

CONNECTICUT JUDICIAL DEPARTMENT  
OFFICE OF ADULT PROBATION

COURT NAME OF DEFENDANT JONES, Tom		COURT (JD OR GA) JD		CITY/TOWN West Lake				
TRUE NAME OF DEFENDANT JONES, Thomas William		SENTENCING DATE 8/9/00		DOCKET NO. (S) XLT-99-4062588				
ALIAS OR NICKNAME "Tommy"		STATE NO. 500-XLT-00-4207						
OFFENDER DESCRIPTION	PRESENT ADDRESS 66 South 4 <sup>th</sup> Avenue, Bldg 22, West Lake, CT					TELEPHONE NO. (999) 555-1234		
	NAME AND ADDRESS OF CLOSEST RELATIVE Cousin: John Smith, 2511 Fairhaven Blvd, Apt 117, Center City, NY					TELEPHONE NO. (999) 555-6789		
	AGE 63	DATE OF BIRTH 4/1/37		PLACE OF BIRTH Manhattan, NY		SOC. SEC. NO. 123-45-6789		
	SEX M	HEIGHT 5'9"	WEIGHT 165	EYES Brown	HAIR Grey	COMPLEXION Medium	BUILD Medium	RACE Cauc.
	IDENTIFYING MARK(S) Birthmark right calf; scar right index finger							
PRESENT OFFENSE	JUDGE Robert McKinley		STATE'S ATTORNEY Anna Cruz		DEFENSE ATTORNEY Carson Mann			
	OFFENSE(S) AS CHARGED Sexual Assault 2 <sup>nd</sup> Sexual Assault 4 <sup>th</sup> Risk of Injury to a Minor Male Child (2 counts)							
	OFFENSE(S) AS CONVICTED Sexual Assault 2 <sup>nd</sup>				STATUTE(S) & PENALTY(IES) 53a-71(a)(1): \$10,000 and/or 1-10 years			
	ARREST DATE(S) 12/17/99		CO-DEFENDANT(S) None					
	BOND \$50,000	CONFINED No	CONVICTED BY Guilty Plea		CRIMINAL RECORD NO X YES (see att.)			
	DISPOSITION  8/9/00: 12 years execution suspended after 4 years, 10 years probation							

***This example PSI was developed for CSOM by Robert Coyne, Chief Probation Officer, Court Support Services Division, Connecticut Judicial Branch, New London, CT.***

## OFFENSE:

According to reports from the State Police Department, on October 15, 1999, a 12 year old male with an IQ of 50, who is considered educably mentally retarded, disclosed to school officials that an older man named "Tommy" (Thomas JONES) had touched him in his private areas. Upon interview, the victim explained that approximately one month prior, he was riding his bike when he met a man named Tommy who lived in the same apartment complex. JONES invited the victim into his apartment and showed the victim his bedroom, bathroom, and his son's room. After this visit, the victim left. Approximately two weeks later, the victim went back to JONES apartment and JONES called him into the bedroom. Once in the bedroom JONES told the victim to take off his clothes and get onto the bed. The victim did not want to do this but JONES told him if he did not, his feet and hands would be tied to the bedpost. JONES also told the victim that he had to do what he was told because it was his house. The victim then complied. As the victim was lying on his back on the bed, JONES undressed and got on top of the victim, stomach to stomach. JONES put his penis on top of the victim's penis and was "humping" him for approximately 4 to 10 minutes before a knock was heard at the door and JONES got up to answer the door. The visitor was the victim's father. The victim stated that he then got dressed. JONES showed the victim's father around the apartment. That night, the victim's parents noticed that the victim's shorts were on backwards and asked their son if anything had happened at JONES's house, but the victim replied, "No".

On October 12, 1999, the victim again went to JONES's apartment to eat pizza and watch a movie. After they ate the pizza, JONES told the victim to go into the bedroom and began to push him into the bedroom. JONES then told the victim to lie on the bed. JONES then took the victim's clothes off and then undressed himself. JONES got on top of the victim and placed his hand under the victim's back. JONES then picked up the victim's back and put his penis into the victim's anus and began moving his hips back and forth. The victim stated that it felt like a hard rock going into him and that it hurt. JONES continued for approximately 10 minutes and was simultaneously touching the victim's face and hair and asking, "How do you like that honey?" JONES then grabbed the victim's penis with his hand and moved it back and forth for approximately 5 minutes. When JONES finished the victim got dressed and recalled JONES stating, "Oh, come on honey, don't you want to stay with Papa?" JONES then told the victim that because of his handicap, no one would believe him. On October 15, 1999, the victim told his father what JONES had done.

