

## **Roach gets 5 years**

Prison term awaits ex-DA

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U.S. District Judge Mary Lou Robinson, citing a betrayal of the public trust and a pattern of criminal conduct she deemed "way out of bounds and at times seriously unscrupulous," sentenced former 31st District Attorney Rick Roach on Wednesday to five years in prison on a drug-related firearms charge.

In setting Roach's sentence, Robinson said Roach violated the laws he swore to uphold and doled out a prison term that significantly exceeded a pre-trial officer's recommended sentence of between 37 to 46 months. She ordered his immediate imprisonment.

This year, Roach, 55, pleaded guilty in a plea bargain to a charge of possessing firearms while using or being addicted to narcotics. He faced a possible 10-year prison term.

"The guidelines do not adequately address ... the extent to which you have betrayed the public trust," Robinson told Roach.

Federal prosecutor Christy Drake argued for Robinson to issue a stiff sentence against Roach, who once ran on a get-tough-on-drugs platform. She presented testimony that Roach was addicted to drugs, illegally possessed firearms and attempted to bribe Department of Public Safety troopers with cash seized from highway drug busts.

But Roach's attorney, Bill Kelly, asked Robinson to grant Roach probation and attempted to refute many of the allegations leveled against his client.

Kelly acknowledged that cocaine and methamphetamine were found during an FBI search of Roach's office in January but said the drugs did not belong to Roach.

"We specifically deny that he was engaged in any unethical conduct during his tenure," Kelly told the judge.

The government dismissed the remaining federal charges against Roach, including possession of methamphetamine, possession of methamphetamine with intent to distribute and possession of cocaine with intent to distribute.

As federal marshals led Roach away, he indicated he didn't wish to comment on Robinson's decision and waved goodbye to family members, including his twin sons.

As he awaited Robinson's decision, Roach apologized for his crime and for its heavy toll on his family, employees and friends. But Roach also characterized himself as a good employee and asked for a chance to make amends and spend time with his sons.

"I recognize that I have used very poor judgment in everything that I have done," he told the judge. "I'm very, very sorry."

During testimony Wednesday, Drake presented evidence that Roach was an intravenous methamphetamine user who had 35 firearms in his office, home and a Pampa apartment maintained by the district attorney's office.

The prosecution also presented testimony that Roach had surfed child pornography sites and was obsessed with obtaining money from drug seizures.

DPS trooper Jason Henderson said Roach followed him and another DPS trooper into the elevator one day in 2002 and offered them jobs, positions that would be paid for with cash seized in Interstate 40 drug-traffic stops. Roach, Henderson said, asked them whether they would be willing to work off-duty in state vehicles and focus on seizing cash from westbound drug traffickers.

"We advised him that we'd get fired. We weren't interested," Henderson testified. "Everything he asked us that day, we informed him was illegal."

Kelly asked Henderson whether he was aware that prosecutors sometimes pay employee salaries with drug-seizure funds and asked Henderson when he reported the meeting with Roach to DPS supervisors.

Henderson acknowledged that DPS agreed to split drug seizure funds with Roach's office and said he reported the meeting to DPS supervisors about a year later. But he said the proposal Roach outlined to him was illegal.

"The drug problem wasn't brought up," Henderson said. "He offered that there were ways to do it that nobody would know."

FBI Special Agent John Whitworth testified that Roach had two firearms in his briefcase when he was arrested at the Gray County Courthouse in January.

The agent said a secretly recorded videotape shows Roach injecting himself with methamphetamine in an apartment while a co-worker watched.

"He used the word: meth," Whitworth said.

Employees also once discovered a methamphetamine-tainted syringe floating in a toilet in Roach's office.

Roach, Whitworth said, had an affair with an office employee and supplemented her salary with drug-seizure funds that the co-worker used for day-care expenses and to pay her attorney in a child-custody dispute.

The former district attorney, Whitworth said, often dismissed money laundering charges against drug defendants arrested with large sums of cash if they agreed not to fight the prosecution's efforts to keep the money.

"That money would sometimes be returned to the defendant," Whitworth said.

In one instance, Roach's office seized \$400,000 in a drug case and returned \$80,000 to the defendant's attorney, Whitworth said, and Roach filed court documents stating that some funds returned to the defendant were not considered illegal contraband.

Roach also filed court documents seeking 1.2 kilograms of ecstasy pills, 2.9 kilograms of cocaine and more than 800 grams of methamphetamine to use in training of drug dogs, a request Whitworth said raised the suspicions of DPS officials.

The methamphetamine, he said, was given to canine trainers, but investigators could not determine whether any drugs were missing.

But Kelly quizzed Whitworth about the FBI's investigation and asserted that Roach's possession of various seized firearms was not illegal.

"It is if he is addicted to drugs," Whitworth said.

Roach, who soon will be taken to an undisclosed federal prison, was indicted last month on two state counts of possession and intent to deliver cocaine and methamphetamine. He could face 10 to 99 years on each count. Whitworth said the Texas Rangers are continuing their investigation into Roach's office.

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