola. I'll ask you if
24 that is your signature on that form?

25 THE DEFENDANT: Yes.

1 THE COURT: Do you have anything about
2 your obligations that you want to ask me?

3 THE DEFENDANT: No.

4 THE COURT: We'll note for the record
5 that the defendant has signed and filed the
6 original Megan's Law notice. It's also been
7 signed by counsel, and the Court will order this
8 filed of record.

9 I'll enter then the following Order:

10 And now, October 9th, 2012, following
11 hearing held at the request of the Attorney
12 General pursuant to 42 Pa.CS 9795.4(e), to
13 determine whether the defendant is a sexually
14 violent predator, and the defendant having
15 appeared being represented by counsel and having
16 elected not to contest the request of the
17 Commonwealth that he be designated as a sexually
18 violent predator and based on the evidence
19 presented, including the August 21, 2012 report
20 of Robert M. Stein, Ph.D., of the Pennsylvania
21 Sexual Assessment Board, it is, therefore,
22 ordered as follows:

23 One, that by clear and convincing
24 evidence the defendant is determined to be a
25 sexually violent predator as defined in Megan's

1 Law 42 Pa.CS 9792.

2 Two, that this Order shall be filed of
3 record, distributed to the defendant, all
4 counsel, the Pennsylvania Board of Probation and
5 Parole, the Pennsylvania Department of
6 Corrections, the Sexual Offenders Assessment
7 Board, and the Pennsylvania State Police.

8 The Court hereby further certifies that
9 the defendant has been advised orally and in
10 writing of his obligations to register and to
11 provide the information required at each
12 registration as provided by 42 Pa.CS Section
13 9753.3.

14 We'll proceed now to the sentencing
15 phase of these proceedings this morning. Again
16 we'll note for the record Mr. Amendola, Mr. Fina,
17 Mr. McGettigan, and Mr. Rominger.

18 A PSI has been prepared by the Centre
19 County Probation Department containing the
20 sentencing guidelines. It's been distributed to
21 counsel. It was reviewed yesterday afternoon in
22 chambers.

23 Are there any additions or corrections
24 to either the PSI or the sentencing guidelines?

25 Mr. McGettigan?

1 MR. McGETTIGAN: No, Your Honor.

2 THE COURT: Mr. Amendola?

3 MR. AMENDOLA: No, Your Honor.

4 THE COURT: We'll have an opportunity
5 now for statements. The order is going to be
6 Mr. McGettigan, Mr. Amendola, any victims who
7 choose to make a statement, and then the
8 defendant. I'd ask you to speak from the
9 lectern.

10 Mr. McGettigan.

11 MR. McGETTIGAN: Thank you, Your Honor.

12 THE COURT: If you just pull that
13 microphone a little closer to you, I might be
14 able to hear you just a little better. Thank
15 you.

16 MR. McGETTIGAN: I will, Your Honor.

17 May I, Your Honor?

18 THE COURT: You may.

19 MR. McGETTIGAN: May it please this
20 Court, Your Honor, counsel, Mr. Fina, young men.

21 As the day of this defendant's
22 sentencing approached and I considered what I
23 would say today, I realized that no words that I
24 could utter would speak with the eloquence of the
25 victim's testimony as they related the depravity

1 that this criminal inflicted upon them. My task
2 then is not to attempt eloquence but to seek only
3 to give a clear voice to the last words that will
4 be said on behalf of these victims in this
5 courtroom in this case. They deserve no less.

6 My task has become somewhat more
7 significant given that the defendant decided
8 yesterday to give a radio interview during which
9 he defamed his victims once again, victimized
10 them yet again, calling them liars and
11 acknowledging that he is the victim of a
12 conspiracy against him. Yes, he a victim.

13 His statement is an insult to the true
14 victims -- his victims. It is an insult to the
15 Court and to the jury. It is an insult to common
16 sense and to human decency but that is to be
17 expected. This defendant, this convicted
18 pedophile, this violator of children has behaved
19 for years in a manner that is an insult to
20 decency.

21 The defendant was and is the most
22 insidious and depraved of criminals and he has
23 none of the typical excuses of most wrongdoers.
24 He was educated and of at least reasonable
25 intelligence. He was not impoverished or

1 outcast. He had success early in life and rather
2 than be a productive and law-abiding citizen,
3 instead worked diligently to construct a
4 mechanism to acquire victims for his criminal
5 sexual deviance, and he succeeded spectacularly
6 in that.

7 He gained a position of prestige and
8 influence in a major university but what to
9 others would have been success and a real life to
10 him was just disguise, a cloak for his real life
11 of rampant degradation of children because he
12 found an organization which many people joined to
13 help children, but his goal was not to help
14 children. It was to an identify victims. It was
15 a victim factory.

16 He used his access to children with
17 difficulties or problems, and he selected the
18 most vulnerable to pray upon them. He inserted
19 himself into the lives of children deceiving
20 mothers with his false friendship and grooming
21 children with gains and gifts and attention. It
22 was cruel beyond imagine.

23 Picture a troubled or friendless,
24 fatherless boy believing he had found a mentor,
25 even a friend, when instead what had found him

1 was a predator and consider the shame and fear
2 and humiliation as that arm or shoulder became a
3 touch, a grope, a wet embrace in the shower, a
4 disgusting kiss, and too often a penetration, a
5 deviant sexual act on the helpless.

6 The jury, Your Honor, heard and saw
7 those violated young men.

8 No deceit was too shameful for him, no
9 act too repugnant. When one of his victims
10 rejected him, he was undeterred. He simply moved
11 on and found another relying on shame to silence
12 his victims.

13 His depravity spread across the
14 spectrums of human behavior from touching and
15 washing to massaging and kissing to genital
16 grabbing and finally to oral and anal
17 penetration. He treated his victims like his
18 sexual property to be used as he saw fit and then
19 discarded.

20 The defendant caused great harm to more
21 than his victims. He damaged their families and
22 friends as well. Mothers wondered why their sons
23 were so wounded and distant and felt undeserved
24 guilt because they, too, had been deceived.

25 His harmful acts continue to this day as

1 he goes on the radio and whines of his own pain.
2 He enlists those whom he has still fooled to
3 speak on his behalf. And he will speak when I
4 sit and after his victims have spoken. He will
5 complain that he had no time to prove his
6 innocence. Well, there's not time enough in the
7 world for him to prove that lie.

8 He will assert that there was a
9 conspiracy against him, a conspiracy so large
10 that it encompassed victims, police, troopers,
11 lawyers, juries, and courts. When all that
12 really connects those parties is not a
13 conspiracy, it is a sure and certain knowledge of
14 his proven guilt.

