

# The Patriot-News

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## **Alleged victims in Jerry Sandusky case are faced with reality of revealing their names.**

Prosecutors have warned the alleged victims of Jerry Sandusky: When you take the stand to testify at trial, your name could go public.

Several people close to the case, including the attorney for Victim Four, told The Patriot-News that the state attorney general's office is beginning to prepare the eight known alleged victims for their testimony in Sandusky's June trial. And part of the preparation includes the realization that they will have to publicly state their names for the court record.

It could end months of anonymity and carefully crafted court documents, records and subpoenas from investigators and Sandusky's attorney.

Aside from Victim One, who was outed by someone close to him, bullied out of school and forced to move from his Clinton County home, the accusers have remained successfully shielded from the public since charges were filed against the former Penn State football legend and the scandal erupted in November.

Media swarmed Centre County. Everyone wanted to talk to the accusers. But for the most part, they were able to remain anonymous.

Investigators have become increasingly careful. When witnesses come to Harrisburg to testify before the ongoing grand jury, they meet at a secret location, are driven to an unmarked parking garage underneath the attorney general's offices in the Strawberry Square office complex, and ushered into the grand jury in a restricted elevator.

Early on, Judge John Cleland, who will preside over the case in Centre County Court, ordered that no one reveal the names of those who have accused Sandusky, and everyone involved obliged.

But if Sandusky takes his case to trial, as he has promised in proclaiming his innocence, the invisibility could end.

Months after the initial hype of the case seemed to die down, the fear of unwanted attention came flooding back twice in May.

First, when Sandusky's attorney sent out dozens of subpoenas to state agencies and school districts asking for information about the eight accusers.

Then, prosecutors inadvertently published a court document detailing evidence that included the names of many involved. The document was taken down from the Centre County Court website within about 12 hours.

Prosecutors have said nothing publicly about the mistake, and when asked if they will try to protect the identities of the men at trial, a spokesman from the office said "that's not something we can comment about."

So, what happens to these eight men when they raise their right hand and take the stand?

Victim One's situation could be an indication of the media swarm that they could face.

The now-18-year-old and his mother and siblings moved from their home when the charges were announced, but their new address got out.

Their phones were ringing off the hook. There were knocks on the door at all hours of the night. Someone broke into their car to leave a business card on the front seat.

It was a few days before the family realized that someone had leaked his name.

A family member of another alleged victim quit their job after being harassed at work because of the allegations.

"We have to hope that folks would be responsible enough that they wouldn't do that," attorney Ben Andreozzi said about members of the courtroom gallery using the Internet to harass the

witnesses.

“There is a chance. That’s a possibility, but Victim Four feels his moral obligation to testify and do the right thing outweighs the risk of his name being made public,” he said.

Andreozzi represents Victim Four, and said he intends to ask prosecutors and the judge to consider using an alias during trial.

“I have heard from the AG’s office that at some point there’s nothing we can do and you just have to bite the bullet — the victims need to be prepared that their identities will be disclosed in that courtroom,” he said. “That’s not preventing me from further diving into the issue to see if there’s anything I can do to convince them otherwise.”

[Tom Kline](#), a Philadelphia attorney who represents one of the accusers, said he’s “hopeful and confident” that the attorney general will take every legal measure available to keep them anonymous.

“The AG and the court were sensitive to the issue at the preliminary hearing, and that is my expectation here,” Kline said.

This is something that victims of sex abuse often have to accept when they decide to pursue justice in court.

Traditional news media generally do not identify alleged victims of sexual assault.

But court documents typically include names. And most times, victims take the stand and say who they are for the record.

When that happens, nothing can stop bloggers, anonymous commenters, Twitter users and anyone with a keyboard and Internet connection from broadcasting their names to the world.

It doesn’t have to be that way.

The law says a judge can allow a witness to take the stand anonymously. But it is uncommon.

“Because no one fights for it,” said Meg Garvin, executive director of the National Crime Victim Law Institute.

“So I would hope that either those victims’ attorneys or the prosecution would file a motion asking that pseudonyms are used at trial. It’s not a foregone conclusion that they can’t remain private. Someone just has to do it. It’s not automatic,” Garvin said.

So far, no such request has been made.

Walter Cohen, a former state attorney general who has been closely following the case, said it’s easiest to keep the identities of accusers private when they are still children.

But the judge could still do it in this case.

A defendant is guaranteed the right to confront and question his or her accuser. Names have nothing to do with that, Cohen said.

“[Sandusky’s attorney] can cross-examine in a fashion that gives him his constitutional right to a fair trial,” Cohen said.

Even if the judge allows the names to be kept off the record, there will be evidence, such as documents with names, and witnesses who might not remember what aliases to use.

And circumstances will have to be explained, such as what years they were involved in The Second Mile charity that Sandusky founded, what school they attended, who their friends might have been. All that will make it easy for many in the community to figure out who they are.

If the public is allowed to listen to and watch testimony, there is a strong possibility that those who take the stand will be recognized by members of their community.

That’s why people close to the accusers are preparing them to be publicly known.

“Protecting their name helps them not just in the moment ... ‘Is someone going to show up on my doorstep?’ ” Garvin said. “But also with all the searchability we all live with. If their names are in [court documents], they’re there for the rest of their lives. Someone could Google in 20 years and ... that will last a lifetime in this day of technology.”

In the sex abuse case in the Roman Catholic Archdiocese of Philadelphia — jurors are currently hearing testimony — the alias given to one alleged victim succeeded in protecting his identity only until trial.

Once he took the stand, the man known as “Billy” in court paperwork, had to give his real name when he testified that he was raped as a boy.

When former Penn State football player Austin Scott was accused of sexual assault in 2007, Centre County prosecutors attempted to keep his accuser’s name secret during a preliminary hearing.

The anonymity lasted only a matter of minutes. A defense attorney addressed the woman by name in one of the first questions he asked on cross-examination.

Dozens of reporters scribbled down her name, leading to a story that would eventually unravel the case — proof that she had accused someone else of sexual assault several years before.

A judge ruled the cases were so similar that a jury should hear about both, and prosecutors withdrew the charges on the eve trial.

There have been other high-profile cases in which the names of accusers have been leaked. In 2003, a 19-year-old woman accused NBA star Kobe Bryant of sexual assault and was named on the Internet.

The case was later dropped when she refused to testify.

The name of the young boy who accused Michael Jackson — who was acquitted at trial — of sex abuse was easily available on the Internet even though mainstream media did not publish it during the trial.

“The real impact is on the victim because that person is distracted themselves, and there’s a possibility they won’t be as good of a witness,” Garvin said.