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Aunt avoids jail in baby poisoning

Harsh words exchanged as family members face off in court

smell of pesticide and an
of saliva.

**By Amanda Pinto
Register Staff**

The Killingworth woman accused of poisoning her sister's infant son in 2006 was granted a special form of probation by a Superior Court judge in New Haven Wednesday, despite objections from several

of her family members. Under the program, Nicole Burger, 41, would see charges of reckless endangerment and risk of injury to a child wiped from her record if she is not arrested for two years, undergoes a psycho-

logical evaluation and completes 75 hours of community service. Judge Earl Richards ruled. The crimes, to which Burger pleaded innocent, carried a penalty of up to 10 years in prison. The central argument — Rich-

ards ruled — was whether the poisoning was deliberate, or a "horrible accident." Although state toxicologist Dr. Robert Powers wrote that the injuries may have been the result of "a direct pouring of the chemi-

cal substance into the infant's mouth," Burger's attorney, Tara Knight, presented a report from a well-known Pennsylvania-based toxicologist who said the boy's only symptoms were a reddening on the tip of his tongue, a
Dr. Robert Middleberg that sucking on Burger's which was coated with the that Burger said spilled when was gardening." "cannot l counted" as the probable n

See Ba