On October 15, 1999, the victim's parents were interviewed and confirmed the victim's whereabouts on the dates in question, as well as their son's disclosure to his parents the following: While at JONES's apartment, on two separate occasions, JONES had told the victim that it was time to do "our thing" and had pushed him towards the bedroom, undressed the victim, undressed himself, laid on top of the victim and began moving back and forth. The victim's father also recalled that his son had told him that JONES said that this was what guys and girls do and that JONES's penis was hard.

On October 20, 1999, police interviewed JONES who stated that on two separate occasions, while at his apartment, the victim began to kiss him, undress him and rub his groin against JONES. JONES stated that he did not attempt to stop the victim and that eventually the victim and JONES moved to the bedroom and continued to caress one another and rub groins. JONES continued to say that at one point, the victim asked him to remove his hand from the crack of the victim's butt, which JONES did, but continued to rub the victim's back. JONES summarized his actions as that of a willing participant.

On December 15, 1999, a physical exam was conducted at the North Central Hospital. The results of the exam revealed that the victim had been sexually assaulted, as a scar, with healing about 8 to 9 weeks old, consistent with rectal penetration,

was observed. JONES was arrested via warrant on December 17, 1999.

**OFFENDER's VERSION:**

"I was questioned for three and one-half hours. I admit to the things I did which are in the statement...I told them everything that I did. The way I was brought up was not to lie. What I told them is exactly what I did...I just laid there. I think I was mainly satisfying his fantasies. I don't know why I did what I did...I'm downright embarrassed if not disgusted with myself...I'm very sorry for my actions and my behavior and conduct and I want to apologize to the family and to the Judge and to the state of Connecticut for my behavior and ask for forgiveness."

**VICTIM's ATTITUDE:**

This officer spoke with the 12 year old victim, his parents, his sister, and his therapist.

The victim himself informed this officer that since the assault he has had trouble sleeping and has had nightmares. He is not satisfied with the State's recommended sentence and feels that the death penalty should be considered. It was apparent during this officer's interview that the victim experiences significant rage when thinking about the offender and the offense and found it difficult to express his extreme sense of betrayal and victimization using mere words.

The victim's parents informed this officer that since the revelation of the instant offense, the stress level in their family, as well as in their marriage, was raised to levels previously unknown. For several months, the victim and his family remained living in the same apartment complex as the offender and found it difficult to believe that after the arrest, the offender was still walking around their neighborhood. The victim's mother also expressed disgust with an article in the local newspaper, describing the arrest, which identified the victim with descriptors. She then expressed extreme concern for the children that still live around the offender's apartment and wondered who was monitoring the offender's whereabouts. The victim's father stated that after the arrest, the offender offered to take his family to dinner, as recompense for any hardship suffered. The victim's father added, "Quite frankly, he shows no remorse. He's very calm and cool". The victim's father continued that his son has suffered days when his behavior becomes quite unmanageable. The victim's parents stated that they fully understand the plea agreement, and are satisfied with the State's Attorney's work on the case, however, they would like to see the offender be required to serve the entire sentence of twelve years.

Finally, the victim's therapist, a licensed clinical social worker, stated the following, "This particular offense escalated the amount of anger, anxiety and distrust (in the victim)...There was a time when he was afraid to go to school because he thought (the offender) would come and get him...(the offense) set him back in a lot of ways, especially in his relationships to other people...He doesn't want to talk about it much. We work on what to do with his anger. I wonder what effect this will have on his sexuality".

Finally, this officer was contacted by a representative of the Pendleton Law Firm which will be advising the victim regarding potential civil litigation. A request for a condition of probation of restitution, for counseling expenses, will be made at the time of sentencing.

