

## **'JoePa' takes the fall: Tom Corbett throws Joe Paterno under the bus, inept media, and the decline of the Pennsylvania Attorney General Office**

by Bill Keisling

*"What counts in sports is not the victory, but the magnificence of the struggle,"* Penn State Coach Joe Paterno for years was fond of saying. It's a variation of the phrase, *"It's not whether you win or lose, but how you play the game."*

This ethos of fair play, honesty, doing the right thing, abiding by the same rules as everyone else, hard work, proper preparation, and decency in all our endeavors is lost on Pennsylvania Governor Tom Corbett,.

Insiders at the state attorney general's office speak of moral bankruptcy, blatant hypocrisy and raw politics in the AG's office under Corbett.

Tom Corbett misused the office of attorney general to win the Pennsylvania governor office at any and all cost, by any means necessary, those around him say. Part of the great cost paid, we now see in the Jerry Sandusky case, included the safety, dignity and well-being of children.

As governor, Corbett then attempted to distract public attention away from his own mounting failures, political machinations and dishonesties by making a fall guy of Joe Paterno.

Look at the wreckage in Corbett's wake. The reputations of Coach Joe Paterno, Penn State, and its football program, are all in tatters and ruin. Like a scandalized widow, Penn State would contemplate changing its name. Penn State's once-proud football team, for decades among the finest in the nation, suffered a fall from grace, deep disgrace, and was in jeopardy of disbandment.

The moral authority and integrity of the governor office and its predecessor - - once occupied by great, sincere and hard-working men like Benjamin Franklin, Andrew Curtin, and Gifford Pinchot -- has also taken a devastating hit.

Pennsylvania and some of its most hallowed institutions would be discredited and become the butt of national jokes and disbelief. All that has

been much discussed.

Not so clearly seen and spoken about is that Corbett, on his political run to the governor office, would leave in tatters the Pennsylvania Office of Attorney General, and potentially the careers and reputations of the many good and dedicated people who work there.

But that's only part of the unseen story.

### ***'Don't do it here'***

Jerry Sandusky's kid glove treatment at the hands of diverse Pennsylvania institutions, from 1998 until late 2010, reveals a classic pattern of looking the other way. From at least 2009 onward, AG Tom Corbett would be *the* lead player in this culture of cover-up, shielding and confidentiality.

In March 2009, a former Corbett underling, Centre County District Attorney Michael Madeira, referred several Sandusky pedophile complaints to AG Corbett. Madeira was a former deputy AG, and a drug prosecutor, under Corbett. He'd been elected Centre County DA following the strange disappearance of Ray Gricar in 2005. Passing the case along to AG Corbett, Madeira cited a personal conflict of interest involving a relative.

DA Madeira himself hadn't done much with these Sandusky complaints while they were in his office. The complaints, after all, had been referred to Madeira the previous year, in 2008. Neither would AG Corbett do much with them.

After the Sandusky scandal became public, speculation arose as to possible motivations behind Corbett's past reluctance to take action. He had been concerned that he'd be perceived as having impeded or obstructed the investigation, of offending major contributors, and of a backlash from alumni and friends of Penn State.

While certainly there are issues of politics, largesse (Macellus Shale, for example) and [patronage](#) deserving keen public scrutiny to help explain Corbett's misconduct, we must consider an obvious harsh reality: Sandusky's protection by Corbett, and others, mirrors a pattern that is all too familiar to those who've investigated or studied other long-running pedophile crimes, I've been told repeatedly by experts.

Sandusky's treatment by superiors at PSU and the law enforcement community in Pennsylvania is little different, after all, from that received by Catholic priests in this and other countries. This familiar pattern of non-investigation -- amounting to shielding and protection -- would later scandalize the Roman Catholic Church.

(I suppose it should be pointed out here that Corbett, Paterno, and many of the other players in this tragedy, and myself, were raised Catholic.)

Pedophile priests for years would simply be told to go a different town and parish.

'Just don't do it *here*' became the bottom line. Like it or not, culturally and socially, for decades, this is how pedophile cases curiously have been handled by church and state authority figures alike, here and abroad.

If for no other reasons, pedophile complaints from victims and their families about Jerry Sandusky would be given lip service by school officials, charity overseers, and law enforcement -- including Attorney General Tom Corbett. Any complaints filed, and any supposed investigations, would be allowed to languish in the dark for years. And Sandusky would remain free to carry on.

Jerry Sandusky would simply be told, again and again: Don't do it here. Don't do it in the shower room. Don't do it at Penn State.

The current pope, Benedict XVI, was himself notably engulfed in very similar church pedophile cover-up scandals. Before he became pope, as a cardinal, Benedict took referrals and complaints of pedophilia from his subordinate church officials. These referrals simply and clearly were not acted upon in a timely, responsible fashion, or any fashion at all.

It comes down to a matter of priorities. Protecting an entrenched institution, its reputation and that of its members -- and protecting its God Almighty cash flow -- become more important than protecting children.

*"The abuse cases of two priests in Arizona have cast further doubt on the Catholic church's insistence that Pope Benedict XVI played no role in shielding pedophiles before he became pope,"* the Associated Press, for example, [found](#) in April 2010.

*"Documents reviewed by The Associated Press show that as a Vatican*

*cardinal, the future pope took over the abuse case of the Rev. Michael Teta of Tucson, Ariz., then let it languish at the Vatican for years despite repeated pleas from the bishop for the man to be removed from the priesthood.*

*"In another Tucson case, that of Msgr. Robert Trupia, the bishop wrote to then-Cardinal Ratzinger, who would become pope in 2005. Bishop Manuel Moreno called Trupia 'a major risk factor to the children, adolescents and adults that he many have contact with.' There is no indication in the case files that Cardinal Ratzinger even responded.*

*"The details of the two cases come as other allegations emerge that Benedict – as a Vatican cardinal – was part of a culture of cover-up and confidentiality."*

And so it was with Pennsylvania Attorney General Corbett's shielding and protecting former assistant Penn State football coach Jerry Sandusky, Penn State, and the formerly well-respected 'The Second Mile' charity that Sandusky had co-founded.

If for no other reason, the assistant football coach would receive a similar hands-off treatment for more than a decade, not only from his overseers at Penn State, and his associates at The Second Mile charity, but also from the District Attorney's office in Centre County, and, central to this essay, from the Pennsylvania Office of Attorney General, occupied since 2005 by Tom Corbett.

Corbett, like the Pope, would become the most visible and prominent part of a culture of cover-up and confidentiality, shielding and protection of an alleged predator.

A weak defense would be that they were merely following the example of the earthly leader of the church, the Pontiff.

The founder of the church, Jesus of Nazareth, had a decidedly different view about the treatment of children. We're told that Jesus loved the little children, and spoke of their innocence and purity as a parable of the Kingdom of God. The Gospels of Matthew, Mark and Luke all relate this story:

*"And they brought young children to him ... and his disciples rebuked those that brought them. But when Jesus saw it, he was much displeased, and said unto them, 'Suffer the little children to come unto me, and forbid them not:*

*for of such is the kingdom of God'... And he took them up in his arms, put his hands upon them, and blessed them." see Mark 10:13-16, Matthew 19:14, Luke 18:15-17.*

Much like those questionable disciples, AG Corbett would keep the children from the supposed safe harbor and long arms of *the law*.

There would be an investigation of Sandusky in name only, and opportunities to prosecute Sandusky for *pedophilia* would be avoided time and again.

Corbett's associates say it would come down to matters of priorities and political expediencies.

Corbett, for his part, has doubtfully explained his failure to prosecute Sandusky. It was the fault of a "*slow grand jury*," Corbett explains. Very slow indeed.

He would say he wanted to make sure there was enough evidence before bringing a case. But he did little to collect more evidence, and stymied the investigation. Corbett in fact did next to nothing from early 2009 onward, when the Centre County DA Michael Madeira referred the case to him. It was Tom Corbett who was slow.

Corbett adds that he was focusing his attentions instead on a long-running public corruption case known in Pennsylvania as "Bonusgate." That, observers say, is somewhat closer to the truth. But it's not really the whole truth. What we know of the whole story is far more complex and troubling.

### ***The whole story is mind-boggling***

Pennsylvanians of late have been rocked by one mind-bending systemic public corruption scandal after another. We've grown used to having our minds boggled.

