

By *Jeremy Roebuck*
Oct. 13, 2012

The Philadelphia Inquirer

Penn State in settlement talks with 20 Sandusky accusers

PHILADELPHIA — Pennsylvania State University has entered into preliminary settlement talks with at least 20 men accusing Jerry Sandusky of sexual abuse, the college's appointed mediators said.

That figure — more than double the number of victims who testified against the former assistant football coach at trial — offers the first glimpse of Penn State's potential liability in the largest scandal in its history.

Their ranks include the eight accusers named in state prosecutors' case against Sandusky, four more who have either filed lawsuits or come forward to claim molestation in the news media, and at least eight more who have not publicly aired their allegations of abuse.

The university's appointed mediators have yet to begin the process of vetting any of the 20 claims, negotiator Michael K. Rozen said in an interview last week.

"All of these claims will be very different from one another factually and potentially legally," he said. "We're having lots of discussions so far about how to go about evaluating them."

Penn State hired Rozen and law partner Kenneth R. Feinberg to handle settlement negotiations last month. Their firm previously managed the Sept. 11 victims-compensation fund and settlements with those affected by the 2010 BP oil spill in the Gulf of Mexico.

So far, the mediators have reached out to attorneys representing the accusers but described their discussions Friday as preliminary. Rozen said he and Feinberg have yet to come up with criteria to evaluate the claims.

"Right now, we're trying to think through how we transparently — both to the claimants and the university — put the claims into some sort of hierarchy," he said. "Because there's so much attention being paid to this, we don't think we can have 20 separate negotiations and 20 separate resolutions."

Since Sandusky's conviction in June, Penn State President Rodney Erickson has expressed his desire to quickly settle with the victims in hopes of avoiding drawn-out and costly legal proceedings. He hopes most claims can be resolved by the end of the year, Rozen said.

And while lawyers for several of the accusers had previously criticized the pace of the negotiations, they said in interviews last week that they found the current direction of talks encouraging.

"There appears to be an overwhelming appetite on the Penn State side for these claims to be settled," said Tom Kline, a Philadelphia attorney who represents the 26-year-old Sandusky victim identified in court documents as Victim 5.

Erickson has declined to estimate how much the university may be willing to pay out in any potential settlement, but has repeatedly pledged his intention for fair compensation.

"We want to make sure that we do the right thing in terms of providing a just outcome for them," he said of the victims in September.

Sandusky was sentenced Tuesday to 30 to 60 years in prison for the serial sexual abuse of 10 adolescent boys, all of whom he met through The Second Mile, a charity he founded for underprivileged youth, and many of whom were abused on Penn State's campus.

Two top university administrators — suspended athletic director Tim Curley and former Vice President Gary Schultz — await trial in January on charges they failed to report early allegations against the former assistant coach and later lied about it to a grand jury.

And a much-debated, university-backed investigation in July found that former head football coach Joe Paterno and ex-university President Graham B. Spanier had participated in discussions questioning Sandusky's behavior years before he was arrested and officially charged in November.

Throughout, the university has come under frequent criticism both for the handling of allegations against Sandusky and for its initial response to the scandal surrounding his arrest. Trustees have repeatedly expressed a desire to address issues raised by the scandal and move past them.

On Friday, the university's board announced new progress in implementing recommendations laid out by former FBI Director Louis Freeh in a July report on the scandal.

His suggestions included the implementation of a crisis-management plan, further training for all employees on sexual-abuse reporting requirements, and the clarification of chains of command in among top administrators, university trustees and individual departments.

In the past few months, the university has appointed a new chief legal counsel, beefed up human resources oversight of all departments, and reshuffled its athletics department to clearly define lines of authority and reporting requirements.

"I'm very proud of our faculty, staff and students and look forward to continued progress," Erickson said in a statement issued Friday. "I am fully confident that Penn State will emerge stronger and serve as a model of compliance for universities across the nation."