

The Washington Post

By Joel Achenbach,

Wednesday, June 20, 12:59 PM

Jerry Sandusky doesn't testify as defense rests its case

Bellefonte, Pa.— Jerry Sandusky has chosen to remain silent.

After much anticipation that the former Penn State assistant football coach would directly address the child sex abuse charges against him, his lead attorney, Joe Amendola, faced Judge John Cleland at 11:46 a.m. Wednesday and said, “Your honor, at this time the defense rests.”

The prosecution also rested. Such was the anticlimactic end of testimony in the Sandusky trial. Sandusky's voice has been heard by the jury only in an excerpt of the interview he gave to Bob Costas of NBC last fall, shortly after he was arrested.

Closing arguments are scheduled for Thursday morning. The judge will then give his instructions to the seven women and five men of the jury, all of them residents of Centre County. They'll be sequestered during deliberations, which will be complicated by the sheer number of allegations against Sandusky.

Attorneys for Sandusky would not speak to reporters after the morning session. Some audience members were upset that Sandusky didn't take the stand.

“I just wanted to see him try to defend himself. I was very disappointed,” said Constance Boland, a school guidance counselor who had regularly referred troubled kids to The Second Mile, the charity that Sandusky founded that prosecutors say became his supply line for young boys that he abused. Boland arrived at the courthouse here at 3:30 a.m. to make sure she got one of the seats in the courtroom.

Tom Kline, an attorney for one of the accusers of Sandusky, told reporters afterward that Sandusky's silence means the defense offered “no direct refutation” of the charges leveled by eight alleged

victims who testified last week.

“While a defendant has the right to remain silent, the pregnant question in this case is whether exercising that right is going to bring him a courtroom acquittal,” Kline said.

Sandusky’s legal team chose a strategy of trying to chip away at the credibility of certain witnesses and suggesting that they were coached by investigators and may be hoping for a payout in civil litigation still to come.

Wednesday morning brought to the stand two men who, as troubled boys lacking father figures, had been in the Second Mile program founded by Sandusky. They said Sandusky never behaved inappropriately with them.

The second of the two, David Hilton, 21, said that during questioning by investigators, “I felt like they wanted me to say something that wasn’t true.”

During cross-examination, prosecutor Joseph McGettigan showed photographs of Hilton as a boy with Sandusky at a football game, and introduced into evidence a letter from Sandusky to the boy. The letter, which only briefly flashed on a screen, included the line, “Thanks for being my very best friend!”

The defense also called a witness whose testimony contradicted that of Mike McQueary, the Penn State assistant coach who said last week he saw Sandusky sodomizing a boy in a locker room shower in 2001.

Jonathan Dranov, a medical doctor who is a close friend of the McQueary family, went to the home of McQueary’s parents the night of the incident and found the assistant coach extremely shaken by what he’d seen. But McQueary, Dranov said, didn’t say that he saw a sexual incident. Rather he said he heard sexual sounds, Dranov recalled, and saw a boy’s head pop out of the shower and then an arm pull the boy back.

“I kept saying, ‘What did you see?’ Each time he would come back with sounds. I kept saying ‘What did you see?’, and each time it just seemed to make him more upset,” Dranov said.

But the state’s case against Sandusky does not pivot on any single witness. There are 51 counts

related to sex abuse involving 10 boys over the course of 15 years. Eight of the alleged victims testified last week. The two other boys were never identified – including the one McQueary saw. (It is conceivable that the two unidentified boys, seen in separate incidents just a few months apart, are actually the same boy.)

Sandusky has pled not guilty to all charges.

Although the accusers gave their names in court, the Post does not generally name alleged victims of sex crimes, a policy broadly followed by the media covering the Sandusky case.