



The Commonwealth of Massachusetts

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Press Release

Former Police Officer convicted of Being accessory before kidnapping

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Former police officer Michael Schoener has been found guilty of accessory before the fact to the kidnapping of James Robertson, the Avon father kidnapped from his family home on New Year's Day 2014 and found murdered in the woods of Upton, Mass., about two years later, according to Norfolk District Attorney Michael W. Morrissey.

Schoener, 45, was convicted by a jury of his peers on April 24 and sentenced by Judge Robert C. Cosgrove the following day. The statute allows a maximum penalty of 10 years state prison on the conviction.

Robertson was last seen by his family getting into a car with two men posing as constables and claiming that Robertson needed to go with them to comply with a drug testing requirement of his probation on a minor past court case.

"It was important to this family, to this office and to the law enforcement community that Michael Schoener be held accountable for his part in this awful crime," District Attorney Morrissey said. "He stands convicted of handing over to his drug dealer his police badge, holster, handcuffs and information about James Robertson. It was a shocking betrayal of public trust, with a brutal and shocking outcome."

The case was tried by Assistant District Attorney Lynn Beland and assisted by Assistant District Attorney Pamela Alford and Victim Witness Advocate Pamela Friedman. "This was a difficult and complex case, but the experience and talent of this prosecution team, combined with a tireless investigation by the Massachusetts State Police assigned to our office, brought us to a just result today," Morrissey said.

Schoener resigned from the Dedham Police Department.

Two men were convicted October 11, 2018, in the kidnapping and murder of Robertson. Press release from that conviction with additional information can be reviewed [here](#).

At the sentencing hearing before Norfolk Superior Court Judge Robert C. Cosgrove, Assistant District Attorney Lynn Beland asked the judge to impose a sentence of 9 to 10 years in State Prison for his conviction. This represents an upward departure from the non-binding sentencing guideline recommendation of 3.5 to 5 years. Beland argued that the aggravating factors in the case, including the defendant's position as a police officer, justified the harsher penalty. The maximum penalty for the conviction is 10 years.

Defense Attorney John Gibbons asked for a sentence of probation or an 18-month sentence in the house of corrections.

Judge Cosgrove imposed a sentence of 6 to 9 years in state prison.

Attorney Gibbons then asked that the sentence be stayed pending appeal, which the Commonwealth argued strongly against.

The sentence was ordered stayed pending appeal.