*More than 6,500 children* in Luzerne County, PA, were [sold down the river](#) to private detention facility owners who for years bribed state judges with \$2.6 million to house the lodgers. Close relatives of state Supreme Court justices were caught up in this and other Dickensian criminal capers. The state's chief justice himself in 2011 was [caught funneling millions of dollars](#) allocated for a Philadelphia family court construction project to a close

associate and golf buddy. A state Supreme Court justice was impeached. As I write, another state supreme court justice has been **informed** that she is the target of yet another grand jury investigation. A state attorney general in the 1990s was convicted of taking bribes for years from organized crime and gambling figures. A powerful state senator for decades openly used political patronage and **extortion** to feather his private nest.

Complaints of many of these crimes were received in several state offices, but simply were ignored for years, like the Sandusky complaints. Time and again in Pennsylvania government, powerful insiders are protected from investigation while victimized citizens have nowhere to go with their complaints. Thus powerless victims are further victimized. In this growing culture of corruption the band always plays on.

In each case, these scandals festered *for years* without the intervention of the state AG's office. It was only the tardy involvement of federal investigators that finally brought some of these crimes to public view.

The inability of victimized Pennsylvanians to get help, or to simply be heard with their complaints, is at the heart of the overall problem. The Commonwealth of Pennsylvania no longer has a government, or a press, that is much, if it all, interested in *all* of its citizens. Rather, privileged insiders (like Jerry Sandusky) have become all-important, and take precedence. Instead of the Commonwealth of Pennsylvania, it has become the Privilegedwealth of Pennsylvania.

How did we get here?

The bottom line is that Tom Corbett's personal misuse of the state AG's office to run for governor all but destroyed the morale and integrity of the Pennsylvania Office of Attorney General. Previous to 1980 the AG was an appointed position. Elective politics have proven to be poison for the AG's office.

Most ironically, the staff at the AG's office has been left as helpless as the victims.

*"It's all politics,"* with a sigh, is what I am told.

***'Tied together'***

To understand what's going on in Pennsylvania, as well as Tom Corbett's claims that a "*slow grand jury*" was responsible for his failure to act promptly to prosecute Jerry Sandusky, we have to attempt to wrap our minds around what in Pennsylvania has come to be called Corbett's "*Bonusgate*" prosecution.

Many Pennsylvania Democrats, independents and even old-time, fair-minded Republicans simply call it political persecution. But it's more worrisome than that.

The "*Bonusgate*" case began in January 2007, a little more than two years before the Sandusky case was referred to AG Corbett.

It started with an article appearing in the Harrisburg *Patriot-News*. The *Patriot* is the capital city's daily newspaper, with roots into the mid-19th century. Today the *Patriot* is Harrisburg's only daily newspaper, and in modern times is owned by the Newhouse chain.

On January 27, 2007, the *Patriot-News* [ran an article](#) reporting that some unnamed Democrats working in the lower house of the legislature -- called in Pennsylvania the General Assembly, or simply the House -- received bonuses in their paychecks. What wasn't so clear was why they'd received the salary bonuses.

The previous election cycle in 2006 brought the Democrats to a narrow 102 to 101 majority in the General Assembly, the *Patriot-News* pointed out.

*"What was clear is the payments have stung some caucus employees who were left out, and raised questions for them about whether the payments were tied to work on legislative campaigns,"* the *Patriot's* Charles Thompson and Jan Murphy wrote.

The *Patriot* only mentioned names of prominent Democrat leaders. *"Employees contacted by The Patriot-News who did not take campaign assignments this fall from (House Majority Leader Bill) DeWeese, former Democratic Whip Mike Veon, D-Beaver, or the House Democratic Campaign Committee said they did not receive a bonus. They spoke to the newspaper only on the condition of anonymity because of the sensitive nature of the issue,"* the *Patriot* states.

It's against the law, the *Patriot* reminded us, for state workers to be paid for

political activities.

*"It is a longstanding practice for many legislative staffers from both parties to take leave, compensatory or personal time to do volunteer work on campaigns" the Patriot reported. "It would be illegal, however, for their employers to pay them for that work with state funds."*

In the old days, when Pennsylvania enjoyed a robust, independent, and critically thinking press, the editorial team at a daily newspaper like the *Patriot* would have naturally hoped that an article like this would spark the interest of some independent-minded government investigator. Perhaps the article's concerns would be picked up, investigated, and championed by someone in neutral law enforcement, or the legislature.

Before the fall of newspapers and the rise of the Internet, to be considered for a Pulitzer Prize, for example, one's story usually had to be acted upon by some attorney general, district attorney, or legislative committee.

The *Patriot* clearly wished its story would be pursued by Attorney General Tom Corbett, for whom the paper even today often acts as chief cheerleader and defender.

The newspaper's editors got their wish. Within days, in February 2007, AG Corbett **announced** that his public corruption unit would "*look into*" the *Patriot's* suggestion that the legislative staff bonuses were tied to campaign work.

(Since the time of Corbett's election as attorney general in 2004, the *Patriot* would be about the only state publication that I'm aware of that would be successful in getting AG Corbett to investigate *anything*.)

For Corbett, in 2007 already contemplating his run for governor in 2010, the *Patriot's* article proved irresistible. The *Patriot* had a large, captive audience in Republican-sodden central Pennsylvania. And, after all, the *Patriot's* article mentioned only problems in the opposition Democratic caucus.

Fair enough, I suppose. Here was a story of interest, involving political work at the state capitol. And here was an elected Republican attorney general saying he'd look into it.

Trouble is, to say you've found politics in the state capital building in

Harrisburg, Pennsylvania, is a lot like saying you've found a turd in a sewage treatment plant.

Operatives of both political parties at the capitol continuously practice elective politics. Legislative workers engaging in politics are as common as oil paintings and [colored floor tiles](#) in the rotunda.

Elective politics and politicians built the place, like cowboys built the rodeo, and clowns built the circus. It is the music that they dance to. It is the bounce in their steps. The twinkle in their eye. The slap on their backs. It is the blood in their veins, and the drop of vermouth in their gin. And everyone knows it.

*Both* political parties in *both* houses of the legislature are guilty of these time-honored political practices. Throughout the state's history, legislative workers and their political bosses have engaged in opposition research; combing through nominating petitions for errors or fraud; disqualifications of nettlesome candidates; organizing the troops back home; strategizing; criticizing; cursing; pushing a partisan agenda; seeking a job and hiring a worker.

Most if not *all* come to work with some election or other on their minds.

The Harrisburg *Patriot-News* itself timidly waited a good while to acknowledge this reality. It seemed instead to attempt to lay blame by degrees.

*"Corbett, a Republican, has vowed to examine all four legislative caucuses,"* the newspaper [reported](#) on December 28, 2007, at the end of the first year of fear, loathing and hair-splitting. *"But the probe has focused most publicly on House Democrats, whose bonus payments surged from \$400,000 in 2005 to more than \$1.8 million in 2006.*

*"House and Senate GOP staffers, by comparison, were paid bonuses totaling less than \$500,000."*

### ***Winning friends and influencing voters***

Almost immediately, at the start of this witch-hunt in 2007, cries of foul went up from the Democratic caucus. Democrats complained that a partisan, elected Republican attorney general, obviously coveting the governor's

office, should not be allowed to conduct this overtly political investigation. Why not appoint a special prosecutor? Failing that, shouldn't Corbett rule out running for governor?

Heedless, as always, of common sense warnings, Tom Corbett cynically proceeded to use an investigation about politics in state offices to launch his own political campaign for governor.

To win votes, Corbett would prosecute others who, he'd argue in court papers, should be jailed for doing what *he* was now doing: Using his office, its resources and its workers to get him elected to higher office.

Other problems became manifest. It was equally obvious that AG Corbett could not blaze a trail to the governor's office, and win friends and influence voters, if he launched torpedoes at his own party's powerful legislative leadership caucuses, and *their* political supporters in the capitol, and back home.

So, naturally, it should go without saying (but I'll say it anyway), prominent Republicans would have to be *protected and shielded*, even while AG Corbett's political enemies in the legislature's Democratic caucus went down with a thud.

The *Patriot-News* seemed to have had a tin ear to any complaints. The newspaper continued to push its story. It even seemed to be championing *its* champion, Tom Corbett, for the governor's desk.

In Pennsylvania, backed by the deep pockets of the Newhouse clan, the *Patriot* was starting to look like the last dinosaur standing. The *Patriot* seemed suddenly powerful, at least compared to its tottering daily news counterparts in cities like Philadelphia, Pittsburgh, and nearby [York](#), which were all threatening to go, or had already gone, [belly up](#).

Already, in 2007, the unholy legislative bonus affair had been called by some wag in a newsroom somewhere "*Bonusgate*."

