

Confidential - John Doe 101

Page 1

IN THE COURT OF COMMON PLEAS
OF PHILADELPHIA COUNTY, PENNSYLVANIA

PENNSYLVANIA MANUFACTURERS' :
ASSOCIATION INSURANCE :
COMPANY, :
PLAINTIFF : CIVIL ACTION
VS. : NO. 004126
THE PENNSYLVANIA STATE : JANUARY TERM, 2012
UNIVERSITY and JOHN DOE A, :
DEFENDANTS :
:

** C O N F I D E N T I A L **

Friday, November 21, 2014

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Oral Deposition of JOHN DOE 101 held
at Hilton Garden Inn, 1221 East College Avenue,
State College, Pennsylvania, 16801, commencing at
8:55 a.m., on the above date, before Kelly M.
Johnston, Court Reporter and Notary Public in the
Commonwealth of Pennsylvania.

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Page 43

1 where, you know, those types of acts are happening?
2 Are we talking about where he was wrestling and he
3 was grabbing me and he was holding me, is that what
4 we're including in this?

5 Q That's a fair question. Let's start from
6 the most egregious example of what I would call
7 actual sexual abuse, which would, in my view, for
8 purposes of the question, you know, oral sex,
9 penetration, that kind of thing.

10 A Yes. The places that I've named are
11 really where that was happening. And, again,
12 Toftrees, I don't know if you're calling that on
13 campus or off campus, but it's where the Penn State
14 players would stay the night before the game, you
15 know, things happened in that hotel, as well.

16 Q Well, let's talk about Toftrees because
17 some of the other victims talked about that, also.

18 Were you part of the -- there was a
19 description of Friday night, the team would stay at
20 Toftrees and there would be a dinner Friday night.
21 Were you part of that activity?

22 A Yes, early on. Usually they would eat
23 dinner at their normal room, normal eating facility
24 at the, I don't know, dining hall on campus, and

Page 44

1 then everybody would go over. But he would then go
2 over to Toftrees later. He usually didn't go over
3 with the team whenever I was going with him. He
4 would go over, but he would have a room there and he
5 would stay over.

6 Q And would he bring you to Toftrees, just
7 the two of you, for the Friday night activity before
8 the game?

9 A Yes.

10 Q And how would he get you? In other words,
11 would he go to , pick you up, and then
12 drive you back to Toftrees?

13 A Yes.

14 Q And then you'd stay with him Friday night,
15 go to the game on Saturday, and then he would take
16 you home?

17 A Early -- well, by the time I was staying
18 at Toftrees, I was actually staying longer on the
19 weekends at his home, so I would probably stay over
20 Saturday night, as well.

21 Q At his house?

22 A At his house, yes.

23 Q Okay. So Friday night, you'd go to
24 Toftrees, stay over Friday night at Toftrees;

Page 45

1 Saturday go to the game, and then Saturday night,
2 you'd go back to his house?

3 A Correct.

4 Q And then Sunday, he'd bring you back to
5 your --

6 A To my home in , yes.

7 Q Okay. Can you describe what the Friday
8 night activity was like?

9 A (No verbal response.)

10 Q And I'll be specific. I don't mean the
11 sexual component of it. Was it -- would the team
12 get together and have drinks; would they just sort
13 of be together and eat? What exactly was going on
14 Friday night?

15 A Well, Friday night, by the time, like I
16 said, because he would come and get me and it would
17 be later in the evening and we would just go to his
18 hotel room and we would be in his room.

19 Q So you would not interact with the other
20 coaches or team members?

21 A Not on Friday night, I don't remember on a
22 Friday night. But the next morning, you know, they
23 have breakfast and they all break out into meetings,
24 and he coached the linebackers and defense, you

Page 46

1 know, at that time, so I was going and sitting in on
2 those meetings.

3 Q Well, that was my question. So you got to
4 -- he would bring you down Saturday morning, have
5 breakfast, and then let you sit in while he met with
6 the linebackers to prepare for the game?

7 A Yes.

8 Q Were you the only one of a young
9 adult/young child attending those meetings at that
10 time?

11 A No. Sometimes, as I got older, there were
12 other children, there were other kids that were --
13 that would stay, also.

14 Q Would stay with him in his room at
15 Toftrees?

16 A Yeah. I remember at least one time where
17 there were two of us in the room staying there.

18 Q Okay. Do you know whether or not there
19 was inappropriate activity between Mr. Sandusky and
20 that other young man?

21 A I mean, what we define as "inappropriate
22 contact", yes, there was. Sexual abuse, no.

23 Q Okay. And so I know you're asking
24 appropriately how we're defining this; you've also

1 described wrestling, perhaps hugging, that kind of
2 stuff?