15 He will say that he wished to defend
16 himself but wasn't able to do so when he had
17 every opportunity to do just that and, in fact,
18 tried and failed, on television yet, and then
19 knew that he would be unmasked if he spoke before
20 a jury. So instead he sat, as was his right, and
21 as he does now and smirks at those he defiles.

22 Your Honor, please remember this when he
23 speaks and I am silent.

24 When I sit, Mr. Amendola will speak.
25 Then this defendant's victims will speak, those

1 who can. Some who testified will not speak.
2 They wish never to see the face of their
3 victimizer again and I will not blame them. My
4 task required far too many painful conversations
5 to ask for one more tortured word from those
6 boys.

7 And two others will not speak because
8 they're identities are known only to themselves,
9 this defendant, and God. Perhaps the year has
10 caused their silence or undeserving shame but the
11 jury rightly did them justice and I speak for
12 them and their rights to justice as well as those
13 who testified before Your Honor.

14 I know that the Court will listen with
15 kindness to those who do speak as this Court
16 attended to all witnesses for both parties. I am
17 confident with certainty that this Court will
18 impose a sentence that does justice to this
19 defendant as well as to his victims.

20 The Commonwealth does not ask for a
21 sentence or for a certain term of years. We ask
22 that the Court impose a sentence that reflects
23 this defendant's behavior, the harm he has
24 caused, the laws he's broken, and the damage he
25 has done across children's lives.

1 I'm almost done, Your Honor, and I'm
2 speaking briefly today, and I admit that I had
3 searched for the right words to say. If the
4 words existed that would undo the harm and pain
5 this defendant had caused, I would say them. If
6 the words existed to restore the childhood to the
7 boy or the innocence to that defiled, I would say
8 them. No human being with impeding heart could
9 be silent if the words to do that existed, but
10 those words do not exist.

11 My words of thanks for the courage that
12 those young men displayed will have to do in some
13 small part, and this Court's sentence will speak
14 to the defendant's depravity, his crimes, and
15 speak to their courage and to the justice they
16 deserve.

17 I submit that defendant's words, when he
18 speaks, will be as his acts have been for the
19 years of his life, for the years that he spent
20 defiling the innocent, his words today when he
21 stands later will be like those acts, deceitful
22 and indecent and they'll vanish in the wind as we
23 hope to forget his name and his acts.

24 Thank you, Your Honor, for listening to
25 the Commonwealth.

1 Thank you, young men.

2 I'm done, Your Honor. Thank you.

3 THE COURT: Mr. Amendola.

4 MR. AMENDOLA: Thank you, Your Honor.

5 Good morning, Your Honor, and good

6 morning, Mr. McGettigan and Mr. Fina,

7 Investigator Sassano, everyone else.

8 Obviously, this is a sad day. Depending

9 on one's perspective, a sad day for the

10 Commonwealth, the community, a sad day for

11 Mr. Sandusky, his family and friends who are

12 seated in the courtroom, a sad day for everyone.

13 As the Court knows, the Commonwealth

14 certainly knows, if there has been one

15 consistency throughout this case from its very

16 inception back in 2008, it's been that

17 Mr. Sandusky has maintained his innocence

18 throughout and still does to this day and I

19 suspect that he will express that to the Court

20 momentarily.

21 Obviously, as I have explained to

22 Mr. and Mrs. Sandusky and family members and

23 friends, today's purpose is not to express or to

24 prove innocence or disprove guilt. It's about

25 sentencing. The jury has spoken. We respect the

1 jury's verdicts and, obviously, the Court has a
2 duty to impose sentences based upon those
3 verdicts and those convictions. We accept that.

4 But on the positive side of
5 Mr. Sandusky, listening to all the things the
6 Court heard during the trial, all the things that
7 the Court has read in the pre-sentence
8 investigative report and the addendums and
9 materials that had been attached to those
10 reports. We have a gentleman who by many
11 accounts of his neighbors, his friends, his
12 coworkers, former football players was a
13 generous, kind, giving person who always only
14 wanted to help people.

15 He and his wife, as the Court heard
16 during trial, adopted six children, four of whom
17 are in court today, one of whom lives far enough
18 away and due to certain restrictions and
19 commitments couldn't be here today. But aside
20 from the one individual who spoke out at some
21 point during the trial, the five other children,
22 Your Honor, have been behind their dad, as has
23 Mrs. Sandusky, from the very outset of this
24 investigation. I know the Court has read their
25 letters.

1 The Court has read how Mr. Sandusky and
2 his wife took these children in at various stages
3 in their lives, many -- several of them were
4 infants and gave them a good home life, raised
5 them to be good individuals. Four graduated from
6 Penn State. One was in the Marine Corps and
7 serves in our National Guard today. They talked
8 about love. They talked about family outings.
9 They talked about how their father took other
10 kids into their home as they were growing up and
11 they never minded because they realized that
12 Mr. Sandusky and Mrs. Sandusky had taken them
13 into their home, too, on a more permanent basis.

14 We have heard from friends. We have
15 heard from some Second Mile young people at
16 Mr. Sandusky's trial about Mr. Sandusky being a
17 father figure, about how he resurrected them from
18 the depth of the way they were living as kids
19 growing up, how they helped them move on to a
20 better live.

21 These are all, I would suggest,
22 mitigating circumstances. I'm not arguing for
23 guilt or innocence here, Your Honor. Just
24 pointing out some of the things that were
25 presented at trial, some of the issues that were

1 presented during the pre-sentence report
2 materials.

3 All I can say to the Court, over the
4 years, and we have heard a lot of talk today from
5 Mr. McGettigan about the Second Mile program
6 being a victim factory, and I know that we had
7 eight young people testify at trial about abuse,
8 but The Second Mile organization helped thousands
9 of kids. Many of those kids have gone on to lead
10 wonderful lives as a result of their association
11 with The Second Mile.

12 We heard from five of Jerry and Dottie's
13 adoptive kids about how Mr. Sandusky favorably
14 and positively impacted their lives. We have
15 heard from Second Mile kids who said the same
16 thing. We've heard from neighbors. We've heard
17 from people with whom Mr. and Mrs. Sandusky went
18 to church for years and how they participated in
19 activities with their kids, how they took kids in
20 the neighborhood from neighbors into their lives,
21 how these kids all grew up together and, of
22 course, they tell us a very different side to
23 Mr. Sandusky.

24 Is it possible there are two sides? Of
25 course. Obviously, I think we have to accept

1 that for today's purpose because Mr. Sandusky was
2 convicted of 45 of the 48 counts that remained
3 against him following trial. But on the other
4 hand, even assuming for today's purposes, Your
5 Honor, that that's the case, certainly I'm asking
6 the Court not to ignore all the wonderful things,
7 all the positive things that Mr. Sandusky did
8 throughout his life, the time, the energy spent
9 not only in helping young people, aside from
10 obviously the allegations here and the ones that
11 he was convicted of abusing, but the time that he
12 spent raising money for organizations such as the
13 United Way, Easter Seals to generate the
14 resources to help those people who were in need.
15 I ask the Court to take all of those things into
16 consideration, the many hours he traveled raising
17 funds for various organizations aside from The
18 Second Mile organization.