In November 2011, ironically, the *Patriot* would critically [report](#) in a headline that the fates of Jerry Sandusky's The Second Mile charity, and Penn State University, "*were tied together*." Just as accurately, the *Patriot* and Tom Corbett became tied together in the ongoing "*Bonusgate*" political fiasco.

The *Patriot-News* had become joined at the hip with AG Tom Corbett, if not intentionally, certainly practically, and obviously. Bound together, like two escapees from a chain gang, they found themselves waist deep in the Big Muddy.

A good bit of this binding together included what we call today "*access to power*," or "*access journalism*." We kiss ass, we get access. We don't kiss ass, we lose access. So we better continue to kiss Tom's ass. This carries over today with the *Patriot's* coverage of the Sandusky case, its fawning portrayal of Corbett's continued bad acts in the mess, and the paper's careless role in the rush to judgment against Coach Joe Paterno.

In this lamentable age of monopoly newspapers, a dangerous dynamic formed between the politically ambitious Republican attorney general and the Republican-leaning *Patriot-News*.

Too much power had been allowed to concentrate in too few places. It would end up destroying the state attorney general's office. It would end up, ironically, contributing to the languishing non-investigation of Jerry Sandusky.

It may yet destroy Gov. Tom Corbett.

The *Patriot*, as far back as 2007, chose to report about this growing controversy concerning Tom Corbett's political misuse of the attorney general's office, if it chose to report about it at all, as a problem of mere *perception*.

In the same December 2007 article mentioned above, the *Patriot* even published quotes suggesting that Corbett should somehow be perceived as a "*corruption-busting*" reformer. With this unhealthy concentration of power, a sort of Orwellian Newspeak was being born in Pennsylvania. Machine politicians abusing their offices were reformers. Bad was good. Up was down. Dissenting opinion was whining, and perhaps even criminal. A dangerous political game, based on unbridled access to unchecked power, was unfolding.

Playing to this perception game, Republican lawmakers were even allowed to wonder aloud in this article if *they* might be the next to be sacrificed in this perception game. Forget facts, the law, fairness, and what's best for Pennsylvania's future.

Even the Patriot did not let this pass without comment.

*"Republican leaders, meanwhile, fear Corbett might feel it necessary to take a GOP scalp to immunize himself against bias charges,"* the Patriot reported.

And, *"It really does ramp up his need to show the investigation was broad and the net was cast wide to show this was not a partisan crusade, but him (Corbett) doing his job as the chief law enforcement officer in the commonwealth,"* a political science teacher was even allowed to opine about these perceptions.

All this, you'll note, does not concern whether Tom Corbett was actually *doing* the right thing. It only concerns whether the public would *perceive* AG Corbett was doing the right thing.

There is a difference.

What was missing from the *Patriot's* non-critical and shallow self-examination was a serious critique of growing and obvious structural problems in Pennsylvania government. Also missing was a soul-searching look at our politics, and how, and whether, our system of politics should be changed.

The ignored abstract questions include: Should the state attorney general be elected? Should an elected attorney general, in the midst of a political corruption investigation, be allowed to run for governor? Should there be a period of time -- say, four to eight years -- when an attorney general is disqualified by law from running for governor? Wouldn't an independent prosecutor better and more fairly handle this investigation?

But there are harder abstract questions. How does our political system *really* work? Is there *a reason* it works like this? What are the alternatives? Will those untried alternatives actually work?

For example, we've heard calls for term limitations of elected officials. But recent events in Washington show us the dangers of running a government of amateurs, musicians, soap opera stars, carnival barkers and political science professors.

Do we really want to outlaw those old-time smoothie political horse traders and arm twisters who know their way around a capitol? Do we really want to

end earmarks? How can a congressman, a senator, or a president horse trade *with nothing*? WWLJS: What Would Lyndon Johnson Say?

In politics, to the victor go the spoils. When there are no spoils, what will be the carrots and sticks to move the horse and wagon, to get things done around the common weal?

The *Patriot* as well ignored a soul-searching self-examination of its proper role as a publisher, and the proper role of its writers in our American society.

Should a newspaper merely be a one-sided cheerleader for a politician or a prosecutor? Should a newspaper, or a writer, be about throwing light, or throwing people in jail?

Should a writer, a publication, or a blog, attempt to illuminate what's going on, to seek fairness, to ask questions about how our government functions, and suggest alternatives?

### ***Political prosecutions race forward while pedophile case stalls***

Former House Democrat Majority Whip Mike Veon was among the first to go down in a "*Bonusgate*" [conviction](#), in March 2010. Veon's conviction came just as primary voters were being asked to vote for Tom Corbett in the gubernatorial primary.

As strange luck would have it, in late 2009, I stopped into a Harrisburg convenience store and spotted, standing in line, waiting to check out, Mike Veon. I recognized him from his 'perp' walk photos in the *Patriot-News*. His neatly trimmed moustache and beard made him hard to misidentify. We struck up a conversation. He was aware of some of my writings, and some of my family. We agreed to meet and talk.

Some days later Veon and I met again, this time in a small, out-of-the way tavern in midtown Harrisburg. Veon was well groomed and dapper, as always.

We sat at a table drinking a few beers. Several appreciative and concerned patrons came up to shake Veon's hand, and to wish him well at his coming trial. A city alderman or a committeeman came up to discuss some small neighborhood political problem. Veon was like a pol from the past, I saw. Ear to the rail, hand in the hand, eye to the eye.

I'd visit Veon several more times at his home in Harrisburg. We sat out on his small shady back patio, listening to the traffic go by out front, on Second Street. You could almost smell and hear the muddy Susquehanna River flowing a block and a half away.

I didn't ask Mike Veon much anything at all of "*Bonusgate*." I really wasn't much interested in it. I told him I'd like to interview him in depth about how the legislative process *really* worked, and any reforms he'd suggest.

My questions appeared strange to him, I could tell. It was as if I was speaking a foreign tongue in a foreign land. He spoke a little about the days when he first came to Harrisburg as a young lawmaker, about the blatant politicking he'd witnessed in those days in places like the offices of politicians such as Jim Manderino. Manderino was a beefy old-time legislative leader in the 1970s and 80s. The public won't read these insightful and humorous stories in the pages of the *Patriot-News*.

Veon also spoke lovingly of his wife, and the long hours he'd put in at the state capitol, often sleeping on his office couch to get things done. "*If I had to do it all over,*" Veon tells me at one point, looking me dead in the eye, "*I would just spend the time with my wife.*"

Then, a flash in his eye, he spoke of his deep loyalty to the Democratic Party, and his blind trust in other Democrats.

In a few months time, following a rock'em sock'em trial before a Republican judge (who himself was a former partisan DA), Veon would be convicted in "*Bonusgate*." He'd be **sentenced** to state prison for six to fourteen years.

Then, just as unexpectedly, as luck would further have it, in January 2012, as I sat writing this essay, my phone rang. On the other end was Mike Veon's one-time boss, former Majority Leader Bill DeWeese. Rep. DeWeese rang me up to complain about his own pending "*Bonusgate*" trial, and to offer up a few choice words for former prosecutor and Gov. Tom Corbett.

*"Corbett and the people around him are brutish, nasty, and are just bad people,"* DeWeese says to me. He compares today's Pennsylvania to **Bavaria** Germany in the 1920s.

DeWeese complained to me of blatant politicking by Corbett's own staffers during the 2010 gubernatorial campaign, and the inability of anyone to do

anything about it.

DeWeese doesn't complain to only me, I should add. He gets on the floor of the state House and blows loud and long about it, like a solo trumpeter.

A week later, on his way to jury selection on January 19, Deweese [pointed out](#) to reporters that AG Corbett, from March 2009 to October 2010, "*had 14 prosecutors and agents tearing my life and Sharon Rodavich's life apart. He had one investigator on Jerry Sandusky.*" Rodavich was a former staffer of, and co-defendant with, DeWeese, before she accepted a plea deal.

DeWeese's experience contrasts with the number of investigators assigned to the Sandusky non-investigation. It's apparent that the "*one investigator*," a state trooper, assigned to Sandusky's pedophile case, wasn't even actively investigating.

His was a "*political trial*," DeWeese complains, brought over "*petty*" matters by his political opponent, AG and now Gov. Corbett. "*Corbett had it out for me. He's had a focus on me for a long time,*" DeWeese tells reporters.

Already, in opposition quarters, believe it or not, I've heard talk by some of seeking political asylum outside of Pennsylvania. That's a measure of how bad and dangerous politics have become here. As for me, I was glad to lend an ear to Bill DeWeese's complaints.