3 A Yes, it was that kind of stuff.

4 Q Okay. So that was occurring up in the
5 room?

6 A Yeah. It was on the first floor, but yes.

7 Q In the room at Toftrees?

8 A Yes.

9 Q So was it visible, as far as you could
10 see, to the team, the coaches, that there were young
11 men staying in Mr. Sandusky's room at Toftrees?

12 A Yes.

13 Q Let me ask you to take a look again at the
14 paragraph that begins "Sandusky routinely performed",
15 do you see that?

16 A Um-hmm.

17 Q The last sentence talks about in the pool
18 at Penn State's Natatorium, Sandusky would fondle
19 your penis. Were there other people in the pool
20 when that was going on?

21 A Yeah, I mean, the pool would be packed and
22 there would always be a large group of Second Mile
23 children right there with him, you know, that he
24 would be doing the same things to.

1 Q Okay. Did you all talk about that -- and
2 let me be specific -- would the Second Mile kids
3 that you interacted with talk about the fact that
4 there was, let's just call it inappropriate touching
5 going on? Did you share that with each other?

6 A No.

7 Q Okay. So would you share it with anybody
8 other -- did you share it with anybody?

9 A No.

10 Q All right, let me ask you to take a look
11 at the next sentence. It says: (Reading.) Penn
12 State officials, including football coaches, saw
13 Sandusky with John Doe 101 in sexually suggestive
14 positions and suspected that John Doe 101 was being
15 sexually abused.

16 What are you referring to there?

17 A Well, I guess we'll just start -- in the
18 showers, I showered -- I was a young boy in the
19 locked coaches' locker room that would be showering
20 with my perpetrator, and they would just come in and
21 hop in the showers and he would still be doing, you
22 know, like, soap you up on your shoulders, and he
23 would do, you know, all those things with a kid that
24 wasn't his own.

1 Q Were you the only young boy back in that
2 area that you ever saw?

3 A No, not that I ever saw, no.

4 Q Okay. Would any of the other coaches
5 bring young men back into that locked area and
6 shower with them?

7 A As I got older, like, some of the coaches'
8 sons would come in and work out and then that's
9 where they would shower.

10 Q Okay.

11 A But I don't believe I ever saw any, just,
12 coaches bringing random children in and showering
13 with them.

14 Q Now, you say that the locked coaches'
15 area, you'd be back there and he would be soaping up
16 your body?

17 A Yeah, he'd just be grabbing hold of you,
18 you know, kind of just like -- he called it
19 horseplay, just kind of like grabbing you and
20 shaking you a little bit -- on your shoulders,
21 not -- not doing anything, really, in front of other
22 people.

23 Q Okay. And you say other coaches would
24 come in and see that going on in the locked coaches'

1 area; is that correct?

2 A Absolutely.

3 Q All right. Anything else that factually
4 supports that sentence?

5 A Yeah, absolutely. There was one assistant
6 weight room guy, I don't know what his real title
7 was, but he would always seem to be coming in,
8 because we would be there later in the evenings, my
9 perpetrator and I, and one specific time, he came in
10 and I was laying on, as I described, the black --
11 there was a black leather couch -- I was laying on
12 the black leather couch just in my underwear, and I
13 guess, you know, by the time he came in, I had
14 flipped over and was on my stomach, and then my
15 perpetrator was sitting on the couch -- I mean
16 sitting on the floor at waist level just rubbing my
17 back.

18 Q And this assistant weight training coach
19 came in and saw that?

20 A Yes.

21 Q Do you know what the name is of the
22 assistant weight training coach who saw that?

23 A Kevin O'Dea.

24 Q Is he still with Penn State?

1 A No.

2 Q Do you know where he is?

3 A I think he works -- he works for an NFL
4 team, whether it's Tampa Bay or the Jets or -- I
5 don't really know.

6 Q When he walked in and saw that, did
7 Mr. Sandusky try to move his hand or try to do
8 something to stop or cover up what he was doing?

9 A Yeah, I mean, he always tried to play
10 things in a different way than what was happening,
11 yeah, for sure.

12 Q Okay. Did Mr. O'Dea say anything when he
13 came in and saw that?

14 A No.

15 Q Anything else you can remember that
16 supports that sentence?

17 A Yeah, again, just like the wrestling
18 around is -- like I said, you would hear -- you can
19 hear the buttons being pushed, so when we were
20 laying on the floor in that carpeted area by the
21 locker room, you know, by where his locker was
22 located, many times he would just be, like, laying
23 on top of me aroused and he wouldn't really be doing
24 much, or later on as it progressed, where he was

Page 52

1 performing oral sex or forcing me to do the same and
2 those types of activities were happening, every time
3 you would hear the button being pushed, all of a
4 sudden, then we would be wrestling around, and then
5 whoever it was that walked in, he would say, oh,
6 count, count.