19 While I know Mr. Sandusky is not asking
20 for leniency, and I'm not suggesting that given
21 the convictions, and that's what we have to
22 accept today, that the Court impose leniency.
23 But I just think it's important that there is
24 another side to this. There is another side to
25 Mr. Sandusky.

1 We're asking the Court in sentencing to
2 take that side, that very positive side, into
3 consideration and to say to Mr. Sandusky's family
4 that all the wonderful things they have said
5 about him, all the wonderful things that his
6 neighbors have said, and other people have said,
7 and had contact -- had contact within his life
8 had a positive outcome, that what they had to say
9 counts for something, too.

10 We know the Court is going to impose a
11 sentence that's within the guidelines and
12 mandated by the mandatory sentencing provisions
13 in the case of, I believe, eight of those
14 charges, but we ask the Court also to take the
15 other side of this case into consideration from
16 the evidence that was presented at the trial
17 through witnesses who testified favorably on
18 behalf of Mr. Sandusky as well as the letters
19 which were written to the Court as part of the
20 pre-sentence report.

21 Thank you very much, Your Honor.

22 THE COURT: Mr. McGettigan.

23 MR. McGETTIGAN: Your Honor, with the
24 permission of the Court -- Your Honor, with the
25 permission of the Court I would read into the

1 record statements by two individuals who -- one
2 of the victims who is present today but asked
3 that I read his statement, the other from the
4 mother of one of the victims who also asked that
5 I read her statement. May I have the Court's
6 permission to do so, Your Honor?

7 THE COURT: Yes, you may.

8 MR. McGETTIGAN: Thank you.

9 Your Honor, may I step away from the bar
10 for one second?

11 THE COURT: Yes.

12 MR. McGETTIGAN: Thank you, Your Honor.

13 Your Honor, I offer now to the Court the
14 victim impact statement of Victim No. 1, Aaron
15 Fisher, and he says:

16 "I have tried to think of the words to
17 describe how Jerry Sandusky has impacted my life.
18 I realize there are no words that will be
19 adequate to describe the pain and misery he has
20 inflicted in the past, present, and future.

21 "It all began with Jerry Sandusky
22 building my trust over a long period of time. He
23 promised to be my friend and mentor. Then came
24 the ultimate betrayal and disgusting deeds.
25 Jerry Sandusky humiliated me beyond description.

1 I know his other victims understand.

2 "My psychologist describes it as
3 post-traumatic stress disorder which involves
4 intense and chronic anxiety, conversion disorder,
5 and depression. I describe it as emotional agony
6 where it's almost impossible to trust anyone.
7 Thoughts I don't want to think, memories I don't
8 want to remember. My years with Jerry Sandusky
9 were taken from me. I just wanted a childhood
10 like anyone else.

11 "I wish I could relax like it was before
12 I ever met Jerry Sandusky. Because of what
13 happened, the horrible circumstances associated
14 with this crime, continue to be issues in my life
15 in many ways. I have been looking over my
16 shoulder for a long time.

17 "Jerry Sandusky is the worse kind of
18 pedophile taking advantage of the status of power
19 to prey on the young boys who needed a friend and
20 mentor. He smiled and smirked his way throughout
21 the legal proceedings. To the end Jerry Sandusky
22 wanted to manipulate and abuse all his victims.
23 There is no remorse. There is no acknowledgment
24 of regret, only evil."

25 And Aaron says he wishes to thank the

1 Court for considering his statement.

2 I offer now to the Court the statement
3 of the mother of Victim No. 9. She writes in the
4 first person and addresses the defendant
5 directly. She says:

6 "I have thought for a while of what I
7 would say to you, Mr. Sandusky. Words cannot
8 express the pain and impact or imprint that you
9 have caused my son and my family. Not only did
10 you heap life-long problems on my son but you did
11 it to satisfy your own sick and selfish needs for
12 gratification, an act that is so wrong and
13 unacceptable not only in my eyes but God's as
14 well.

15 "For four years I mistakenly believed
16 you were helping and supporting my son but
17 instead you were molesting him and forever
18 changing his life for the worse, and I was not
19 able to understand why he was so troubled. He
20 lost weight, was sick a lot, didn't sleep, was
21 getting in trouble at school, had strange
22 behaviors that as his mother I could not
23 understand. I thought it was my fault. I blame
24 myself and still do for your sick indulgences but
25 how could I know you were molesting him?

1 "Because of you, I not only had to move
2 three times in one year but had to quit my job.
3 How embarrassing for me as a mother to know
4 something so disgusting happened to my son. Not
5 only has it been mentally draining but physically
6 exhausting as well. I have had to endure two
7 attempts by my son on his life -- on his own
8 life. I have had to endure his animosity toward
9 me. I have had to endure physical difficulties
10 with him and all because of you and what you did
11 to my son.

12 "For me to sit back and watch my sweet
13 little boy turn into this person I don't even
14 know is too much to bear. Many nights I sit up
15 and cry worrying what I did for him to be like
16 this. Not only did you molest him, Mr. Sandusky,
17 you caused him to miss a lifetime -- you caused
18 him a lifetime of sorrow and suffering while
19 helping your sexually. How cruel of you.

20 "But that's not all. You have caused me
21 to have so many problems both as a mother and a
22 person. I now question every decision I make as
23 a parent. I question every decision I make for
24 myself. You have destroyed my family. I cannot
25 forgive you for that. My son and I are both in

1 therapy likely for years, for the rest of our
2 lives.

3 "You have damaged and hurt so many
4 people. Yet still you proclaim your innocence.
5 You have forever injured not only my son but all
6 your other victims as well. How could you do
7 this to so many people and not think anything of
8 it? Shame on you. Shame on you, Mr. Sandusky,
9 for your narcissistic selfish acts.

10 "This has been the most difficult thing
11 I have endured in my life. My poor son. You
12 took something from him that can never be
13 replaced -- his childhood, his youth, and for
14 that it makes me sick in my heart and soul.
15 Sorrow will never be enough.

16 "Whatever comes to you, I hope it is
17 tenfold for what you have done to my son and the
18 other victims of your brutality. There is no
19 punishment sufficient for you. You're a horrible
20 person and when you come to terms with this and
21 admit your wrongdoing, maybe, just maybe, you'll
22 be forgiven."