The Harrisburg *Patriot-News* certainly wouldn't be listening, or looking, or speaking out much on DeWeese's behalf, or his calls for fairness.

The other side of the story wasn't all that was *not* being told. A growing number of hard questions about Tom Corbett's *personal* misconduct were, and continue to be, ignored by the *Patriot-News*, and other corporate media.

What about the hypocrisy of Corbett using his AG's staff and resources for political ends?

Just how far did these political and prosecutorial abuses go? As the Romans used to say in their final days of Praetorian Guard corruption, "*Quis custodiet ipsos custodes? Who will guard the guardians themselves?*"

Who would call Tom Corbett on it? He'd thrown his most articulate political opponents of the Democratic caucus leadership in jail, some for draconian

sentences. He was threatening other Democrats with the same. If they were to speak out, they would only be threatened with harsher sentences, for being "*uncontrite*." Apparently his political opponents were supposed to be contrite and sorrowful that they were not members of Corbett's own protected Republican caucus.

So everyone mostly shut up and went along. There were no opposition newspapers left to speak out against what critics say was, and is, going on in Pennsylvania.

In Pennsylvania, unfortunately, in the last decade, powers increasingly coalesced to one man and one party -- including the great power to throw personal or political opponents in jail. Dissenting voices found themselves drowned out, ignored, or threatened into silence.

The bare bodkin we should consider, for the purpose of this essay, is the effect all this had -- not just on victimized children and others -- but on the Pennsylvania Office of Attorney General.

The AG's office would be converted into a political machine for Tom Corbett. The AG's office would be transformed from a respectable and independent law enforcement agency into an election-day power base.

Hidden somewhere in the bowels of that in-all-but-name political election machine was a pedophile complaint mentioning Jerry Sandusky and a few of his long-suffering young victims.

### ***'Arrest by news conference'***

The farcical yet ultimately tragic canard that the Jerry Sandusky pedophile investigation languished in the AG's office for almost two years because it was before "*a slow grand jury*" is a disingenuous and ridiculous lie, associates of Tom Corbett say.

The sad truth is it was before a slow attorney general who was running for governor.

The reality is that, since 2007, a large percentage of grand juror time was devoted exclusively to "*Bonusgate*." In Tom Corbett's election playbook and timetable, there would be little grand jury time for anything else, including sodomized children.

One way to look at it is as a simple matter of priorities.

It was explained to me like this: There are only two statewide grand juries meeting at any time. And those two grand juries do not meet over the summer months, between May to September. When they do meet, it is only part time, most often only for several hours a week.

Grand juries are furthermore disbanded after 18 months, when a new set of grand jurors must be sworn in and restart an investigation, basically from scratch. In other words, even the most earnest grand jurors have very limited resources of time. They may indict a ham sandwich, but they must do it like a short order cook: fast and greasy.

From 2007 to 2010, the grand juries were almost completely saturated by witnesses and evidence involving Corbett's "*Bonusgate*" legislative bonus prosecutions.

During this period Tom Corbett was also running for governor, basing his campaign on the controversial theory that he was a "*Bonusgate reformer*." So there had to be, if only for purely political reasons, "*Bonusgate*" results.

There was little time for anything else but "*Bonusgate*," save drug prosecutions, which also made Tom Corbett -- or any present-day prosecutor -- look good to voters.

*These "Bonusgate" grand jury sessions were scheduled purely to "Get Tom elected governor,"* I've been told. Most everyone in the AG's office knew this, but could not openly say it in order to protect their jobs, and their careers in Pennsylvania law enforcement.

Instead, Orwellian-like Newspeak began to spill from the tongues of the AG staff.

Phrases like, "*We're going to make another arrest by news conference today,*" were commonly heard.

*"Arrest by news conference,"* became a popular AG's office euphemism. Rather than simply arresting someone and quietly having the suspect arraigned, the front office insisted on first scheduling a news conference with TV and newspaper crews present for a well-publicized 'perpetrator (perp) walk.' This was all done to make Corbett look good on TV and in the

papers for election purposes. It *is* possible, after all, to arrest someone without a perp walk, and without news cameras in attendance.

The office of attorney general would de-evolve, hand-in-hand with the *Patriot-News*, into a press office for the elevation of Tom Corbett to the governor's office. It was a lot like the 1957 movie *The Sweet Smell of Success*, starring Burt Lancaster and Tony Curtis: the preening press agent, the powerful, ill-tempered and mercurial Zeus who destroys with a bolt from his finger, and, thrown in for good measure, more than a dash incestuous relations.

For offenders already in jail, but charged with additional crimes, "*arrest by news conference*" became an obvious joke. Rather than simply handing the new arrest warrant to the prisoner already behind bars and arraigning him quietly, the unlucky prisoner, by order of Corbett's front office, would now be driven to some judicial office for a perp walk and a specially scheduled "*arrest by news conference.*" Only then would the jailbird be given his new arrest papers, and driven back to jail.

Did AG office employees know they were helping Tom Corbett get elected governor?

"*Hell yeah,*" I'm told.

"*It was all political, and everyone knew it,*" is also how I've heard these and other practices described.

"*Everyone in the AG's office knew they were working to get Corbett elected governor with 'Bonusgate,' and with everything else they were told to do.*"

It was the truth that everyone knew, but no one could speak.

The sad twist of irony is that, in late 2011, the Harrisburg *Patriot-News* decried the two-years the Sandusky case had languished in the AG's office. The complaint I've heard is that it was the *Patriot's own* self-serving chest-thumping about the "*Bonusgate*" donnybrook that ate up an overwhelming chunk of the finite resources of the state AG's office, and the limited time of the grand jurors.

The political AG's office had become *media driven*.

This is where the media drove it.

***“Tom didn't want to do it”***

Moreover, a limited number of deputy attorneys general are on staff to handle cases like Jerry Sandusky's pedophile investigation. The deputy AGs are the lawyers who, at the ultimate direction of the AG, actually prepare and oversee the cases, and take them to court.

Without an activated deputy AG pushing a case, and without the approval of the boss, the attorney general, even the most diligent state trooper or agent can go nowhere with a prosecution. A cop cannot take a case to court without a lawyer.

The lack of prosecutor availability and oversight can also be seen as a method by which the AG's front office came to control, slow, or otherwise obstruct a hot-potato case involving even the most diligent state trooper or AG's office agent.

In the old days, agents and troopers ran the cases. They would consult with the deputy AGs mostly for matters like legal advice and warrants. For the most part, back then, investigators were in the driver's seat. They'd file charges, and the AG's office would follow through.

In 2003 all that changed. A new policy for criminal investigations required agents and troopers to consult closely with a deputy AG for what was called the *direction, scope and flow* of a case.

Simply put, if a deputy AG was not allowed by superiors to push a case, or did not approve of its *"direction, scope or flow,"* the case would go nowhere, no matter how many cops or investigators were put on the job.

As I say, an investigator or a cop can't bring a case to court. That's the job of a lawyer. That was the job of Pennsylvania Attorney General Tom Corbett.

Look at the AG as a shepherd, or a traffic cop, if you're so inclined. Without his say so, no one goes.

The attorney general's ultimate role is to establish priorities, allocate resources, and shepherd cases to court. Without a good shepherd, the sheep are lost.

The attorney general himself seldom personally takes a case to court. (Although former AG Mike Fisher, as a rarity, did in the early 2000s personally plead a few cases in court on behalf of the commonwealth.) Instead, the AG, through his criminal and civil department heads, assigns cases to deputy AGs.

AG Corbett's job and public trust to the people in the Sandusky case was to assign priorities and resources to the deputy AG to ensure the job was done. That's precisely what Corbett did not do, and where Corbett fell down on the job.

As we see here, a politically elected attorney general let loose to plague society can easily misuse his public trust to control a political and social hot potato. That's what happened to the AG's Sandusky pedophile non-investigation for a year and a half, from 2009 to late 2010. It was put on ice. The slow boat to China. "*Given File 13*", as cops say.

Tom Corbett simply did not want to prosecute the Sandusky pedophile case.

"*Tom didn't want to do it,*" I'm told.

"What do you mean, '*He didn't want to do it?*'" I ask again.

"*He didn't want to do it.*"

I have to keep asking the same question, and getting the same reply, before it begins sink in.

By assigning only a single trooper, yet not instructing or even allowing his prosecutor to *push* the case, AG Tom Corbett did the bare minimum he could do to cover his ass and to say that he was doing something about the Sandusky pedophile complaint(s).

