

1270

NOBERT, MARK 188

CONF003227

DYKES\_I\_003205

BOY SCOUTS OF AMERICA

DATE January 22, 1986

FULL NAME Mark Nobert SOCIAL SECURITY NUMBER \_\_\_\_\_  
 (No initials if you can possibly get full name)

ADDRESS 694 Hanover Rd.

CITY South Meriden STATE Ct ZIP CODE 06450

DATE OF BIRTH \_\_\_\_\_ (This is important and should be exact)

APPROXIMATE AGE 30 (To be used ONLY when date of birth is not known)

RELIGION \_\_\_\_\_ NATIONALITY \_\_\_\_\_

OCCUPATION Disability Pension from Municipal Pension Board (was fire department Captain)

EDUCATION \_\_\_\_\_

WEIGHT Approx 230 HEIGHT Approx 6'3" RACE White

COLOR OF HAIR \_\_\_\_\_ COLOR OF EYES \_\_\_\_\_

OUTSTANDING CHARACTERISTICS OR INTERESTS \_\_\_\_\_

MARRIED OR SINGLE Single CHILDREN \_\_\_\_\_  
 (Number, ages, and names, if possible)

NAME OF SPOUSE \_\_\_\_\_

SCOUTING CONNECTIONS:

<u>UNIT #</u>	<u>CITY</u>	<u>STATE</u>	<u>POSITION</u>	<u>DATE REGISTERED</u>	<u>DATE RESIGNED</u>
Troop 1044	Meriden	Ct	Troop Committee		
Troop 1020	Meriden	Ct	Scoutmaster		
			Asst. Scoutmaster		

SPECIAL RECOGNITION \_\_\_\_\_

SUSPENDED OR DENIED REGISTRATION FOR FOLLOWING REASONS:

SPECIFY THE FACTS WHICH LEAD YOU TO RECOMMEND DENIAL OF REGISTRATION AND LIST ATTACHED SUPPORTING DOCUMENTS (STATE ONLY KNOWN FACTS, NOT RUMOR, CONJECTURE OR SPECULATION):

**F. STARON**  
**JAN 27 1986**

NOTED  
 JAN 28 '86  
 JOSEPH L. ANGLIM

Signed [Signature]  
 SCOUT EXECUTIVE  
 Council [Signature]

RS-509  
 4/14/83-nah

CONF003228

DYKES\_I\_003206

January 29, 1966

Mr. Kenneth W. Prowse  
Scout Executive  
Quinnipiac Council, No. 74

PERSONAL AND CONFIDENTIAL

SUBJECT: Mark Norbert

Dear Ken:

Thank you for the detailed information concerning the above Scouter. We have reviewed this case with our Attorney and have now placed this man on the Confidential File.

Sincerely,

Paul Ernst, Director  
Registration, Subscription &  
Statistical Service

spm

cc: Northeast Region

READY FOR FILE  
JAN 30 1985  
CARMEN FREEMAN

CONF003229

DYKES\_I\_003207

stand less than a mile apart in Meriden.

One, on Lincoln Street, was gutted by fire last week and is being demolished. The other, at 1 Washington Place, is still standing and will remain that way for at least two more months because of what one city official has called an "unusual" court action.

The owner of 1 Washington Place, Joseph Muszynski of Middlefield, has successfully fought demolition of his building, ravaged by fire on April 4, in court.

And on Friday, the city faces a similar court battle, this one over plans to demolish a Hobart Street

building that city officials say has been in a state of disrepair for several years.

Building Official Albert Giacco, whose job it is to condemn buildings he determines to be unsafe or unfit for occupancy, termed both legal actions "unusual."

Last week, a Meriden Superior Court judge issued a temporary injunction, blocking the city's plans to demolish the 1 Washington Place building.

According to court papers, Muszynski contends that if the building is torn down, a claim against his insurance company may remain unresolved.

Muszynski contends that "physi-

cal evidence of the loss will be destroyed forever, making it impossible to accurately adjust the loss caused by the fire" according to court papers.