**CRIMINAL RECORD:** SPBI/SID#: CT00999999

FBI#: 999999AB9

<b>DATE</b>	<b>LOCATION</b>	<b>OFFENSE</b>	<b>DISPOSITION</b>
12/7/99	West Lake	Sexual Assault 2 <sup>nd</sup>	Instant Offense

## CURRENT PERSONAL HISTORY:

Thomas JONES, age 64, was born in Manhattan, New York, as a result of the relationship between Thomas Williams and Mary Lou Jones. Because the couple was not married, the offender's mother bestowed on the offender her own maiden name of Jones. According to the offender, he last saw his father, a man of Mohawk heritage, at the age of seven or eight and "the state of New York pursued him all over for child support". The offender's mother was employed as a domestic servant for a wealthy family in New York, however, the offender recalled having to work from a young age to make ends meet. The offender's mother was deceased in 1978. The offender was raised in New York City. He always resided with his mother during his formative years in what he described as "low income" housing. He portrayed his mother as an excellent care-giver who provided for all his social and emotional needs. The offender's mother never married nor was she involved in any significant romantic relationships after the offender's birth. The offender denied he experienced any abuse as a child.

The offender graduated from Smithtown High School, in 1955, number two in his vocational/technical class. From 1957 until 1978, the offender was employed by the United States Army as a Chief Fire Control Technician. He was honorably discharged at pay grade E-7. Although the offender was never involved in combat, he was engaged in highly covert missions throughout the "Cold War" years. Upon his retirement from the Army, the offender obtained employment with COMMAND, a military sub-contractor with offices in the U.S. and several foreign countries. Because the offender found himself traveling with COMMAND just as much as when he was a member of the Army, he subsequently obtained a civilian position at the Army Base in West Lake as an electronics supply technician. According to the offender, he "ran the help desk...there was not much hands on work. It was mostly trying to find replacement parts". On December 3, 1998, having completed another twenty years with the United States government, the offender once more retired. Upon his retirement, the offender was presented with letters of congratulations and commendation from the governor of the state of Connecticut - John O'Neil..."Your record of conduct, performance and devotion to duty reflect your allegiance to the highest standards of the military profession", from the Rear Admiral of the United States Army - John B. Burrell..."Mr. JONES consistently performed his demanding duties in an exemplary and highly professional manner", from the governor of the state of New York - George Hamilton..."Your combined service has helped contribute to the United States Army's pre-eminence as the world's greatest military force", from U.S. Representative - Sam Jorgenson..."Your impressive record speaks volumes of a career filled with mastery, technical excellence, competence and great oral character", from United States Senator - Christopher Robinson..."You have displayed extraordinary professionalism and zeal" and United States Senator - Joseph I. Linderman..."You have exemplified the ideals of duty, loyalty, and citizenship".

At present, the offender receives a military pension in the amount of \$958.88 monthly and a Civil Service pension in the amount of \$1,036.03 monthly. Additionally, the offender is eligible for Social Security benefits in the amount of \$459 monthly. Upon query, the offender estimated his net worth to be about \$76,000. The offender's son stated that his father also owns a second house, which was willed to him by a deceased friend. (The offender did not mention a second home during his interview.)

The offender first became involved in children's sports in 1985, when he began volunteering his time for the West Lake Boy's Football League. In a letter of Proclamation from Janice T. Price, the Mayor of West Lake in 1990, the offender is commended for serving as an active member of the West Lake Athletic Booster Club, a board member of the West Lake Boy's League and as a volunteer for the Youth Wrestling program and the West Lake High School Wrestling team. The Proclamation continues, "You have dedicated many, many hours to our youth but, more importantly, you are always given of yourself, whether it be to a team as a whole, or to an

individual needing your personal attention, guidance and warmth. Through your example, support and leadership, you have provided hundreds of West Lake's boys with a sense of friendship, sportsmanship and fair play and touched each boy's sense of self-worth and respect". In particular, the offender explained to this officer that he volunteered his time as the Football Commissioner for ten years and videotaped every West Lake High School wrestling match, for training purposes, for approximately six years. The offender is also an avid Phaleterist.