23 Your Honor, that concludes the statement
24 of the mother of Victim No. 9.

25 Your Honor, shall I call the individual

1 witnesses?

2 THE COURT: One at a time.

3 MR. McGETTIGAN: Yes, of course, Your
4 Honor.

5 THE COURT: Before you begin, if you'd
6 just identify yourself so that we have a record
7 as to who you are.

8 MR. KONSTAS: My name is Zachary
9 Konstas.

10 As I put the 1998 shower incident that
11 happened on Penn State campus into focus, I
12 realize just how much you manipulated me into
13 thinking you were an incredible person, the very
14 kids you claim to be trying to help in The Second
15 Mile were the very ones you victimized.

16 My family has suffered for many years in
17 a relationship with me of that anger and rage
18 that I projected in the years after you took me
19 to -- quote/unquote -- workout. My personality
20 changed for the worse and I became somewhat of a
21 social outcast because I did not know how to
22 process and understand what had happened to me
23 that night.

24 That night you told me you were the
25 Tickle Monster so that you could touch my

1 11-year-old body and get me to think what you
2 were doing was okay. I have been left with deep,
3 painful wounds that you caused and had been
4 buried in the garden of my heart for many years.
5 Words can simply not defend. There are so many
6 times of confusion, sadness, and lack of
7 understanding, and the very worse of them all,
8 the feeling of violation.

9 But through the storm, I have cried out
10 to Jesus for help, relied on the Holy Spirit for
11 comfort, and have now begun my journey to healing
12 and recovery. Today I can say with confidence I
13 will walk down this road untraveled to healing
14 with Jesus holding my hand. I will reach my
15 destination. I have not by any means arrived,
16 but I have certainly left.

17 The Bible says in the 1 John 1:9, if we
18 confess our sins, he is faithful and just and he
19 will forgive us our sins and purify us from all
20 unrighteousness.

21 You can choose to be in denial about
22 everything you have done and spend the rest of
23 your remaining years in denial and torment. I
24 believe you are only fooling yourself as you are
25 trying to speak forth your innocence. It's time

1 to stop coming up with excuses for your behavior.

2 If you admit your guilt and err to God
3 and seek forgiveness, Jesus will forgive you and
4 heal you from the hurts and pains that I believe
5 you have in your heart also. If you remain in
6 denial about your actions and won't admit it to
7 God, even though deep down you know what really
8 happened, you won't be able to receive
9 forgiveness that only he offers. There is no
10 other way.

11 I will leave you with the scripture from
12 the Bible in James 4:6. God opposes the proud
13 but gives graciously to the humble.

14 Please repent and ask God to forgive you
15 or there's a bigger judgment to come.

16 Thank you.

17 THE COURT: Thank you.

18 Before you begin, also if you would
19 identify yourself for the record.

20 MR. KAJAK: My name is Michael Kajak.

21 At times I have been anonymously
22 referred to as Victim No. 5. In 2001 when I was
23 about 13 years old, Jerry Sandusky lured me into
24 a Penn State shower, into a shower. He then
25 forcibly had me touch him. This behavior to be

1 called horseplay, it was later in life that I
2 realized that it was sexual assault.

3 I am troubled with flashbacks of his
4 naked body, something that will never be erased
5 from my memory. I continue to be haunted by the
6 incident and has forever negatively altered my
7 life.

8 For years I have been struggling with
9 anxiety, post-traumatic stress disorder,
10 depression, nightmares and sleeplessness,
11 embarrassment, and guilt. Worse of all, I
12 isolated myself and my struggles from the ones I
13 love the most, my mother, my father, my brothers,
14 and my girlfriend.

15 I was too ashamed. When I was
16 subpoenaed for the grand jury, I learned that I
17 was not the only one. I learned that Jerry
18 Sandusky, a man who I trusted, respected, and
19 admired had molested other boys than me over the
20 course of years. I have now been cast into a
21 place I never wanted to be. There has been a
22 trail for police knocking on my door to a grand
23 jury room, interviews with prosecutors and to
24 Your Honor's courtroom twice.

25 It's been a difficult road to travel but

1 one which was necessary as it is an obligation of
2 citizenship to see that justice is done. The
3 sentencing of Jerry Sandusky will never erase
4 what he did to me. It will never make me whole.
5 I will never erase the filthy images of his naked
6 body against mine, his hands on me, his forcing
7 of my hands onto him, but he must pay for his
8 crimes for which he has now been properly
9 convicted of.

10 I do hope and pray that when Your Honor
11 sentences Mr. Sandusky that you consider the real
12 harm that he has done to me and others and take
13 into account the tears, pain, and private anguish
14 I, and others, have suffered. It is real. It is
15 painful and will be inside me forever as I grow
16 old.

17 Thank you, Your Honor, for your
18 understanding that Jerry has harmed children of
19 which I am one of. Here in front of me today he
20 took away my childhood the day he assaulted me.
21 He should be sentenced accordingly.

22 MR. McGETTIGAN: Your Honor, the
23 Commonwealth has one more witness. Thank you,
24 Your Honor.

25 MR. HOUTZ: My name is Brett Houtz.

1 I don't know where to begin. You are
2 the person in my life who was supposed to be a
3 role model. You were suppose to be teaching me
4 things like honor, respect, and accountability.
5 Instead you did terrible things, and I can't
6 begin to explain how this has screwed up my life.

7 You had the chance to plead guilty to
8 these charges and spare us of having to testify
9 about the most embarrassing moments of our lives.
10 Rather than take accountability for your actions,
11 you decided to try to attack us as if we had done
12 something wrong. You obviously have no morals or
13 pride in allowing your lawyers to try to
14 discredit my testimony when we both know exactly
15 what happened. You should be ashamed of
16 yourself, and others who covered up what had
17 happened to us need to be held accountable for
18 your actions so that this never happens again.

19 I want you to know that I don't forgive
20 you, and I don't know if I ever will forgive you.
21 I grew up in a bad situation and you made things
22 worse. Because of you I trust no one and I will
23 not allow my own child out of my sight for fear
24 of what could happen to him.

25 My only regret is that I didn't come

1 forward sooner or tell someone about what
2 happened. I had no clue that this was happening
3 to others, and while I stand here today telling
4 you that I don't forgive you, I ask that others
5 who were abused after me will forgive me for not
6 coming forward sooner.

7 Thank you, Your Honor.

8 MR. McGETTIGAN: Your Honor, that
9 concludes the testimony of the Commonwealth at
10 the sentencing phase. Thank you, Your Honor.

11 THE COURT: Mr. Sandusky.

12 THE DEFENDANT: I'm grateful for the
13 opportunity to speak today. Thank you.

14 I feel I need to talk, not from
15 arrogance but from my heart. There is so much
16 that I would want to say but I have been advised
17 not to say. I'm filled with emotion and filled
18 with determination. I didn't do these alleged
19 disgusting acts.