In addition to settling with his insurance company, Muszynski claims that demolishing the building will prevent any repairable sections from being salvaged, the complaint says.

Last week, Judge George Ripley agreed and issued the injunction after a brief hearing. The order prevents the city from demolishing the building for two months.

"I haven't heard of something like this before," Giacco said Monday.

This week, a judge may rule on

the Berlin Savings Bank's attempts to stop the city from tearing down a building at 173 Hobart St.

The city put demolition of the building out to bid last month, but before the crane swung into action, plans were halted. The bank filed a lawsuit, claiming it wanted to rebuild the structure.

According to papers filed in Meriden Superior Court, the city didn't tell the bank it was going to tear down the building.

The bank will "suffer great financial loss and be deprived of the highest and best use of its property" unless it stops the city from demolishing the building, according to the court papers.

— HANLEY

# Nobert guilty, gets suspended term

A judge Monday sentenced former Meriden Fire Department Capt. Mark Nobert to 18 months in prison for sexually abusing a youth, but ordered the term suspended on the condition that Nobert gets psychiatric treatment as part of his probation.

Meriden Superior Court Judge Allen W. Smith hardened down the sentence after the 39-year-old Nobert pleaded guilty Monday to one count of risk of injury to a minor, a felony. Another count of risk of injury to a minor and an additional charge of second-degree sexual assault were nolleed, which means they will be dismissed if Nobert does not violate terms of his probation.

## Changes plea

Nobert switched his plea from innocent to guilty after a conference among his attorney, prosecutors and a lawyer who represented the youth and his

family, who appeared in court Monday for the hearing.

In addition to the 18-month suspended sentence, Smith ordered Nobert to serve three years on probation and seek psychiatric treatment under state Department of Adult Probation supervision.

Smith also told Nobert to donate \$500 to each of three charities during his probationary period. The charities are the Vietnam Memorial Fund, the Meriden Visiting Nurses Association and the South Meriden Volunteer Fire Department.

## Terms of probation

Smith further ordered Nobert to stay away from the youth, his family and other former members of the Boy Scout troop he once headed.

If Nobert violates any of the conditions of his probation, he may be sent

to prison to serve the 18-month sentence.

Under state law, risk of injury to a minor carries punishment ranging from a \$500 fine to a maximum of 10 years in prison. Suspects are charged with risk of injury to a minor if sufficient evidence indicates that the health or morals of a youth under 16 years of age has been impaired.

Nobert, of 694 Hanover Road, South Meriden, was arrested Aug. 19 after police obtained a warrant based on statements from the youth, who told them that Nobert had molested him 25 to 30 times.

## Courtroom cleared

During the hearing Monday, Smith ordered the courtroom cleared except for Nobert, attorneys involved in the case and the family of the youth because the charges involved a minor.

The family approved the plea-bargain agreement during the hearing, according to their lawyer.

"We felt under the circumstances that this was the best way to go," said Leonard Powers, the family's lawyer. "The family's main concern was for him to get corrective treatment. They wanted protection for other individuals. The sentence and the conditions placed on it accomplished what the family wanted."

Nobert's lawyer, John R. Donovan, told Smith before the sentence was issued that Nobert, the youth and the families of both were going through "quite a painful experience." Donovan said in court that Nobert already has sought treatment.

Nobert was suspended from the Fire Department after the arrest. He asked for, and was granted, a disability pension by the Municipal Pension Board.

# Panel to consider water projects

The City Council forwarded to its Finance Committee Monday night two items that should better enable the city to provide water in emergencies.

already approved the program to find additional wells to feed the city's water system, and the emergency generator for the Evansville well field. The coun-

PUC's water consultant. The city has three deep rock aquifers that could provide water, but the quality of

ject for another nine months and costs the state more money, Maier and other members of

January 6, 1986

Mr. Kenneth W. Prowse  
Scout Executive  
Quinnipiac Council, No. 74

PERSONAL & CONFIDENTIAL

SUBJECT: Mark Norbert

Dear Ken:

Thank you for the information which you sent on Mark Norbert. This will be most helpful to us and certainly will enable us to refuse registration should any applications be submitted.