In actuality Tom Corbett was doing *nothing*, except, intentionally or not, protecting and shielding Jerry Sandusky, and Sandusky's well-connected associates and institutions.

This would be *exactly* the same excuse offered by Pope Benedict in Rome to explain why pedophile complaints had languished for decades in his old Vatican office, without a good shepherd, when he was still Cardinal Ratzinger, before *his* election as pope. "*Stavamo lavorando su di esso.*"

That's Italian for, *"We were working on it."*

The cardinal's inactions hurt the papacy.

Just as Attorney General Corbett's inactions now injure the governor's office.

The green-domed Harrisburg state capitol building, I should mention, is modeled after St. Peter's Basilica in Rome.

### ***Candidate Corbett orders background investigations of 356 potential 'Bonusgate' jurors***

Over time it became all-too apparent to those working in the AG's office that Tom Corbett's *"Bonusgate"* investigation itself was political in nature. *"Bonusgate"* was used by AG Corbett as his main strategy and pillar in his political run for the governor's office.

It was stunning hypocrisy. AG Corbett was running for governor by prosecuting public employees for mixing elective politics with state work. Corbett was now openly doing the same thing: mixing elective politics with state work. The attorney general was prosecuting others, and jailing them, for doing what he was now doing, and making his staff do.

No one seemed able to speak out about it. At least, no one could be heard.

*"The whole AG's office knew we were helping Tom Corbett to get elected governor,"* is one complaint I've heard. *"Our focus from 2008 on was that. Everybody was working on 'Bonusgate.'"* And, *"The whole office was political."*

The AG's office, now running its boss for governor, simply had no time, or resources, for the Sandusky pedophile case -- even if there was the will to pursue the allegations, which there was not.

There were instead growing bumps and harrowing potholes along the way to victory in prosecutor Corbett's election road map to the state house. These problems caused candidate Corbett to further misuse the AG's staff for political purposes and ends.

An early jury acquittal in the *"Bonusgate"* prosecutions -- the December 2009 [acquittal](#) of former state Rep. Sean Ramaley -- caused gubernatorial

hopeful Corbett to outright panic.

Corbett feared that his simple political strategy would fail. Worse, he feared with apparently characteristic paranoia that his political opponents in the Democratic Party -- or even a potential primary opponent, former U.S. attorney Patrick Meehan -- might somehow have tampered with the acquitting jury.

At one point, I'm told, AG Corbett ordered his *entire* Bureau of Criminal Investigations (BCI) staff of agents to "*drop everything*" to perform secret background investigations of *all 350-odd people* in the jury pool for the upcoming, and politically important, "*Bonusgate*" trials involving former General Assembly Democratic Whip Mike Veon, and other Democrats. (I'm told the exact number of names on the list of potential jurors who underwent secret background checks by BCI agents on candidate Corbett's orders was 356.)

*"Everyone in the BCI had to drop whatever they were doing to do background investigations of the 'Bonusgate' jurors."*

There would be no time for Jerry Sandusky or his young victims in the middle of all that political craziness.

### ***Poor ethics create more problems in the AG's office***

The state attorney general's Bureau of Criminal Investigations (BCI), like the other units in the AG's office, is comprised of a relatively small and close-knit community of agents. At the start of the "*Bonusgate*" investigations, in the 2007 to 2008 time frame, about 74 agents worked in BCI around the state.

As Corbett's electioneering and paranoia intensified, the internal distractions, mismanagement and turmoil within the department caused the number of BCI agents to drop by about 15 percent, to about 63 or 64 agents.

Other growing yet ignored management problems like those in BCI's Norristown regional office, outside Philadelphia, plagued the office and its ability to conduct, well, actual criminal investigations.

*"There were major problems in BCI in Norristown. Personnel problems. A supervisor was crazy over there. Lots of personnel issues. Everybody was*

*leaving."*

The growing political nature of their work, and the obvious hypocrisy of Corbett and his front office, dispirited the AG's office longtime professional staff.

Further manpower shortages adversely affected low- or no-priority cases like the Sandusky investigation. These management problems were exacerbated by the outright shoddy ethics of deputy AGs, and Corbett's tolerance and cover-up of shoddy ethics. Simply put, they'd shoot themselves in the foot.

The shortage of deputy AG's was made worse, for example, because Senior Deputy AG [Patrick Leonard](#) had to be transferred to State College after he was caught withholding exculpatory evidence in a case titled *U.S.A. v. Eulises Rodrigues* in federal court in Philadelphia in 2003.

Federal Judge Mary McLaughlin found Deputy AG Leonard, and others, guilty of what is called a *Brady* violation, or, in layman's terms, *lying and withholding evidence*.

*"It is especially troublesome that Mr. Leonard told the Court during the trial that (a co-defendant and witness) Mr. Rivera was not telling the truth when it turned out that the other agents present at the sessions corroborated most of what Mr. Rivera said," Judge McLaughlin writes. "It also appears that Mr. Leonard did not follow the instruction of the United States Attorney's Office that he was to tell counsel for the defendant what the co-defendant said at the proffer sessions."*

Judge McLaughlin concluded, *"The Court holds that the government's failure to disclose to the defendant what was said by the co-defendant during the proffer sessions was a violation of Brady v. Maryland, 373 U.S. 83 (1963)."*

Leonard consequently could no longer partner with the federales to represent the AG's office in the federal Eastern District Court of Pennsylvania.

So Deputy AG Leonard was [shipped off](#) to Happy Valley. Another deputy AG had to pick up his slack in the east. I'm told there are *several* disreputable deputy AG's who've been found guilty of lying and/or withholding evidence in the AG office. All the lying scoundrels were afforded protection by Corbett and tucked away in outposts like Scranton,

where they continue to practice law for the AG's office and represent The People in court.

*"Just don't do it here,"* became a management credo in Tom Corbett's AG's office for people other than Jerry Sandusky.

Later, after Corbett's election as governor, other **lying scoundrels** and Corbett sympaticos would be rewarded with jobs in the governor's press office.

### ***Bonus for a 'Bonusgate' prosecutor?***

Mixing with the outright malfeasance and the incendiary atmosphere of politics in the AG's office was a growing odor of blatant hypocrisy.

Allegations flew that one of Corbett's own *"Bonusgate"* prosecutors himself misused the services of his AG's office secretary to help with his private work at home. *"She was helping the prosecutor with his school work."*

AG Corbett ironically in early 2006 elevated this compromised prosecutor to the newly created Public Corruption Unit. AG's office staff were angered that this deputy AG, like Corbett, was prosecuting people for doing what he himself was openly accused of doing within the department: misusing his state worker staff and office resources for personal goals, private chores, champagne wishes and caviar dreams.

I furthermore hear complaints that AG Corbett approved a \$20,000 bonus (or pay raise) to this same deputy AG for the fellow's successful prosecution of *"Bonusgate"* defendants leading to Corbett's election as governor.

I'm told one prominent *"Bonusgate"* prosecutor left the AG's office in outraged indignation over this bonus payment given to another *"Bonusgate"* prosecutor.

I paraphrase, with more than a crumb of irony, the *Patriot-News*, here:

*What is clear is the payment(s) have stung some AG office employees who were left out, and raised questions for them about whether the payments to the deputy AG were tied to work on "Bonusgate."*

The difference I suppose between me and the *Patriot-News* is that I hold out very little hope that Corbett, or any other public office holder in Pennsylvania, will investigate this any time soon.

There is no one to even take the complaint.

The simple complaint is this: AG Tom Corbett ran for governor by prosecuting his political enemies for bonuses *they* had given their staff. Yet Corbett himself countenanced political work and even a fat bonus to *his* staff for the overtly political "*Bonusgate*" prosecutions, the centerpiece of his gubernatorial campaign.

Staff members say this:

*"A deputy AG got an extra \$20,000 in pay because of 'Bonusgate' for his help getting Corbett elected governor. The politics and hypocrisy simply smacked you in the face. Of course no one could talk about it."*

*"The main concern was the 'Bonusgate' stuff was to get Corbett elected. Everyone knew it but they couldn't talk about it."*

***A laughable punch line: "I'm referring this matter to AG Tom Corbett"***

Everyone instead had to pretend that none of this was going on. You'd keep your tongue in your cheek, in more ways than one. The AG's office was living a fairy tale existence while Jerry Sandusky was allowed to keep on keeping on.

*"Nobody would talk about stuff like that. They'd just try to do their job."*

That was the case with the lonely state trooper and prosecutor assigned to the sandbagged Sandusky non-investigation. They went on to work other cases. Later, they'd have to pretend they were actually grinding away on the Sandusky case from March 2009 to October 2010.

