

# PRESS RELEASE

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## ***Former Penn State President Graham Spanier charged in “conspiracy of silence;” Gary Schultz & Tim Curley face additional charges***

HARRISBURG — Attorney General Linda Kelly and Pennsylvania State Police Commissioner Frank Noonan today announced that criminal charges have been filed against former Penn State University President Graham Spanier, who is accused of conspiring with other top university officials to conceal information about suspected child abuse involving Jerry Sandusky, along with obstructing the criminal investigation into this case, perjury before a grand jury, endangering the welfare of children and other related crimes.

New criminal charges have also been filed against former University Senior Vice President for Finance and Business Gary Schultz and former Penn State Athletic Director Timothy Curley.

Spanier, Schultz and Curley are accused of concealing information about suspected child abuse involving Jerry Sandusky, including on-campus incidents from 1998 and 2001 that were reported and discussed in great detail by those three men. The three are also accused of obstructing the criminal investigation into the case, making false statements before a grand jury, endangering the welfare of children and other related crimes.

“This is not a mistake, an oversight or a misjudgment. This was a conspiracy of silence by top officials at Penn State, working to actively conceal the truth, with total disregard to the suffering of children,” Kelly said.

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"I hope the attention this case received will change people's perceptions concerning child sexual abuse," said Noonan. "If you are aware of a complaint by a child or if you know that a child is being abused, it is imperative that you report it immediately to law enforcement."

The grand jury presentment shows in great detail the ways in which the three men conspired to conceal and cover up the truth, according to Kelly.

"The grand jury issued a subpoena in December 2010," said Kelly, "but pertinent emails and other key evidence were never turned over until April 2012, after these men had left their jobs."

Notes and documents about the 1998 and 2001 crimes were allegedly kept by Schultz in a file drawer in his campus office. Schultz told staff members that they were never to look in that "Sandusky" file. On November 5, 2011 – the day that original criminal charges were announced against Sandusky, Schultz and Curley – that file was removed from Schultz's office and delivered to his home.

The existence of Schultz's file about Sandusky, along with an extensive amount of additional information from Penn State that was beneficial to the investigation, was not disclosed until after Spanier was terminated as President of the University by the Board of Trustees, which then directed university personnel to cooperate fully with the investigation.

Kelly said it is important to remember what was at stake in this case. Spanier, Schultz and Curley failed to do what was legally required of them when the matter first came to their attention. As a result, at least four boys were attacked between 2001 and 2008, including Victim 1, Victim 3, Victim 5 and Victim 9.

Graham B. Spanier, 64, 425 Windmere Drive, State College, is charged with one count perjury and two counts of endangering the welfare of children and two counts of criminal conspiracy, all third-degree felonies which are each punishable by up to seven years in prison and \$15,000 fines.

Additionally, Spanier is charged with one count of obstructing the administration of law or other governmental function and one count of criminal conspiracy, both second-degree misdemeanors punishable by up to two years in prison and \$5,000 fines, along with one count of failure to report suspected child abuse, a summary offense punishable by up to 90 days in prison and a \$300 fine.

Gary Charles Schultz, 63, 636 Rosslyn road, Boalsburg, and Timothy Mark Curley, 58, 201 Meadowlark Lane, Boalsburg, are each charged with two counts of endangering the welfare of children and two counts of criminal conspiracy, third-degree felonies which are each punishable by up to seven years in prison and \$15,000 fines. Schultz and Curley are also each charged with one count of obstructing the administration of law or other governmental function and one count of criminal conspiracy, second-degree misdemeanors which are each punishable by up to two years in prison and \$5,000 fines.

Kelly noted that Curley and Schultz are currently awaiting trial in Dauphin County court on charges of perjury (one count each) and failure to report under the Child Protective Services Law (one count each). At this time that trial is scheduled to begin in January 2013.

Preliminary arraignments for all three will be scheduled before Harrisburg Magisterial District Judge William C. Wenner.

Kelly and Noonan noted that this remains an active and ongoing criminal investigation and thanked the agents, troopers, investigators and support staff from both the Office of Attorney General and the Pennsylvania State Police for their dedication and professionalism during this extensive effort.

(A person charged with a crime is presumed innocent until proven guilty.)

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**Editors' Note:** Photos of the defendants and copies of the criminal complaints and grand jury presentment are available by contacting the Attorney General's Press Office at 717-787-5211.