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Jury recommends probation for police officer  
Panel decides after 20 minutes

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Probation was the recommendation of jurors after 20 minutes of deliberation Friday on the punishment for a 19-year veteran of the San Antonio Police Department who was found guilty Thursday of sexually molesting a 13-year-old girl.

Although Officer Richard G. Rodriguez, 41, had faced up to 99 years in prison, prosecutors suggested to the jury that they give him between 5 and 20 years.

The verdict was for five years in prison, with a recommendation to 187th District Court Judge Raymond Angelini that the sentence be commuted in favor of probation.

Prosecutor Scott Simpson said Angelini likely will set probation at 10 years when the conditions of Rodriguez's community supervised release are prepared by the court.

"We would like to have seen him get jail time, but we know that with him being a police officer that he was probably going to get probation," Simpson said.

Rodriguez has been on indefinite suspension from the department since his January arrest.

Defense attorney Pat Hancock expressed disappointment with Thursday's guilty verdict, but added that probation - which Rodriguez asked for from the witness stand Friday - was appropriate under the circumstances.

Hancock said the sentence and the speed with which the jury arrived at it indicated to him that some of the jurors "had some residual doubts" about the guilt of the officer.

Even without jail time, there are extraordinary mandatory reporting restrictions on a sexual offender. And the conviction alone bars Rodriguez from again being a police officer.

"I'm not sure that one can live a normal life on a sexual related conviction," Hancock said.

The case against Rodriguez involved a girl, now 14, who was a friend of the family. She traveled with Rodriguez's family - he is married and has two children - to Idaho in summer 1999.

She alleged that Rodriguez fondled her during that trip and on several occasions in eastern Bexar County after the trip.

The girl spent hours on the witness stand, often giving solemn one-word answers.

When repeatedly questioned about her interpretation of the touching she alleged, she said she did not understand what was happening.

Defense attorney Mark Stevens painted the girl to the jury as a fantasizing teen-ager who was not as

naïve as she portrayed herself to be.

He noted, for instance, that the girl admitted having a crush on the officer and repeatedly sought out his company after the first incident.

In a trial where there was precious little hard evidence and a decision hinged on which party the jurors thought was more credible, each side leaned heavily on witness testimony related to reputations.

However, Simpson argued that the girl's actions should be seen in light of her inexperience, her reputation as a leader in church among her peers and her courage to put herself and her family through the ordeal of a public trial.

"I think she feels happy that the jury believes what she said," Simpson said.

Rodriguez's brother Milton Rodriguez said the family was relieved he would not go to prison, adding, "We're a strong family. We will get through this."