

Plea rejected for retired cop in sex assault

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There were gasps of elation from the victim, and heads bowed in disappointment on the defense side of the courtroom, when Mesa County District Judge Valerie Robison on Friday rejected a plea agreement that would have ended a seven-year-old child sex assault case against a former Mesa resident.

Saying she found a negotiated plea agreement “unconscionable” in the case against 73-year-old Rodney Eddy, Robison’s action Friday sets the stage for a likely third jury trial for Eddy, a former church deacon, retired police officer, teacher and school board member.

“I cannot ignore the statements of (the victim) and the jurors who made findings,” Robison said before sinking the plea agreement.

The latter half of the judge’s statement was a reference to Eddy’s second trial in 2010, when he was convicted of eight child sex-assault related felonies. Those convictions were wiped out last year when Robison ordered a new trial because of juror misconduct.

Robison Friday said she’ll issue a written order to further explain her rejection of the plea agreement.

Assistant District Attorney Rich Tuttle defended the plea offer, while saying the office “respects” Robison’s decision.

“This wasn’t done flippantly,” Tuttle said of the offer. “We carefully considered our options and this is what we chose to do. We realize the ramifications to not only Mr. Eddy, but also the victim and her family and we respect the victim and family desires and feelings in this case.”

Asked if Friday’s decision by the judge eliminates the possibility of another plea offer but with different terms, Tuttle said, “We’re not foreclosing anything at this time.”

Robison scheduled the case to return later this month, when dates for Eddy’s third jury trial could be scheduled.

The rejected plea agreement called for Eddy to plead guilty to attempted sexual assault on a child, a class 5 felony. In exchange, Mesa County prosecutors were prepared to drop eight outstanding counts of sexual assault on a child by a person in a position of trust, and a pattern of sexual abuse.

The deal called for Eddy to be sentenced to three years in prison, but be credited for the 1,470 days he’s already served in the Colorado Department of Corrections. The time credit meant Eddy would have essentially walked away a free man on Friday, with the case being closed.

Eddy also would have been required to register as a sex offender. He would have waived rights to appeal a prior felony conviction for obscenity in 2010.

Eddy's case has been judged by two jury panels in Mesa County since his arrest by the Mesa County Sheriff's Office in 2008 on 36 mostly child sex-assault counts. Eddy was accused of an ongoing sexual relationship with a girl, starting when she was 13 in 2003 and continuing through 2008. The girl had been living several years with Eddy, a former deacon at Mesa View Bible Church, a retired officer with the Los Angeles Police Department, a member of the Plateau Valley school board and substitute teacher.

The girl made formal allegations against Eddy when she was 18.

Eddy's first trial ended after three weeks in February 2010 with jurors deadlocked on sexual-assault related charges. He was convicted on a lone count of obscenity, a class 6 felony.

Six months later, another Mesa County jury convicted Eddy on four counts of sexual assault on a child by a person in a position of trust and four similar counts for a pattern of abuse. He was acquitted on eight other charges.

Robison sentenced Eddy to serve 16 years to life in prison.

The case was closed until a defense bid last year for a new trial based on arguments that a juror in Eddy's second 2010 trial was a childhood victim of sexual assault. The information wasn't disclosed to attorneys during jury selection.

Eddy was granted a third trial. Once serving effectively a life sentence in prison, Eddy was released from the Mesa County Jail on Sept. 11, 2014, after posting \$175,000 bond.

Her voice quavering with emotion, Eddy's victim on Friday voiced strong objections to the proposed plea agreement.

"I feel like I've been treated unfairly and he's getting away with it," she told Robison. "What this says is, you can actually sexually assault someone and get away with a slap on the wrist."

The girl's father urged Robison to dump the deal, likening Eddy to a "serial killer."

"Would you let a serial killer go?" he asked the judge. "He's done it before and he'll do it again."

Deputy District Attorney Jeremy Savage, who led the prosecution in both of Eddy's trials, pointed to extensive time, effort and resources already devoted to Eddy's case since 2008.

"These cases," Savage said of the prior trials, "were not slam dunks."

"The DA's office does not have an infinite amount of resources," he added.

The plea deal was justified by Eddy's advanced age, unspecified health problems, his four years already served in prison and the fact he'd have two felony convictions and the label of a registered sex offender, Savage said.

"It's very unfortunate what happened in this case," he told the judge.