The offender has never been married nor did he describe to this officer any relationship of significance. He explained, "I never sat down and really thought about perhaps, getting married. Maybe I was too afraid to go through the problems I saw...I also had too much to do..."I've been to many parties. I have met a lot of nice people, but I could never settle down". The offender described his sexual orientation as heterosexual. When asked how he has met his sexual impulses over the years, he stated that he has utilized the services of prostitutes. In approximately 1986, the offender befriended two brothers, ages 12 and 14, whom he subsequently learned had experienced neglect at the hands of their guardians. Over the course of one year, the offender convinced the boy's mother, Melissa Huntley, to allow her younger son to live with him. According to Ms. Huntley, the offender has been "a real great friend to our family...My boys are the executors of his will...Tommy knew what it was to not have a father, so he stepped in. These were his kids". Thus, when David Moore, now age 26, was approximately 13 years old, he began living with the offender, in the same apartment complex in which the offender presently lives. In an interview with Mr. Moore, who is presently stationed in Spain as a lightweight vehicle mechanic for the United States Navy, he stated that at the time that he was befriended by the offender, the situation he was living in was "despicable. My (biological) father was a very lazy person...I was just in a horrible state for that age...at first my parents were a little bit like, 'What the hell is going on here?' but I told my mother that I could take care of myself and the situation...I was just kind of being stupid when I was that age." Mr. Moore continued, "I consider Tommy my father. He's the person who raised me and made me a very punctual, proper adult...Tommy put a lot of work into making things comfortable for me. He was very, very stern about school...My father is just a work type orientated person...He's a very organized person and a very hard worker...I graduated high school in 1992 and left for the Navy in 1993...Still, to this second, I don't believe a word about the crime for which he is being accused." Mr. Moore informed this officer that his command could be ordered into a military conflict at any time, and was also extremely concerned that his father's incarceration could be detrimental to his health.

During the course of the investigation, this officer also became aware of another individual whom the offender be-friended from a young age - Terrence Green. Mr. Green is presently serving a lengthy sentence of incarceration for the charge of Sexual Assault in the First Degree. The offense involved a night-time home invasion and violent sexual assault of an adult female in West Lake. Mr. Green had no criminal record prior to this attack on a stranger. When asked about this relationship during his pre-sentencing interview, the offender stated "He lived up the street...He must have had behavioral problems at home...as time went on he got into serious trouble". According to Mr. Green, from the age of eight until the age of sixteen, he stayed at the offender's apartment every weekend and during the summers, from before the time David Moore began living there. He recalled that the offender "used to take kids camping - kids from the football league". He also stated that the offender continues to send him money as well as visit him at Central Correctional Center, where he is incarcerated. Mr. Green was not aware of the offender's current legal predicament.

The offender has resided in the City of West Lake since 1978. He lives in an apartment complex situated in both a residential and commercial neighborhood in southern West Lake. Most of the original units were sold as condominiums in 1982. The offender purchased a unit in 1983 for \$41,900. The offender does not have a

mortgage on this property but is responsible for property taxes and common charges. The complex has 18 rental units and 40 condominiums. Adults account for the majority of residents at the complex; however, children do reside in the complex. The offender has been active in the condominium association in the past and assisted in planning social activities for the children of the complex. Although many of his neighbors are aware of the instant offense, several who spoke to this officer believe the offender is a kind man who has been wrongly accused.

The offender stated that he sometimes drinks a few beers at the end of the day, but does not consider himself an alcoholic. He also stated that he has never had a problem with the use of illegal substances. This claim was confirmed by a urinalysis specimen rendered on the day of the pre-sentencing interview which tested negative for the presence of any illegal substances. On September 12, 1998, the offender underwent a pelvic node dissection and radical prostatectomy as a result of the detection of prostate cancer. According to Dr. Anthony Kildere, the offender's primary physician, the surgery went well and the offender's PSA is presently within acceptable limits. Upon query by this officer, the offender stated that his potency, at present, is "diminished".

Since his arrest in December 1999, the offender has been in therapy with Dr. Theodore Gray of Mid-Town Psychiatric Associates, on the advice of the State Police. According to Dr. Gray, the offender has not been assigned any specific diagnosis and is not prescribed medication. Dr. Gray's impressions of the offender were that he presents somewhat differently than the usual sexual offender in that he has admitted to the crime for which he is accused. Dr. Gray noted that the offender has "lots of acquaintances, but no close friends...He hasn't really read about sex offenders. I don't think he realizes how at risk he is for committing a similar offense in the future...I don't think he'd do well in rigid sex offender treatment...It does seem unusual that he is still attending youth sports events, with the permission of his defense attorney of course". This officer did confirm with the offender that he has attended at least one wrestling match - the state wrestling finals at Washington High School - since being ordered by the court to have no contact with minors, as a condition of his bond.