I am enclosing a Confidential Record Sheet which I would like you to complete. This will give us all the personal information which we need to further identify Mr. Norbert. Thanks for your help.

Sincerely,

Paul Ernst, Director  
Registration, Subscription &  
Statistical Service

spm

Enclosure

cc: Northeast Region

READY FOR FILE  
JAN 06 1986  
WINE-NETT WILSON

CONF003231

DYKES\_I\_003209

# Committee lets Nobert receive disability pay

By DENISE WILLI  
*Record-Journal staff*

Saying there were no grounds to reopen the case, the city's Municipal Pension Board refused Tuesday to reconsider its award of a disability pension to Mark A. Nobert, a former Fire Department captain charged with sexually assaulting a minor.

The board decided that since there was no new evidence to show Nobert did not have a disability, it would be inappropriate to reconsider the case.

"The board has voted for the disability for better or for worse," said board member Paul D'Astous.

D'Astous, the only board member to vote against the pension award in October, said, "The reasons for my (original) vote remain the same. But without new evidence, I don't think the board should reconsider it."

The board reopened discussion of the Nobert matter at the request of Mayor Walter Evilia, who had complained the original decision was wrong.

Evilia did not attend Tuesday night's meeting.

But when told later of the board's decision, he said, "Basically, what we're saying to the police and fire departments is 'Do what you want, guys. Whether you're in jail or not, you'll get a pension.' That's ridiculous."

Nobert, 39, of 694 Hanover Road, was arrested in August and charged with one count of second-degree sexual as-

sault and two counts of risk of injury to a minor, both felonies.

Following his suspension in August by the Fire Department, he applied to the board for a disability pension.

In October, Nobert was awarded a full pension of \$11,027 a year after he convinced the board that he had disabling psychological problems. Board members said Tuesday Nobert had presented two written medical reports from his doctors that supported his case.

Evilia complained that the board should have required an examination by its own psychiatrist.

But board member Edward Gormley said that wasn't necessary. "The reason I voted the way I did was because both doctors said the same thing. If there was a difference of their opinions I would have gone for another doctor."

In a Nov. 12 letter to the board, Evilia also said the panel should have delayed its decision in the Nobert matter until after the case was tried in court.

Michael Fiondella, who voted in favor of the Nobert pension last month, asked the board to reconsider its original decision.

But with little discussion, the motion to reconsider was defeated, 6-1. Fiondella would not say why he wanted the matter to be reopened.

Evilia said Tuesday night he was disappointed the board didn't consider his arguments more carefully.

CONF003232

DYKES\_I\_003210

SHAPING TOMORROW



QUINNIPIAC COUNCIL Boy Scouts of America

December 17, 1985

Mr. Paul Ernst  
Registration & Subscription Service  
Boy Scouts of America  
1325 Walnut Hill Lane  
Irving, Texas 75038-3096

Dear Paul:

The attached information should be used to place Mark Norbert,  
694 Hanover Rd., South Meriden, Ct. 06450, in our confidential file.

Mark is no longer registered with B.S.A. He was associated with Troop 20  
in South Meriden during the mid 70's.

Please call if you need additional information.

Sincerely,

A handwritten signature in cursive script that reads "Kenneth W. Prowse".

Kenneth W. Prowse  
Council Executive

KWP:dh  
Encl.

1861 Whitney Avenue / Hamden, Connecticut 06517-1493 / Telephone: (203) 298-6211



CONF003233

DYKES\_I\_003211

11/8/85

# Ex-firefighter asks accelerated rehab

Former Fire Department Capt. Mark Nobert asked a judge Thursday to postpone and possibly drop the sexual assault charges pending against him.

Nobert was scheduled to appear in the Meriden Superior Court for trial Thursday. Instead, his attorney, Thomas Weaver, applied for accelerated rehabilitation.