20 I speak today with hope in my heart for
21 a brighter day not knowing when that day will
22 come. Hopefully my words will impact at least
23 one person. This was the worse loss of my life
24 but not the first. Please don't close the book
25 today at sentencing. There's a lot left to

1 learn, if you choose to do that.

2 As I began to relive everything, I
3 remembered my feelings when so many people were
4 hurt. It was a terrible feeling and my eyes
5 filled with tears. It was a horrible time in
6 life to witness, to listen to, to be a part of.
7 Many moments have been spent looking for a
8 purpose. Maybe it will help others. Some
9 vulnerable children, who may have been abused,
10 might not be as a result of all the publicity,
11 but I'm not sure about it. I would hope that it
12 would happen. I would cherish the opportunity to
13 be a lit candle for others as my life goes on as
14 they have been a huge light to me. Hopefully we
15 can get better as a result of our hardship and
16 our suffering; that somehow, some way something
17 good will come out of this.

18 The pain continues when I think about
19 those who have made the allegations. These are
20 people I cared about and still do. I used to
21 think of ways to praise them, to help them, to
22 have fun, improve their self-esteem. I used to
23 think of ways that worked for so many, many
24 others in the course of my lifetime and I tried
25 those with them.

1 Life has become more difficult for us.
2 For the most part, I have been confined to a
3 small room. I meditate, read, write, exercise,
4 eat, all in that room.

5 There are outbursts occasionally from
6 troubled inmates. My experience with The Second
7 Mile helps me through this. In fact, there's a
8 Second Mile young man who was a participant there
9 with me.

10 I celebrated our 46th wedding
11 anniversary there. Just before I awakened, I
12 rolled thinking that I was going to hug my wife
13 and give her wishes. I cracked and hit my head
14 against a cinder block wall. It was symbolic to
15 me because I have hit many walls in the last few
16 years.

17 I told Dottie that day we're definitely
18 in the fourth quarter. When I was coaching, I
19 would always used to -- said our players you'd
20 find out who's with you in the fourth quarter.
21 You find out who's committed, who will stand by
22 you, who will go through the hurt and pain to get
23 you where you want to go. She, and others, are
24 standing strong. I'd like to believe that they
25 know me the most. I would like to believe that

1 they know me not for who I have been portrayed by
2 so many.

3 It is for those still standing, those
4 who have been ridiculed and criticized for
5 standing up for me that we will continue to
6 fight. There's much to fight. You don't have to
7 look very far to see all the invested factions
8 but that doesn't matter. Those who still believe
9 in us are the ones that matter.

10 There's a lot of darkness in that room.
11 I think about not being with her, not being there
12 for our children, not being there to see our
13 grandchildren mature, not being able to see our
14 dog, not being with friends, not playing games
15 with family and friends, helping people less,
16 laughing less, maybe crying a little more, and a
17 chill goes up my spine and my eyes fill again.

18 Often when it is darkest, God sends his
19 light. There's a friend by the name of Duane
20 Stafford who sent me this quote. The quote says:
21 It doesn't matter what you look at. It's what
22 you see.

23 When I look at those walls again, I see
24 the light. I see visits, inspirational cards and
25 books, letters of support. I see great memories.

1 I see loved ones carrying the light. I see
2 family and friends. I see those who overcame
3 huge obstacles. I see all the people who thrived
4 with just a little of our help and a little of
5 our hope. I see the people who have stood by me.

6 I see special inmates who smile at me,
7 not for concern in the darkest moments. I see me
8 throwing thousands of kids up in the air,
9 hundreds of water balloon battles, happy times,
10 people laughing with us, maybe at us sometimes.

11 I see a big -- I see kids laughing and
12 playing and I see a big lovable dog licking their
13 faces and my heart warms. It gets warmer when I
14 read special cards and letters. I'm going to
15 read one.

16 It came from a young man whose had all
17 kinds of problems, been in hospitals. He said --
18 his letter reads:

19 "You have impacted my life in so many
20 ways. You were my lifeline. There were many
21 times growing up I wanted to give up but I didn't
22 because I wanted to make you proud. All of this
23 impacted me. There isn't a day I don't think of
24 you and your family. In my eyes you are
25 Touchdown Jer. I remember staying at your home

1 and how good it was and how good you and your
2 family were to me.

3 "Let's see if you remember a few things
4 like going swimming, Penn State Creamery, and
5 church and speaking at a fundraisers, lunch,
6 coming to the hospital over and over, being
7 around my family just to name a few. But most of
8 all you being Jerry and my best friend.

9 "There are no words I could ever say to
10 tell you thank you but I thank you so much for
11 all you have done. I will continue to stand by
12 you and comfort you. I love you, Jerry.

13 "Please be strong and never give up.
14 Love you."

15 This would not have been read publicly
16 ever and there's so much more I -- than I'm used
17 to. Others can take my life. They can take and
18 make me out as a monster. They can treat me as a
19 monster. But they can't take away my heart, and
20 in my heart I know I did not do those alleged
21 disgusting, hideous acts.

22 My wife has been my only sex partner in
23 life and that was after marriage. Loyalty has
24 remained a part of me. Our love has continued.

25 I wish I could remove the hurt and take

1 away the pain for so many. My ultimate hope is
2 somehow all of this suffering will lead to a
3 better life when the last breath comes for many.
4 It's like all the suffering it takes to win an
5 athletic contest. This experience helps you
6 realize how temporary life is and we're just
7 briefly passing through.

8 When thinking about what happened, I
9 remembered some videos I made for The Second Mile
10 camp. I enjoyed making albums, writing, being
11 different, teaching and coaching and entertaining
12 all at the same time.

13 I tried to bring joy. I had tried to
14 make people laugh. I tried to bring learning and
15 memories at the same time. I made them for
16 Second Mile camps, for family, for friends,
17 football camps.

18 One was about the movie *Seabiscuit*, a
19 favorite of mine because I love people who won't
20 quit. I love ordinary people who overcome. I
21 love underdogs always.

22 Another I called Life Ball. Some of our
23 family, some Second Mile kids, some Penn State
24 football players participate in that video. It's
25 about two football teams. One thought they had

1 won. They celebrated and had a grand time. They
2 gained so much. So much of it was insignificant.
3 The message was sometimes you win or think you
4 win but in the long run even if the score board
5 doesn't show it, you can turn up on the short
6 end.

7 Today is a difficult day. I'm being
8 labeled and sentenced. In preparation I have
9 read many books especially about people and their
10 strength to endure extreme suffering and hardship
11 and persecution. They were about the worse of
12 life and they were about the best of life. They
13 were about amazing people and faith. They
14 certainly put my struggles in perspective. No
15 way have I reached level they reached.