On referral from this officer, on July 27, 2000, the offender attended a specialized Sex Offender Evaluation conducted by Bruce Powell of Counseling Services - The Clinic, Inc. In Mr. Powell's risk assessment, he noted the following, "Mr. JONES initially groomed his victim and then used threats to force him to comply. The victim was hurt when he was anally assaulted. Therefore, his dangerousness is moderate, that is, the likelihood that he will cause physical harm to others. Mr. JONES has only this one sexual offense charge against a 12 year old male. He has never been involved in a significant adult relationship by his report. He has been very involved in youth activities for approximately 15 years and has raised a foster child. It is very difficult to believe Mr. JONES's story that he found himself taking off his clothes and essentially being coerced into engaging in this kind of sexual activity for the first time in his life. Therefore, his relapse risk is high, that is, the likelihood that he will commit a similar offense in the future. Mr. JONES has no criminal or substance abuse history. He has an extensive history of involvement with adolescent males. He acknowledges that he took his clothes off and engaged in sexual activity but he minimized his part in it and blames the victim. He stated that he does not think that he has a problem and does not need treatment. His prognosis is guarded. Mr. JONES is minimizing the extent of his problem in the face of overwhelming evidence...He maintains that he does not have any sexual interest at all due to his medical condition (and that) the victim took advantage of him and he was unable to resist on two separate occasions. Mr. JONES appears to believe what he is saying, which may make treatment particularly difficult. Mr. JONES does not appear to be an appropriate candidate for out-patient sex offender treatment at this time due to his level of denial". Mr. Powell concluded his report thusly, "At such time as Mr. JONES is released from custody and is placed on parole or probation, the

following recommendations are made: Effective participation in out-patient sex offender treatment, completion of a polygraph examination, no contact with the victim, and no contact with minors under the age of 17, to include all activities that minors might attend such as sports activities at high schools."

**RECOMMENDATION:**

Thomas JONES has made significant contributions to the United States Army, and the community of West Lake over the course of his lifetime. Not one collateral contact made by this officer produced any negative information regarding Mr. JONES's character or conduct over the years. However, this officer's interview with Mr. JONES was somewhat disturbing as he minimized the magnitude of his activities with adolescent boys that were outside the scope of his role as an administrator of the youth football league. Such activities would have included camping and numerous recreational outings to play "Paintball". This officer is also uncertain why Mr. JONES significantly minimized his relationship with Terrance Green, representing to this officer that he had not seen Mr. Green, and knew little of him, when in fact, he continues to correspond with him quite frequently. Finally, similarly to Mr. Powell of Counseling Services, this officer finds it difficult to believe that a man who has interacted with hundreds of adolescent boys over a period of at least ten years would allow a mentally handicapped adolescent to initiate sexual activity with him. This officer would therefore concur with the State's Attorney's recommended sentence of incarceration. This officer would also suggest that the court sentence the offender to a lengthy period of probation in which the following special conditions are enforced:

1. Upon release from the Department of Corrections, register with the Department of Public Safety.
2. No contact with the victim or victim's family.
3. No contact with minors, male or female, under the age of 17.
4. Participate effectively in out-patient sexual offender treatment with an approved treatment provider that provides specialized sex offender treatment. Assume financial responsibility for such treatment.
5. Submit to periodic polygraph examinations by a specially trained PDD examiner for sexual history, specific issue, or maintenance and monitoring examination. Assume financial responsibility for such exams.
6. You shall not volunteer your time with or be employed by any organization whose primary function is to serve the needs of minors under the age of 17. Additionally, you shall not be allowed to attend social activities or functions in which minor's activities are the primary function.
7. You will not date or socialize with anybody who has children under the age of 17 without permission of the supervising probation officer.
8. Abide by special conditions for sexual offenders as required by the Probation Department.

SUPPLEMENTAL INFORMATION	ATTACHED (Specify)
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BASED ON THE INVESTIGATION THE FOLLOWING IS RECOMMENDED:  
 PROBATION:            YES                    NO                    X OTHER (Specify below)

RECOMMENDATION	SPECIAL CONDITIONS/CIRCUMSTANCES
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RESPECTFULLY SUBMITTED Probation Officer	COUNTERSIGNED BY Chief Probation Officer
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