The AG office staff instead grumbled and laughed about the seemingly endless "*arrests by new conference*," and the well-publicized TV perp walks of Mike Veon and his fellow "*Bonusgate*" defendants. Later on, a few over-the-hill Republicans would be tossed to the cameras on the perp walk. But AG Corbett's ally Republicans in powerful leadership positions, particularly in the state Senate, were, like Jerry Sandusky, protected, shielded, and left

untouched.

**Across the board, at every turn:** no use harming Tom's prospects at the polls. This was not just an unwritten policy in State College with Jerry Sandusky: in Republican strongholds like Harrisburg, Altoona and York political friends and party hacks finding themselves in **sticky wicket** criminal straights were protected by AG Corbett leading up to his gubernatorial campaign.

Around Pennsylvania, a new joke punch line was delivered by Republican district attorneys, a joke so funny that it knocked everybody to the floor with laughter: *"I'm referring this matter to Attorney General Tom Corbett."* Everybody knew and well expected that AG Corbett wouldn't actually *do* anything.

And so when Centre County DA Michael Madeira referred *his* Sandusky complaint to his former boss, AG Tom, Corbett, in March 2009, it was, we should presume, done with the same tongue-in-cheek knowledge that Corbett would simply and safely sit on the damn complaint, and do nothing.

### ***Not the good shepherd***

It was all about *priorities*.

Or, rather, misplaced priorities. In Jerry Sandusky's case, the wolf was left to hound the sheep while the appointed shepherd was out glad-handing on the rubber chicken circuit, raking in cool millions in campaign contributions from Penn State-related **benefactees**, big wheels and alums.

Many of Corbett's State College political contributors, in turn, benefitted from vast millions from broadcast rights to PSU football games from the television networks. (Again, consider how much of this is corporate *media* driven.)

Tom Corbett's unspoken and unwritten *real* job in all this, as he and his cohorts see it, is not to enforce the law, but to keep the party rolling.

*"Vote for me, and you won't have anything to worry about here,"* was the not-so-subtle message, I'm told, Corbett exuded both in his 2008 reelection campaign for AG, and governor. *"I'm the guy who'll keep the lid on things."*

When the lid finally blew off at Penn State, a lot of people would be hurt by Corbett.

Tom Corbett's first basic instinct is not to ask himself whether a given course of action is the right thing to do, or even whether it's the lawful thing to do. He certainly doesn't ask himself whether it's the smart thing to do. His first most basic instinct is to ask himself, Will this hurt me or our guys?

Tom Corbett is amoral, and is not particularly smart.

Part of the Corbett problem is the great success that former Gov. Tom Ridge and Sen. Arlen Specter had in stacking up the courts and bureaucracies with GOP hacks who just go along with whatever ridiculous things fellow party hacks say and do. Corbett himself was one of Tom Ridge's appointed party hacks.

So Corbett did not have to be particularly smart; he simply does dumb things knowing the other party hacks will cover his ass. His job, in turn, is to cover *their asses*.

The idiot Republican party hacks are everywhere today in Pennsylvania's federal and state courts, and in all other branches and levels of government. They've grown used to doing dumb things that won't stand up to scrutiny. Party hackdom, mediocrity, and going along with the pack were Corbett's successful spawning ground.

Corbett's predecessor in the governor's chair, Ed Rendell, by comparison, is smarter than Tom Corbett. Rendell came up in the much more contentious rough and tumble of Philadelphia politics and had to sharpen himself or be eaten by others.

Rendell's always thinking a couple steps ahead. They don't call him "*Fast Eddie*" without reason. Slow Tom, on the other hand, is always left to ruminate over the crap he's already stepped in.

Corbett does not understand why it is important for a governor, or even an attorney general, to be a good steward or shepherd for *all* the people of Pennsylvania. He doesn't want to waste his limited energy or abilities on such concepts. He would much rather have a newspaper party hack write an article portraying him as a good shepherd, than having to himself figure out what that is, and what that means.

The good shepherd, I'll note here, is a parable told by Jesus as related in John 10:11-12: "*I am the good shepherd. The good shepherd lays down his life for the sheep. The hired hand is not the shepherd and does not own the sheep. So when he sees the wolf coming, he abandons the sheep and runs away.*"

Tom Corbett was not a good shepherd. He allowed himself to become the hired hand of political and corporate interests. He was not about to lay down his life to protect the sheep. Hell, he wasn't even willing to *risk losing the election* for the sheep.

No use wrecking Tom's election by looking into Jerry's erection.

Outside of TV land, in reality, there simply was no separating the "*Bonusgate*" prosecutions from Corbett's campaign for governor.

There was no separating most *everything else* that did and *did not* happen in the AG office from Corbett's campaign for governor. The two became inexorably entwined.

***"The whole office was political."***

Tom Corbett's gubernatorial campaign became all about his prosecutions, and his management of the AG's office.

It follows, though less focused upon by the media: Tom Corbett's AG's office was all about his campaign for governor.

As I write this, the AG's office website still features a healthy dollop of Tom Corbett's campaign photo ops and videos, where he poses as a concerned and diligent prosecutor and public servant.

In reality, he was a candidate for governor.

In the end, Tom Corbett's crusading "*Bonusgate*" political strategy paid off, at least for him, at least for a while. Corbett was elected governor in November 2010. He would become the first elected AG to make the leap to the governor's office.

Corbett's election as governor would come at a great cost to the office of attorney general. The morale and simple self-respect of the AG's office staff

remain deeply harmed.

Also harmed were the truth, Pennsylvania, and children.

### ***Kissing the Ring***

The AG's office further deteriorated following Corbett's election as governor. By the understood yet unspoken rules of the political spoils system, those who had helped Corbett naturally hoped to be repaid by a patronage appointment from him.

*"Everybody was jockeying for position for another job."*

Corbett found himself treated with new deference. Many openly sought a promotion from him, or a job out of the AG's office altogether.

*"Kissing the ring, we called it."*

(*"Kissing the ring,"* of course, is a phrase used to describe one's interactions with a Pope or a Bishop. *"You can't clean up the church if the bishop is corrupt,"* an old Sicilian proverb goes, I'm told.)

Some soon felt politically betrayed by Corbett.

*"Everybody was complaining they got him supporters and contributors but got nothing in return from Corbett."*

Groups like the FOP (Fraternal Order of Police), for example, had supported Corbett, but he'd done little in return for many of its members who'd help him politically with their official AG's office work.

### ***A matter of timing***

The moment Tom Corbett was sworn in as governor he would get to name his own successor as attorney general. The AG would once again be an appointee of the governor, a throwback to the days before the office became elective in 1980.

Almost immediately after Corbett's election as governor, Corbett's First Deputy Attorney General, William Ryan, Jr., was discussed in the state press as a logical choice for AG appointment.

The AG office's second in command, Ryan was a career prosecutor who'd worked his way up through the ranks in the AG's office since 1997. Under AG Mike Fisher he'd run the Criminal Law Division. Ryan understood the office, how it worked and (for cases like that of Jerry Sandusky) how it didn't work. He was also himself deeply enmeshed in the "Bonusgate" prosecutions.

A few days after the election, Ryan was featured prominently in a Pittsburgh *Tribune-Review* [article](#) written by Brad Bumsted titled, "*Who's Corbett's pick for attorney general?*"

*"A likely contender for the (AG's) job is William H. Ryan Jr., Corbett's first assistant and a career prosecutor,"* Bumsted writes.

Ryan was even on hand to 'Kiss the Ring' as the polls closed on election night.

*"On election night, Ryan attended Corbett's party for supporters at the Omni William Penn Hotel, Downtown,"* Bumsted reports. *"Asked about the possibility of his nomination, Ryan said he had not discussed it with Corbett.*

*"What I'd do is talk to Tom and take it from there,"* said Ryan."

Bumstead noted, *"Jack Barbour, a Pittsburgh lawyer who co-chaired Corbett's campaign, said numerous people tried to talk to him about appointments and 'transition team issues,' and he told them to wait until after the election."*

After the election, though, Gov.-elect Corbett instead [anointed](#) Linda Kelley, a prosecutor from Pittsburgh, as AG.

First Deputy AG Ryan would be passed over for the honor.