The court is scheduled to rule on Nobert's request Dec. 12.

Nobert, 39, of 694 Hanover Road, is charged with with one count of second-degree sexual assault on a teenage boy and two counts of risk of injury to a minor.

According to state law, accelerated rehabilitation is for adults who are arrested for the first time, and are unlikely to break the law again. Under the program, the defendant may receive up to two years of probation before trial.

If the defendant meets the terms of

the probation and is not arrested again, the charges are dismissed. No finding of guilt or innocence is made, and all records of the arrest are erased.

The statute specifies pre-trial rehabilitation may only be used for crimes "not of a serious nature," but does not define the term. Before the judge rules on a motion for the program, any victims must be notified of the request, so they have opportunity to speak to the court.

After his August arrest, Nobert was suspended from the Fire Department. He then asked for a disability pension and was granted one by the Municipal Pension Board.

Mayor Walter Evilia criticized that decision, saying the board did not adequately review Nobert's request, and asked the panel to reconsider.

The board will discuss Evilia's request Nov. 12.

## Correction

Information contained in a story Friday in the Record-Journal on the criminal case involving Mark Nobert, former Fire Department captain, was incorrect. Nobert is being represented by attorney John R. Donovan. No application for accelerated rehabilitation has been filed with the court, Donovan said.

11/9/85

CONF003234

DYKES\_I\_003212



# Nobert decision review set

11/11/85

City Hall will be closed today, Veterans Day. No meetings are scheduled.

Tuesday, the Municipal Pension Board will discuss its decision last month to award a disability pension to a city fire captain who has been arrested and charged with sexually assaulting a teenage boy.

Mark A. Nobert, a 17-year veteran of the department, in August was charged with one with one count of second-degree sexual assault — a felony — and two counts of risk of injury to a minor, a misdemeanor.

Following his suspension from the Fire Department in August, Nobert applied to the pension board for a disability pension.

The board later granted him an annual pension of \$11,027, plus accrued vacation and other benefits.

In October, Mayor Walter Evilia, saying the award was "beyond anything I can imagine," asked the board to reconsider its decision. The mayor claimed the board's review of the case was inadequate.

The City Council's Finance Committee will hold a public hearing Thursday to amend an existing bond issue by \$50,000. The money will enable the city to proceed with the second phase of its plan to augment city supplies by

## Week Ahead

using water from the South Central Connecticut Regional Water Authority.

Phase 2 financing will pay for pipe, engineering design, new pump station construction and pump station modifications that will permit the city to pump an additional 1.5 million gallons of water a day from SCCRWA, by way of Cheshire.

The first phase of the project, finished earlier this year, brought the city an additional 500,000 gallons of water per day.

The Zoning Board of Appeals will meet Tuesday to consider 11 applications for variances and special exceptions. Among the applications is one from Papa Gino's of America Inc. The company is asking for a variance on property at 757 E. Main St. to reduce the landscaping requirement.

The Planning Commission will hold public hearings Wednesday on three subdivision applications. One is an application from Meadow Haven Inc., which has proposed nine industrial building lots on the west side of North Colony Street, across from Hill Street. Meadow Haven is a subsidiary of Meriden-based Caraberta Enterprises

Inc.

Saturday, the public is invited to attend a town meeting with U.S. Rep. John Rowland, R-5th District, in the City Council chambers, from 10 a.m. to noon.

### THE WEEK IN VIEW:

TODAY: Veterans Day. No meetings scheduled.

TUESDAY: 7:30 a.m. Meriden Economic Development Corporation (MEDCO at 43½ Colony st.); 7 p.m. Municipal Pension Board (personnel office); 7:30 p.m. ZBA (council chambers); 7:30 p.m. Parking Commission (room 115); 7:30 p.m. Economic Development, Housing and Zoning Committee (manager's conference room).

WEDNESDAY: 6:30 p.m. Planning Commission (planning department).