16 Life goes on, wherever that might be. I
17 have been blessed. I have been to the mountain
18 top. I have seen the valley of the shadow of
19 death. I have been in a locker room hugging and
20 crying out of joy as national champs. I have
21 been in a locker room crying of devastation of a
22 very difficult loss.

23 I have enjoyed relationships with family
24 and friends. I have enjoyed life's simple
25 pleasures. I have been comfortable with black,

1 white, brown, yellow, young, old, large, small,
2 whatever, gifted or handicapped, mentally and
3 physically.

4 I have visited prisons. I have visited
5 Second Mile people in prisons and others and now
6 I stay in one. I have been in ghettos and
7 trailer parks seeking and trying to find Second
8 Mile kids. I have been to many celebrations and
9 weddings, graduations of Second Mile success
10 stories.

11 I have wiped away a first tear and I
12 have seen lives end. I have laughed with
13 patients in hospitals and nursing homes and
14 walked away in tears. I have forgiven. I have
15 been forgiven. I have comforted others. I have
16 been comforted. I have been kissed by dogs. I
17 have been bit by dogs. I have sung at football
18 camp. I have yelled at football camp. I have
19 met people from all over the world and tried to
20 help.

21 I have been a fighter. I have
22 conformed. I have also been different. I have
23 been me. I have been loved. I have been hated.
24 I have been -- I certainly have been given life.

25 I have lived long enough to cherish many

1 memories and I have a card in my room with the
2 word hope on it. I cling to that card. I hold
3 onto it knowing that we, those, when we look at
4 each other and know that we tried. We will
5 continue to try. We'll try to endure, to hold
6 our heads up, to face what we must, to hope for
7 help, and to cling to what we have. We are going
8 to smile because I have always smiled through the
9 pain. We're going to laugh, and we're going to
10 cry because that's who we are.

11 And to my loved ones I want to say the
12 most difficult part of this experience is the
13 pain of separation, and some of the labeling and
14 the treatment hurt but they don't compare to
15 their absence. It would be unbearable without
16 some contact, without the love and pride I share
17 with you, without your caring and hurt as our
18 grandson Brady learned from his preschool teacher
19 you get a mean heart or you get a creepy hurt
20 when you are mean to others and you get a big
21 heart when you're kind to others. For those
22 people over there, they should get huge hearts.

23 It would be unmanageable without God's
24 light and without God's hope and love. This
25 matters to most anyone. It's a hard way to learn

1 but probably it's the greatest purpose of this
2 whole thing.

3 MR. McGETTIGAN: Your Honor, will you
4 give the Commonwealth a minute?

5 THE COURT: Excuse me?

6 MR. McGETTIGAN: Will you permit the
7 Commonwealth a minute?

8 THE COURT: No.

9 MR. McGETTIGAN: Thank you, Your Honor.

10 THE COURT: Mr. Amendola, do you want to
11 approach the lectern with your client please?

12 MR. AMENDOLA: (Complies.)

13 THE COURT: And Mr. Sandusky.

14 THE DEFENDANT: (Complies.)

15 THE COURT: It is I think important that
16 we begin with a clear understanding of what you
17 are being sentenced for. You are being sentenced
18 based on the guilty verdicts unanimously entered
19 by a jury of your peers that found that you
20 sexually assaulted ten boys. A jury of your
21 peers has determined that you are guilty of 45
22 separate charges.

23 You had the opportunity to learn before
24 trial what the evidence against you would be.
25 You had the opportunity to confront the witnesses

1 here in open court and have your attorney subject
2 them to cross-examination. You had the benefit
3 of the rules of evidence that assured that you
4 received a fair trial. So the sentence today is
5 based only on facts proven in open court to be
6 true beyond a reasonable doubt.

7 In short, you received all the benefits
8 of due process that underlie our system of law
9 because no penalty can be legitimately imposed
10 under our system unless that due process has been
11 satisfied.

12 No judge may impose a sentence without
13 giving the defendant a right to speak in court.
14 In addition, I read your letter submitted in your
15 sentencing memorandum and the letter from
16 Mrs. Sandusky.

17 I think it cannot be disputed that you
18 have done much positive work in your community,
19 in your church not only for Second Mile but for
20 other organizations as well. So it is perhaps
21 the ultimate tragedy of this situation that all
22 of the qualities that made you so successful as a
23 coach and community leader have continued to
24 conceal the very vices which have led to your
25 downfall. And it is precisely that ability to

1 conceal those vices from yourself and from
2 everybody else that, in my view, makes you
3 dangerous.

4 You abused the trust of those who
5 trusted you. These were not crimes committed
6 against strangers. Those crimes are bad enough
7 but to betray the ones who look to you as a
8 protector is much, much worse. So the crime is
9 not only what you did to their bodies. Your
10 crime is also your assault to their psyches and
11 to their souls and your assault to the safety and
12 well-being of the larger community in which we
13 all live.

14 There's a lesson in our communities for
15 all this. It is that in the protection of our
16 children, we must always be vigilant to assure
17 that there are not those among us who would harm
18 them. The problem is that where pedophiles are
19 concerned, it is very often the case, as you
20 were, that they are trusted community figures.

21 It's hard for the average citizen to
22 understand why pedophiles are not quickly
23 recognized and caught. But the reality is that
24 the very nature of the pedophile's method of his
25 crime is to take time to ingratiate himself to

1 both parents and children, to develop the
2 relationships of trust that enabled him first to
3 commit the crimes and then to conceal the crimes.
4 It is this remarkable ability to deceive that
5 makes these crimes so heinous.

6 It's easy for those who never
7 encountered a pedophile to think that there must
8 be something wrong with those who failed to
9 recognize what was going on. Those who have
10 never encountered a pedophile can hardly begin to
11 understand the anguish of those who have been so
12 expertly deceived and who did not realize until
13 it was too late the harm that had been done.

14 So the tragedy of this crime is that
15 it's a story of betrayal. The most obvious
16 aspect of the betrayal, of course, is your
17 betrayal of those ten children but it has been my
18 experience as a judge over many years handling
19 many of these cases that some victims of these
20 kinds of crimes feel that somehow by testifying
21 against you they have betrayed the very person
22 who assaulted them. Some of your victims at some
23 point, after all, had a genuine affection for
24 you. As one said this morning, you were
25 respected, trusted, and admired.

1 So many people have been personally
2 involved in the issues surrounding this case and
3 its fallout. Some have had their innocence
4 taken. Others their sense of community and place
5 has been shattered. Their loyalties have been
6 tested. Their lives have been irrevocably
7 altered. All of them have come here hoping for
8 justice as they define it would be done.