One complaint to hit my ear:

*"William Ryan hoped to be the new AG. When he was passed over for Kelly, Ryan got all pissed off. He said he's not making any major decisions until Kelly comes in. They weren't making any promotions, or anything."*

But it was little understood by the public that Corbett would not officially nominate Linda Kelly for the AG job until February 8, 2011. Even less

understood by the public was that Kelly would not *assume office*, or any of its powers, until she was *confirmed* by vote of the state Senate several months afterward, on May 23.

Until then, at the moment Tom Corbett was sworn in as governor, on January 18, 2011, by writ of the Commonwealth Attorneys Act, a "*pissed off*" First Deputy Attorney General William Ryan became Acting Attorney General.

Under the tenure of Acting AG Ryan, one promotion *would* be made.

The investigation of Jerry Sandusky would receive a sudden and dramatic promotion in importance, resources, and priority.

### ***The writing on the wall***

Following Tom Corbett's election as governor in November 2010, more troubling writing soon emerged on the wall. In this case, the electronic wall.

In this politically charged environment, about the time of Corbett's election as governor, AG's Office narcotics Agent Anthony Sassano conducted a routine "*toll search*" in connection with a State College-area [drug investigation](#) and got a surprise hit on his PACE Explorer computer database.

Narcotics Agent Sassano discovered that a pedophile complaint concerning Jerry Sandusky had been filed in Corbett's office way back in early 2009.  
*What's up with that?*

Once the right hand was aware of what the left was not doing, other things became apparent.

Agent Sassano quickly learned that Centre County DA Ray Gricar had investigated a pedophile complaint against Sandusky *in 1998*. The agent soon helped piece together another story, told in public postings in Internet chat boards, concerning Penn State assistant coach Mike McQueary.

McQueary saw something that deeply troubled him in 2002 involving Sandusky and a boy in the PSU shower room. He'd reported it to Penn State officials, including Coach Paterno. Paterno in turn reported the matter to his superior. But had those PSU officials reported anything to DA Ray Gricar?

DA Ray Gricar, and what Gricar may or may not have known about Sandusky and these complaints, suddenly became, well, important. Trouble was, DA Gricar had mysteriously vanished from the face of the earth in April 2005. Ray wasn't going to be talking to anyone in the AG's office any time soon. Nor could invisible Ray provide much insight about Sandusky's earlier legal treatment, status, or much of anything else, for that matter, including the weather, or what he might have for lunch.

In "It's a Wonderful Life", Clarence the Angel says *"Each man's life touches so many other lives. When he isn't around he leaves an awful hole, doesn't he?"*

### ***Whither Ray Gricar?***

By now even Inspector Clouseau could divine there was more amiss than just DA Ray in Tom Corbett's troubled AG's office.

It became all too apparent that here was a multi-layered, [FUBAR clusterf-ck](#) in the office of the state attorney general. And it was heading to the governor's office.

Why hadn't Corbett pushed to solve DA Gricar's disappearance, or even seemed much concerned about it?

Following DA Gricar's much celebrated strange [vanishing](#), AG Corbett had just as mysteriously [refused to allocate much in the way of resources](#) to address Gricar's non-existence. Oh, a state police unit was assigned to supposedly look into Gricar's non-whereabouts. But that was just another one of Corbett's Keystone Kops details, one State College private investigator tells me. *"Those guys didn't know shit from Shinola."*

AG's office flaks were still putting out the line that perhaps DA Ray, looking forward to retirement in a few months, had simply *"wandered off,"* leaving behind his family and his well-vested pension, and that DA Ray was most likely not the victim of anything untoward. Like the 2008 Sandusky complaint, the disappearance of DA Ray Gricar was for some reason never at all a priority of Tom Corbett's.

The one law enforcement official -- Ray Gricar -- who could best shed light on the multiple Sandusky pedophile complaint(s) himself was long gone, and AG Corbett had long ago allowed the trail to go stone cold, cold, cold.

What *was* up with that?

**Corbett avoids assigning Sandusky case to AG's Child Predator Unit:  
"Could have done a quick grand jury in two months time."**

Why had there been no serious investigation or prosecution of Jerry Sandusky before the 2010 governor's election? Do we really need to ask?

Tom Corbett simply did not want a Sandusky pedophile investigation to go forward, going back to 2009, those with knowledge of the case say.

Now that he'd won the governor's office, Corbett was out of the way. He'd used the AG's office as a political stalking horse, and now he climbed off the broken beast and sauntered away to greener pastures. Corbett got what he'd wanted, and that was all that mattered to him.

*"Corbett didn't want the Sandusky investigation to go forward. He resisted it for some reason. There was no priority at all to it. He told his staff he didn't want to do it. Corbett was the problem."*

Corbett associates point out that AG Corbett had every opportunity to pursue the investigation for *a year and a half*, and had many venues available to him to do it, his lame excuses involving "*Bonusgate*," and "*slow grand juries*" notwithstanding.

For example, AG Corbett could simply have assigned the 2008-2009 Sandusky complaint(s) to the AG office's much-ballyhooed [Child Predator Unit](#), which would have been a normal and logical course of action for a case like this.

*"In order for law enforcement to stay one step ahead of ... sexual predators the Office widened the scope of the Attorney General's task force into a larger, broader statewide Child Predator Unit,"* the AG's office website [explains](#).

*"In January 2005, a dedicated Child Predator Unit was created using a group of specially trained agents and prosecutors across Pennsylvania to identify and capture ... predators before they can harm children,"* the webpage goes on to tell voters.

The webpage reminds us, *"The National Center for Missing and Exploited*

*Children reports that one in five girls and one in ten boys are sexually exploited before they reach adulthood." Tom Corbett would do nothing to improve those statistics.*

In 2011, in fact, the [AG's office crowed](#) that its hard-working Child Predator Unit had, since its inception in 2005, arrested 298 child predators. Jerry Sandusky would never be among the hundreds arrested by the unit.

*"The Child Predator's Unit could have done a quick grand jury in two months time back in 2009, arrested Jerry Sandusky like all the other predators and got him off the street."*

But that never happened. AG Corbett didn't seem to trust his own vaunted Child Predator Unit to handle the Sandusky case, or to get the job done.

Or, alternately, Corbett could have chosen to assign the Sandusky case to his [Child Sexual Exploitation Task Force](#), which was formed in 1995.

*"The Pennsylvania Office of Attorney General has also been recognized as a leading law enforcement agency in this area with respect to its proactive 'sting' operations aimed at pedophiles and child pornographers," the AG's Child Exploitation Task Force's webpage explains. "These 'sting' operations are designed to arrest and convict those individuals who actively seek teen and pre-teen children to engage in deviate sexual conduct. Through continued cooperation and support, the Child Sexual Exploitation Task Force will work to eradicate crimes against our children while keeping pace with today's technology."*

The Child Sexual Exploitation Task Force evidently couldn't keep pace with the AG office's own PACE computer system, where evidence lurked for a year and a half of the languishing Sandusky pedophile complaint(s) referred to Corbett's office in March 2009.

You begin to get the picture. AG Corbett had *many* venues available to him to get the Sandusky case moving, if he so chose. He simply chose not to, as those around Corbett say.

Making sad matters even more ridiculous, after the nationwide public relations fiasco of the Sandusky case hit the fan in November 2011, Gov. Corbett would disingenuously propose *yet another* agency in the AG's office to supposedly follow through on child abuse complaints. Talk about the fox

watching the hen house.

Informed parents and children for their own safety would be better advised to avoid the office of Pennsylvania Attorney General all together. It's simply not a safe or responsible place for kids.

In fairness to the hard-working and genuinely concerned members of these child predator units, I should point out the obvious: Tom Corbett was the problem here, not them. But the inherent political nature of the office remains. And that's a big problem, as we now see.

### ***Corbett out of the way, AG office nabs Sandusky in several months' time***

It's a matter of public record how fast things happened once Tom Corbett won his governor's election and was on his way out the AG office door, leaving behind a broken and demoralized AG's office staff.

It was a magic moment, a transition time between two attorneys general where the professional staff has greater-than-normal latitude.

The involvement of the narcotics unit officer, and the subsequent discovery of the two earlier Sandusky complaints, tied together with the vanishing of DA Ray Gricar, now made the case compelling, to say the least.

No time was now wasted. In December 2010, Mike McQueary was finally put in front of the soon-to-expire Thirtieth Statewide Grand Jury. *"The graduate assistant was never questioned by University Police and no other entity conducted an investigation until he testified in Grand Jury in December, 2010,"* the Sandusky grand jury presentment tellingly concludes.

On January 12, 2011, less than a week before Tom Corbett was sworn in as governor, Penn State officials Tim Curley and Gary Schultz finally made it before the Thirtieth Grand Jury, perjuring themselves, the AG's office later would allege.