THURSDAY: 4 p.m. Handicapped Committee (Meriden Community Action Agency, 178 State St.); 6:30 p.m. Transit District (room 115); 7 p.m. Public Services Committee (manager's conference room); 7:25 p.m. Finance Committee public hearing to be followed by the panel's regular meeting.

FRIDAY: No meetings scheduled.

SATURDAY 10 a.m. to noon, U.S. Rep. John Rowland's town meeting (council chambers)

"Stop payment" order placed by Meriden officials on the pension granted former firefighter Mark Nobert. The Municipal Pension Board acted prematurely in granting the pension earlier this month.

Cheshire High School's request to hook in electronically with other high schools so students can sit in on more courses. The possibilities for expanding and enriching the curriculum of any area high school through this system are impressive.

Forest man is pt improvement the proces:

## Nobert case continued

10/25/85

William Friedman ongoing im-pay for itself in

A Superior Court judge has continued until Nov. 6 the case of Meriden Fire Department Capt. Mark Nobert, charged with sexually assaulting a teenage boy.

Meriden Superior Court Judge Allen Smith gave Nobert a Nov. 6 "firm jury date."

The date means both prosecution and defense must be ready for trial. However, the actual trial — if there is one — may start at a later time.

Nobert, 39, of 694 Hanover Road, was arrested in August and charged with one count of second-degree sexual assault on a teenage boy and two counts of risk of injury to a minor.

CONF003235

DYKES\_I\_003213

## City Briefs

### Firefighter pleads innocent to charge

Mark Nobert has pleaded innocent to a charge that he sexually abused a former member of the Boy Scout troop he once headed.

Nobert, 39, of 694 Hanover Road, was arrested last month and charged with one count of second-degree sexual assault, a Class C felony, and two counts of risk of injury to a minor, a misdemeanor.

Second-degree sexual assault is defined as having sex with someone not legally capable of giving consent.

He was suspended from his job as a captain in the Meriden Fire Department later that month.

According to unproven allegations in a police affidavit, Nobert began having sex with the boy "about six months to a year before" the boy, Nobert, and two other boys began a summer-long trip in June 1983. The cross-country expedition ended up in Alaska.

The boy was 16 years old when he made a statement to police last July 15. He told police Nobert molested him 25 to 30 times, but that he didn't immediately report the incidents because he feared Nobert's "violent temper."

The age of consent in Connecticut for sexual relations is 15. However, a guardian or other person responsible for the welfare of a person under 18 can be charged with second-degree sexual assault if he or she has sex with that person.

Nobert is scheduled to appear in the Meriden Superior Court next Tuesday for a pre-trial conference.

### Under wraps?

Editor:

A teacher in Southington, a teacher in Wolcott, and two men in Danbury have been charged with risk of injury or impairing the morals of minors. Now, a Captain of the Meriden Fire Department has been charged with two counts of risk of injury to a minor and one count of second degree sexual assault, which means sexual intercourse with minors. I am not saying these men are guilty, nor am I saying they are innocent, but concrete evidence had to have been supplied to the police in order for an arrest warrant to be issued. Are these men, if found guilty, going to get away with just a slap on the hand? I think it's time for the people of these cities to let their officials know that they will not stand quietly by and watch such an injustice take place. The news media, both TV and newspapers have been reporting on the Southington, Wolcott and Danbury cases, why has the Meriden case been kept under wraps?

R. GLORIOSO  
So. Meriden

### Fire Dept. captain suspended from job

A Meriden Fire Department captain arrested Aug. 19 and accused of sexually assaulting a minor has been suspended from his job without pay pending the outcome of the case, Fire Chief Ronald Fontaine confirmed Thursday.

Mark A. Nobert, 39, of 694 Hanover Road, South Meriden, was charged with two counts of risk of injury to a minor, a misdemeanor, and one count of second-degree sexual assault, a felony. He is to be arraigned Sept. 3 in Meriden Superior Court.

Fontaine said Nobert was suspended as of Tuesday. He declined further comment.