7 Q Count, like --

8 A Count, like he was trying to pin me, you
9 know, like one, two, three, like, or I was trying to
10 pin him, he would roll me on top of him, or he would
11 be on top of me, like, and he would act like we were
12 just wrestling around, so...

13 Q Got it. And this would be wrestling in
14 the carpeted area of the coaches' locked -- strike
15 that.

16 This would be wrestling on the floor in
17 the carpeted area of the coaches' locker room?

18 A Correct.

19 Q Okay. And would there be various
20 assistant coaches that could walk in when that was
21 happening?

22 A Yes.

23 Q Do you remember if Mr. Paterno ever walked
24 in when that was happening?

1 A I don't remember him ever walking in when
2 that happened, but I do know as a young child, I
3 have showered with Mr. Paterno and my perpetrator,
4 and many other coaches I've showered with.

5 Q In the coaches' --

6 A In the locked coaches' locker room.

7 Q Was Mr. Sandusky engaged in any
8 inappropriate contact when that was going on, when
9 you were showering with Mr. Paterno?

10 A Yeah, I can't, you know, I can't
11 specifically remember every shower that I ever took
12 and who was in there when it was happening, so I
13 can't really say. But like I said, he -- he wasn't
14 too -- he didn't try and cover up the horseplay type
15 of factor, so, I mean, he wasn't afraid to do that
16 in front of other people, so I don't know, though,
17 if he did it in front of Mr. Paterno.

18 Q And when you say the horseplay activity,
19 let's just be specific --

20 A Like I said, just with the soap, he would
21 soap up his hands and then he would put, you know,
22 he would hit you on the back or on the shoulder and
23 grab you and shake you and call you knucklehead and
24 just like that type of activity, you know.

Page 54

1 Q And this would be -- how old were you when
2 this horseplay activity first started in these, what
3 I will call coaches' locker room/shower area?

4 A I mean, right away.

5 Q Okay.

6 A I mean, it was nine, ten years old,
7 whenever I first showered him was the very first
8 time that he started doing that.

9 Q And would he get aroused doing that, as
10 you remember?

11 A Yes, he would be aroused, and if there was
12 no one in there, then he would do, you know, he
13 would do more than just horse -- well, he would turn
14 the horseplay into a lot of different things, that
15 he would bear hug you or he would pin your hands
16 behind your back so that, you know, like his
17 genitals are up against your back.

18 You know, obviously being that short, your
19 hands aren't touching his genitals at that time, but
20 he's rubbing up against you, yes, and he's aroused.
21 And, again, when we were laying in the carpeted
22 area, like I said, and he's just laying on top of
23 you in the very beginning and he's aroused, yes.

24 Q Was he clothed when he was laying on top

1 of you, when you were engaged in this horseplay
2 activity?

3 A Yeah, he would have shorts on whenever we
4 were just wrestling around. When we were in the
5 shower, no, of course not.

6 Q So -- and, again, please excuse this --
7 but if he was in the shower and got aroused and
8 people walked in, you say showing when this was
9 going on, would his arousal not be obvious to anyone
10 walking in?

11 MS. KORNFELD: Lacks foundation. You can
12 answer.

13 BY MR. ENGELMYER:

14 Q You can answer.

15 A Oh. Yeah, I mean, of course it would be,
16 if he stood and kept facing them and --

17 Q I mean, would he turn and try to cover up
18 his arousal when someone walked in?

19 A I mean, quite honestly, again, I don't
20 quite remember every -- it's -- at that stage, I was
21 a child who was being groomed and sexually abused,
22 and I wasn't paying attention to -- I didn't even
23 know that it was wrong; therefore, I didn't even
24 quite understand what an erection was or what that

1 meant at that time.

2 So for me to really go back and try and
3 remember how he covered it up or what he did, I -- I
4 don't have that information.

5 Q Did Mr. Paterno ever raise concerns about
6 the fact that you were in the shower as a young man,
7 a young boy --

8 A No.

9 Q -- with Mr. Sandusky, your perpetrator?

10 A No, nobody ever raised a concern that I
11 was doing anything around Penn State football, not
12 joining in the meetings, not -- I was in coaches'
13 staff meetings when they're talking about game
14 plans, nobody ever raised a question.

15 Can I just take --

16 Q Of course.

17 A I just want to take a minute.

18 Q Absolutely, let's take a break.

19 (A recess was taken from 9:50 a.m. to
20 10:05 a.m.)

21 MR. I just want to make a point,
22 and I'm not sure if it's obvious, but the very act
23 of asking survivors of sexual abuse these kinds of
24 questions, it's re-traumatizing; I mean,