Like the earlier grand juries, those grand jurors wouldn't be given much of a crack at the case. In fact, the Thirtieth Grand Jury was set to expire at the end of January 2011, only a month after they'd first heard from McQueary. In February a new statewide investigating Grand Jury, officially numbered the Thirty-Third, loaded with newcomers, would have to be convened and sworn in to take fresh testimony long overdue in the Sandusky case.

Meanwhile, late in January 2011, *seven* additional state police and AG office agents were now assigned to the Sandusky investigation(s). The priorities and resources were finally beginning to be placed.

Karen Arnold would be one of the witnesses to testify before the new, Thirty-Third Statewide Grand Jury. Arnold was a Centre County Assistant DA (ADA) working under District Attorney Ray Gricar when the first complaint had been filed against Jerry Sandusky in 1998. She briefly was assigned the Sandusky case.

Former ADA Arnold tells me that she only had the 1998 Sandusky case for *"two or three days"* before DA Gricar, without explanation, took the case from her.

*"Ray was my boss and he said he would handle it,"* former ADA Arnold says. *"I only had the Sandusky case for a few days. I don't know why Ray handled it the way he did. I can't read his mind. I'm not a mind reader."*

She says Ron Schreffler of the PSU police department originally referred the Sandusky case to the DA's office way back in 1998. Schreffler was an investigator with the university police department. He handled the original 1998 Sandusky complaint. Schreffler in those days oversaw most of the important investigations at the university, including those involving drugs, football betting, arson and bomb incidents. Schreffler helped produce the 100-plus page report about the 1998 Sandusky incident that was referred to DA Gricar. That report has become one of the more-sought after [Pickwick Paper / MacGuffins](#) in the current media paper chase for Sandusky documents.

Former ADA Arnold says she was contacted in February 2011 by a woman in the AG's office who asked Arnold to testify before the new grand jury.

*"You shouldn't worry if you're not familiar with the grand jury process,"* Arnold says she was told by the AG's office contact, *"as these jurors are new too."*

Arnold says she testified before the newly seated grand jury the day after Ash Wednesday, which places her testimony on March 10, 2011. Ash Wednesday is what is known as a *"moveable feast."* That's fitting, for a moveable scandal like this. Ash Wednesday marks the beginning of the 40 days Jesus fasted before beginning his ministry, during which time he was

tempted, Scriptures say, by Satan.

*"The grand jury experience was one of the more negative experiences in my life," Arnold says. She adds, "There are aspects of the Sandusky case this grand jury ignored and that will bite them in the ass if the case goes forward."*

She wondered aloud about the multiple grand juries involved in the case, and how much of the hundreds of pages of testimony had been produced by which of the jurors. *"You have to wonder what's going on,"* she says.

Within a few months of her testimony -- and more than a dozen years after DA Ray Gricar took the 1998 case away from her -- Jerry Sandusky would finally be arrested for predatory acts against children.

Karen Arnold would suddenly be inundated with telephone calls from media, and a *New York Times* reporter would be pounding on her door.

Like some long overdue bill, the grand jury presentment finally was delivered and Sandusky arrested in November 2011. Much of the glory would go to a newly appointed and confirmed Attorney General Linda Kelly. But she hadn't come to office until late May 2011.

Not many in the public or the media understood that the ball really got rolling in the Sandusky case when the AG's office was helmed by Acting Attorney General William Ryan, who had been passed over by Gov. Corbett for the AG's job. Ryan accomplished in several weeks and months' time what AG Corbett could not do in a year and a half.

And what became of Bill Ryan?

On August 19, 2011, less than two months before Sandusky's arrest, Governor Tom Corbett announced he'd appointed Ryan chairman of the Pennsylvania Gaming Control Board. The former Acting AG would now be in charge of the state's casinos and racetracks.

*"Bill's proven integrity and more than three decades of experience as a prosecutor will serve him well as the new chairman of the Gaming Control Board,"* Corbett said.

Ryan obviously knows more than just prosecuting. Ryan obviously knows

something about gambling, and politics, and how both games are played.

### ***JoePa takes the fall for TomCo***

For Gov. Tom Corbett, meanwhile, there remained one more important task following the nationwide public relations fiasco of Jerry Sandusky's long-overdue arrest. Corbett had to protect his own carcass, and cover his own ass for the nuclear blast that was about to blow.

It wouldn't do to have the public focus on Corbett's own refusal to investigate or prosecute Jerry Sandusky for a year and half. Corbett sought to change the conversation. He looked around for a likely scapegoat(s) to take the fall for him. What's one more victim, or two?

Corbett incredibly settled on a beloved 85-year-old to take the fall for him.

The Gipper was down, why not kick him down some more? Gov. Corbett landed on the brilliant idea of throwing Joe Paterno under the bus. As Nixon observed, *“When the wolves are gaining, it's time to toss a baby from the sled.”*

After all, hadn't Joe Paterno failed to follow up notifying his superior (per state law and Penn State policy) by calling the municipal police or DA Gricar in 2002? (The university has its own police force.) It wasn't nearly as bad as deliberately sandbagging the Sandusky case for a year and half, and actively shielding and protecting Jerry Sandusky, as AG Corbett had done.

But Corbett knows from first-hand experience that today's media is servile, isn't all that smart or morally scrupulous, and doesn't look into things all that deeply or for very long. And more and more these days they simply write what they're handed. Corbett himself learned this on his long slog for the governor's chair, and all through the recent years of growing corruption in Pennsylvania. That business with the 6,500 kids sold down the river in Wilkes-Barre had blown over. Maybe the serial rape of innumerable kids at Penn State would blow over too.

Corbett's job as attorney general had been to prosecute. To uphold the law. To protect the public. He didn't do so well in that job. Now, as governor, the job was completely different.

A competent governor, and a good man, would have, and should have, asked the public not to rush to judgment against Joe Paterno. A competent leader, and a good man, would have asked the public to wait for all the facts to come in. A competent governor, and a good man, would have pointed out to the public the great and exemplary services performed for Pennsylvania, and Penn State, by Joe Paterno in over *60 years* of public service. A competent governor, and a good man, would have pointed out that that Joe Paterno is Our Coach.

Joe Paterno is Pennsylvania's coach, and we owed him, in his final years, a debt of gratitude, not a death of instant scandal and ruin.

*"It's going to kill Joe,"* was suddenly on everyone's lips. *"It's going to kill him."*

Tom Corbett, as usual, had his own ass to worry about. It would be the pathetic act of a desperate, morally bankrupt man.

One November 9, 2011, Gov. Tom Corbett indulged the Penn State board of trustees, by telephone, to throw Joe Paterno under the bus.

At the moment before the vote to fire Paterno, Corbett said over the speakerphone, *"Remember that little boy in the shower."*

From the 31 trustees in the room, there is no response. No question. No objection. Only deference. Despite the illustrious backgrounds of most of them, they all marched in lock step following Corbett's lead.

Corbett wasn't there to look them, or Paterno, in the eye. He wasn't there to explain why he had done nothing to help that little boy. He wasn't there to explain why he himself had prevented any investigation for a year and a half. He wasn't there to explain the double standard. Why should the coach be punished, but not the attorney general / governor?

That night Corbett got his scapegoat, and students rioted in State College.

Tom Corbett's malicious decision to sack Coach Joe Paterno and make Paterno the fall guy in this long-running tragedy was as if, one observer told me, *"The A-bomb had been used to detonate the H-bomb."*

But competence, and properly handling a delicate, important matter, after all,

had never been Tom Corbett's forte. Tom Corbett's forte had always been manipulation.

This time, if there remains any justice at all on earth and in heaven, the fix might yet fix him.

(As I complete this essay, news arrives of the passing of Coach Joe Paterno.)

### ***The magic moment***

How had we come to this?

It is Acting Attorney General's Bill Ryan's role as state attorney general in the magic moment period between Corbett and Kelly that bears our close consideration.

It is that magic moment itself, that period *between* the transactions, when politics is there, and isn't there, that deserves our thoughts.

It is indeed a magic moment. It is a moment when law enforcement professionals in Pennsylvania can, in the most amazingly unfettered fashion, do something extraordinary.

With the Sandusky case, after all, Acting Attorney General Bill Ryan didn't have to do much of anything but give proper priority to the case, assign it proper resources, and sit back and watch the process take its normal course.

It's one more measure of our collective sickness, and our jaded expectations of political machinations, that we have to wonder at all about the motivations behind this once-normal process, what we use to call "*Enforcing the law.*"