CONF003236

DYKES\_I\_003214

# Evilia wants Nobert pension reconsidered

By JANE DEE HAMMOND  
*Record-Journal staff*

Mayor Walter Evilia has called on the Municipal Pension Board to reconsider its award of a disability pension to a former Fire Department captain who is charged with sexually assaulting a minor.

Evilia said it is "beyond anything I can imagine" that the pension board could make the decision to award \$11,027 a year, plus accrued benefits, to Mark A. Nobert.

"If the city's pension system allows this as a disability, then we have something seriously wrong with the system, and we should change it," Evilia said.

Nobert, 39, of 694 Hanover Road, was arrested in August and charged with one count of second-degree sexual assault on teenage boy, a felony, and two counts of risk of injury to a minor, a misdemeanor. He is awaiting trial.

Evilia said the pension board's review of the case was inadequate. Medical testimony was limited to written opinions from two medical experts presented by Nobert's lawyer. Only one of the nine board members offered any discussion, Evilia said.

In a letter to board chairman George McGoldrick, Evilia asked it to "meet in the very near future to determine whether or not this action was proper."

Evilia said the council cannot overrule the pension board, but "could direct that they appear before the council and explain their decision."

Evilia said the board should require an examination of Nobert by its own psychiatrist. "We own a hospital with a psychiatric unit. My God, I would think we could get a doctor," he said.

McGoldrick said there was nothing unusual in the board's review. The two medical opinions, "were sufficient for the board to find him disabled as a fireman, which is what we're required to do."

McGoldrick called Evilia's request unprecedented. He said his board is occasionally called upon to review or reverse a decision because of new evidence or changes in a disabling condition. He would not say, however, whether the board will take the matter up again.

McGoldrick declined to comment on the nature of Nobert's disability. But he and two other board members said Fire Chief Ronald Fontaine's recommendation weighed heavily in their decision.

"It was quite a controversial thing, but the chief there recommended it, and there was a letter from his doctor," board member Edward DeRosa said.

Fontaine testified that Nobert's arrest had left him "a nervous wreck" and had cost him the respect of his men after 17 years of service. DeRosa said.

However, City Councilor and pension board member Paul D'Astous found Fontaine's testimony less persuasive: "I asked him whether (Nobert's) condition would disable anyone from promotion or employment, and Chief Fontaine could not answer."

D'Astous said the medical reports identified Nobert's problem as a long-standing case of pedophilia. If that didn't interfere with Nobert's performance prior to his arrest, it shouldn't be considered a disability now, he said.

Only D'Astous voted against the pension, according to D'Astous and Evilia.

## Fire Department captain charged with sex offenses

A Meriden Fire Department captain was arrested Monday and charged with sexually assaulting a minor.

Mark A. Nobert, 39, surrendered after being informed an arrest warrant for him had been issued, Meriden police said.

Nobert was charged with two counts of risk of injury to a minor, a misdemeanor, and one count of second-degree sexual assault, a felony.

Second-degree sexual assault is defined as sexual intercourse with a mi-

nor or other person not legally capable of giving consent.

According to Detective Lt. Peter Marlow, the charges are based on allegations that several incidents occurred over a period of months ending last May.

Nobert, of 694 Hanover St., was released from custody on a written promise to appear in court. He is scheduled to be arraigned Sept. 3 in Meriden Superior Court.

aders

### Serious charge

Editor:

The fire captain was arrested on a morals charge. A very serious morals charge that included children. Does Mr. Desaulniers realize this? He should have been suspended without pay immediately!

Does Mr. Desaulniers realize that children are taught that firemen are their friends, and that friendship is the first step toward an assault?

This man is exposed to children in his job and I as a parent do not want my children exposed to him.

Not only do I think he should have been suspended immediately, but I think he should be terminated. I would not want my children touring the fire department knowing that this man was working there.

R. GLORIOSO  
So. Meriden

CONF003237

DYKES\_I\_003215

Page 1  
OCT 27, 1985

# 'Stop payment' placed on Nobert's pension

By JANE DEE HAMMOND  
*Record-Journal staff*

MERIDEN — City officials have put a "stop payment" order on the pension for a former firefighter who is awaiting trial on charges he molested a minor, the officials said Monday.