9 Has justice be done? It's a fair and
10 important question and one that probably awaits
11 answering in some period of more calm reflection
12 because we have to identify first what we mean
13 when we say justice.

14 To some justice is nothing more than a
15 result we happen to agree with. If we agree,
16 then we say justice was done. If we disagree,
17 then we say there was an injustice. But a
18 moment's reflection demonstrates that justice is
19 a much more complicated concept.

20 So I want to say words specifically to
21 the victims.

22 The fact that you were assaulted is no
23 cause for embarrassment or for shame. As
24 children, you were the victims of a pedophile.
25 His deception included creating in you the

1 feeling of guilt if you were to report him. His
2 conduct was no fault of your own. As adults, you
3 have now come forward to hold him accountable,
4 and it is for your courage, and not for your
5 assault, that you will be remembered and on which
6 you must focus if you are to become whole and
7 healed.

8 In fashioning the statement (sic), I
9 have taken into account the factors that the
10 Sentencing Code specifies; specifically, the
11 protection of the public, the gravity of your
12 crimes as they relate to the impact on the lives
13 of the victim and on the life of the community as
14 a whole, and on your rehabilitative needs. While
15 you are being sentenced only for the specific
16 crimes for which you were found guilty, I am
17 obviously aware of and have taken into account
18 the effect of those convictions on this
19 community.

20 I have also taken into account the
21 sentencing guidelines as well as the statutorily
22 mandated sentences for some offenses. Of course,
23 I hope it goes without saying that there's no
24 place in our law that permits a sentence to be a
25 substitute for vengeance or an instrument of

1 retaliation.

2 I have carefully read the pre-sentence
3 reports prepared by the probation department. I
4 have carefully listened to the statements of your
5 victims. I have carefully read the written
6 statement that you submitted, your statement this
7 morning, and your broadcast statement of last
8 night.

9 With regard to that last statement, all
10 I can say is that like all conspiracy theories,
11 it flows from the undeniable to the unbelievable.

12 This sentence that I'm about to impose
13 is structured as a whole. There is no
14 significance, therefore, to the fact that the
15 sentences on some counts are either concurrent
16 with or consecutive to sentences imposed on other
17 counts. The fact that some sentences are
18 concurrent or consecutive to sentences on other
19 counts is not any indication that I necessarily
20 believe any one crime is more or less serious
21 than any other crime or that the offenses against
22 one person are any more or less deserving of
23 punishment than the offenses against any other
24 person. I have simply tried to simplify an
25 otherwise complex sentencing structure into a

1 more easily understood format.

2 I am now going to impose the sentence.

3 I will tell you in advance what the
4 total sentence will be so that you don't have to
5 stand there adding up numbers in your head.

6 I am not going to sentence you to
7 centuries in prison, although the law would
8 permit that. But talking to a 68-year-old man
9 about dozens and dozens of decades in prison is
10 too abstract to have any practical meaning. It's
11 only a big number. But when I say as I will that
12 you are sentenced to spend not less than 30 years
13 nor more than 60 years in prison and that has the
14 unmistakable impact of saying very clearly for
15 the rest of your life. Therefore, the sentence
16 of the Court is as follows:

17 And now, October 9, 2012, and effective
18 this date, the sentence of the Court is that you,
19 Gerald A. Sandusky, shall be committed to the
20 custody of the Pennsylvania Department of
21 Corrections for an aggregate term of not less
22 than 30 years nor more than 60 years, with credit
23 for time served of 112 days. Specifically, you
24 are sentenced as follows:

25 At No. 2422 of 2011, Count 1,

1 involuntary deviate sexual intercourse, a first
2 degree felony, not less than 10 years nor more
3 than 20 years.

4 At Count 17, involuntary deviate sexual
5 intercourse, first degree felony, not less than 5
6 years nor more than 10 years consecutive to Count
7 1 at 2422.

8 At No. 2421 of 2011, Count 1,
9 involuntary deviate sexual intercourse, felony of
10 the first degree, not less than 10 years nor more
11 than 20 years consecutive to Count 17 at 2422.

12 And on Count 7, involuntary deviate
13 sexual intercourse, a felony of the first degree,
14 not less than 5 years nor more than 10 years
15 consecutive to Count 1 at 2421.

16 The sentence on all remaining counts at
17 No. 2422 and 2421 shall run concurrently with
18 each other and concurrently with the aggregated
19 sentences on Counts 1 and 17 of 2422 and Counts 1
20 and 7 of 2421 as follows:

21 At No. 2422, Count 2, IDSI, not less
22 than 120 months nor more than 240 months.

23 On Count 3, indecent assault, not less
24 than 6 months nor more than 12 months.

25 At Count 4, unlawful contact with

1 minors, not less than 48 months nor more than 96
2 months.

3 At Count 5, corruption of minors, not
4 less than 6 months nor more than 12 months.

5 At Count 6, endangering the welfare of
6 children, not less than 3 months nor more than 6
7 months.

8 At Count 8, indecent assault, not less
9 than 6 months nor more than 12 months.

10 At Count 9, unlawful contact with
11 minors, not less than 9 months nor more than 18
12 months.

13 At Count 10, corruption of minors, not
14 less than 6 months nor more than 12 months.

15 At Count 11, endangering welfare of
16 children, not less than 3 months nor more than 6
17 months.

18 At Count 12, indecent assault, not less
19 than 1 month nor more than 2 months.

20 At Count 13, unlawful contact with
21 minors, not less than 3 months nor more than 6
22 months.

23 At Count 14, corruption of minors, not
24 less than 6 months nor more than 12 months.

25 At Count 15, endangering the welfare of

1 children, not less than 3 months nor more than 6
2 months.

3 At Count 20, indecent assault, not less
4 than 1 month nor more than 2 months.

5 At Count 21, unlawful contact with
6 minors, not less than 6 months nor more than 12
7 months.

8 At Count 22, corruption of minors, not
9 less than 6 months nor more than 12 months.

10 At Count 23, endangering the welfare of
11 children, not less than 3 months nor more than 6
12 months.

13 At Count 25, unlawful contact with
14 minors, not less than 3 months nor more than 6
15 months.

16 At Count 26, corruption of minors, not
17 less than 6 months nor more than 12 months.

18 At Count 27, endangering the welfare of
19 children, not less than 3 months nor more than 6
20 months.

21 At Count 29, unlawful contact with
22 minors, not less than 3 months nor more than 6
23 months.

24 At Count 30, corruption of minors, not
25 less than 6 months nor more than 12 months.

1 At Count 31, endangering the welfare of
2 children, not less than 3 months nor more than 6
3 months.

4 At Count 32, attempted indecent assault,
5 not less than 1 month nor more than 2 months.

6 At Count 34, corruption of minors, not
7 less than 3 months nor more than 6 months.

8 At Count 35, endangering the welfare of
9 children, not less than 3 months nor more than 6
10 months.

11 At Count 36, IDSI, not less than 60
12 months nor more than 120 months.

13 At Count 37, attempted indecent assault,
14 not more (sic) than 1 month nor less (sic) than
15 12 (sic) months.

16 At Count 38, unlawful contact with
17 minors, not less than 6 months nor more than 12
18 months.

19 At Count 39, corruption of minors, not
20 less than 6 months nor more than 12 months.

21 At Count 40, endangering the welfare of
22 children, not less than 3 months nor more than 6
23 months.

24 At No. 2421 of 2011, Count 2, IDSI, not
25 less than 10 years nor more than 20 years.

1 At Count 3, indecent assault, not less
2 than 6 months nor more than 12 months.

3 Count 4, unlawful contact with minors,
4 not more (sic) than 48 months nor not less (sic)
5 than 96 months -- excuse me, not less than 96
6 (sic) months nor more than 48 (sic) months.

7 At Count 5, corruption of minors, not
8 less than 6 months nor more than 12 months.

9 At Count 6, endangering the welfare of
10 children, not less than 3 months nor more than 6
11 months.

12 At Count 8, IDSI, not less than 60
13 months nor more than 120 months.

14 At Count 9, indecent assault, not less
15 than 6 months nor more than 12 months.

16 At Count 10, unlawful contact with
17 minors, not less than 6 months nor more than 12
18 months.

19 At Count 11, corruption of minors, not
20 less than 6 months nor more than 12 months.

21 At Count 12, endangering the welfare of
22 children, not less than 3 months nor more than 6
23 months.

24 All these sentences are within the
25 sentencing guideline range, standard range.

1 These sentences are aggregated to a term of not
2 less than 30 years nor more than 60 years and you
3 are given credit for 112 days of time served from
4 December 7 to December 8, 2011 and from June 22,
5 2012 to today.

6 It is further ordered that you pay the
7 costs of prosecution;

8 That you pay restitution as provided by
9 law to the Commonwealth of Pennsylvania Victims
10 Compensation Assistance Program in the amount
11 \$1,706.81;

12 That judgment is directed to be entered
13 against you and in favor of the Centre County
14 Probation and Parole Department for all
15 restitution and costs ordered to be paid as part
16 of the sentence;

17 That you shall continue to be
18 incarcerated in the Centre County Correctional
19 Facility for 10 days from today and then
20 transported by the sheriff to the Department of
21 Corrections, and be sent to the Correctional,
22 Diagnostic, and Classification Center at Camp
23 Hill, Pennsylvania, for further processing and
24 placement unless the Court orders otherwise.

25 During the period of incarceration at

1 the Centre County Correctional Facility, as
2 required by the DNA detection of Sexual Offenders
3 and Violent Predators Act, you shall submit a DNA
4 sample, a photograph, and full set of
5 fingerprints and pay the mandatory \$250
6 assessment associated with that procedure.

7 Do you have any questions about that
8 sentence?

9 THE DEFENDANT: No.

10 MR. AMENDOLA: I don't, Your Honor.

11 THE COURT: I want to state for the
12 record, however, that the convictions regarding
13 Victim 8, that is Counts 36 through 40 at No.
14 2422, are specifically intended to run
15 concurrently, and if those convictions should
16 happen to be set aside on appeal, it will make no
17 difference to the sentence structure as a whole
18 and will not require a remand for resentencing.
19 That is also true for any sentence imposed on a
20 conviction that might subsequently be deemed to
21 have been merged with another conviction and on
22 which a concurrent sentence was imposed.

23 Yesterday, Mr. Sandusky, I also gave to
24 your attorney the form requiring your signature
25 for post-sentence rights and a notice that I

1 would read to you following sentencing.

2 Do you have that notice handy.

3 MR. AMENDOLA: Yes, Judge.

4 THE COURT: You have the right to file
5 post-sentence motions or to file an appeal to the
6 Superior Court of Pennsylvania. You have the
7 right to raise in your post-sentence motions or
8 your appeal any issue that was raised before
9 trial, during trial, or during sentencing. Even
10 if you do not file a post-sentence motion, you
11 may still file an appeal with the Superior Court
12 and raise on appeal any issue already raised in
13 this Court before or during trial or during
14 sentencing.

15 You have right to the assistance of
16 counsel in the preparation and filing of any
17 post-sentence motion and any appeal. If you
18 cannot afford to hire an attorney, you may file a
19 written request with the Court asking that
20 counsel be appointed to represent you.

21 If you intend to file a post-sentence
22 motion, they must be filed with the Court in
23 writing and within ten days of today. If you
24 file a post-sentence motion, I must decide the
25 motion within 120 days from when they are filed

1 unless you ask for and I allow an additional 30
2 days for decision. If the post-sentence motions
3 are not decided within that time limit, they are
4 automatically deemed to have been denied.

5 If you decide to file an appeal with the
6 Superior Court of Pennsylvania, your appeal must
7 be filed in writing with that Court. If you do
8 not file a post-sentence motion in this Court,
9 then your appeal must be filed with the Superior
10 Court within 30 days of today.

11 If you do file post-sentence motions
12 with this Court, then your appeal must be filed
13 within 30 days of when I decide your
14 post-sentence motion or when I decide any motion
15 to modify sentence filed by the Commonwealth.

16 Under certain limited circumstances, you
17 may have a qualified right to bail under Rule of
18 Criminal Procedure 521(b) which states that a
19 defendant sentenced to a term for longer than two
20 years may be allowed additional bail at the
21 discretion of the sentencing judge.

22 I'll ask you to sign that form and
23 acknowledge that I have read this notice and that
24 it has been read to you.

25 MR. AMENDOLA: Your Honor, he has signed

1 it.

2 THE COURT: Okay. May I have that
3 please?

4 MR. AMENDOLA: (Complies.)

5 THE COURT: We'll present for filing the
6 post-sentence rights form as well as the notice
7 to the defendant post sentence.

8 Anything further?

9 MR. AMENDOLA: No, Your Honor.

10 THE COURT: Counsel?

11 MR. McGETTIGAN: No, Your Honor.

12 THE COURT: We'll note for the record
13 the time is 10:22. Court is adjourned.

14 E N D O F P R O C E E D I N G S

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C E R T I F I C A T E

I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me upon the hearing of the within matter, and that this copy is a correct transcript of the same.

Date Patricia A. Grey, RPR
Official Reporter

A P P R O V A L O F C O U R T

The foregoing record of the proceedings had upon the hearing in the within case is hereby approved and directed to be filed.

Date John M. Cleland, Senior Judge
Specially Presiding