Earlier this month, the Municipal Pension Board awarded Mark Nobert, a former captain in the Fire Department, a full disability pension after he convinced the board he has disabling psychological problems.

Assistant Corporation Counsel Alfred Fordiani said Monday that he needed more time to issue an opinion on two points: whether the award was proper, and whether the City Council can overrule decisions by the pension board. Until then, the finance director has been ordered not to start payment on the pension, Fordiani said.

Mayor Walter Evilia has also expressed displeasure at the board's response to his criticism. Last week, Evilia criticized the pension board, which is appointed by the City Council, saying it made the award with insufficient medical evidence. He said "the

decision-making process was not adequate."

On Monday, board chairman George McGoldrick said Evilia's letter would be "transmitted to the board (at the November meeting) like any other communication."

"I was hoping that the pension board might want to meet and review this quicker," Evilia said.

McGoldrick contested Evilia's claim by saying that "Nobert's request was the subject of full and open discussion at the pension board's ... meeting." Three written medical reports were reviewed and discussed, and the recommendations of Edward Papandrea, the city's personnel director, and the chief of the Fire Department were questioned and discussed, he said in a letter addressed to Evilia.

Nobert, 39, of 694 Hanover Road, was arrested in August and charged with one count of second-degree sexual assault on a teenage boy and two counts of risk of injury to a minor, both felonies. The Record-Journal had reported incorrectly that the latter charge is a misdemeanor.

See NOBERT, page 4

## ➤ Nobert

(Continued from page 1)

Nobert was suspended from his job after his arrest and is awaiting trial. His pension award included all his accrued vacation and sick benefits, plus \$11,027 — half his annual salary — each year for the rest of his life.

Only one member of the eight-person pension panel, City Councilor Paul D'Astous, dissented when the board made the award. He said he voted against the pension because Nobert's psychological condition, which he said the written medical testimony labeled as pedophilia, hadn't interfered with his job prior to the arrest.

CONF003238

DYKES\_I\_003216

# Nobert guilty, gets suspended term

A judge Monday sentenced former Meriden Fire Department Capt. Mark Nobert to 18 months in prison for sexually abusing a youth, but ordered the term suspended on the condition that Nobert gets psychiatric treatment as part of his probation.

Meriden Superior Court Judge Allen W. Smith handed down the sentence after the 39-year-old Nobert pleaded guilty Monday to one count of risk of injury to a minor, a felony. Another count of risk of injury to a minor and an additional charge of second-degree sexual assault were nolle, which means they will be dismissed if Nobert does not violate terms of his probation.

## Changes plea

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family, who appeared in court Monday for the hearing.

In addition to the 18-month suspended sentence, Smith ordered Nobert to serve three years on probation and seek psychiatric treatment under state Department of Adult Probation supervision.

Smith also told Nobert to donate \$500 to each of three charities during his probationary period. The charities are the Vietnam Memorial Fund, the Meriden Visiting Nurses Association and the South Meriden Volunteer Fire Department.

## Terms of probation

Smith further ordered Nobert to stay away from the youth, his family and other former members of the Boy Scout troop he once headed.

If Nobert violates any of the conditions of his probation, he may be sent

to prison to serve the 18-month sentence.

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"We felt under the circumstances that this was the best way to go," said Leonard Powers, the family's lawyer. "The family's main concern was for him to get corrective treatment. They wanted protection for other individuals. The sentence and the conditions placed on it accomplished what the family wanted."

Nobert's lawyer, John R. Donovan, told Smith before the sentence was issued that Nobert, the youth and the families of both were going through "quite a painful experience." Donovan said in court that Nobert already has sought treatment.

Nobert was suspended from the Fire Department after the arrest. He asked for, and was granted, a disability pension by the Municipal Pension Board.

Tuesday, December 17, 1985—3