

EX-COPS GET LONG PRISON TERMS IN EXTORTION CASE - 3 CONVICTED OF STEALING FROM CITY DRUG DEALERS

Detroit Free Press (MI) - Wednesday, March 27, 2002

Author: BEN SCHMITT FREE PRESS STAFF WRITER

They wore their badges, carried service guns and patrolled the 5th (Jefferson) Precinct posing as upstanding police officers, all the while running with a racketeering outfit that looted money from drug dealers.

Now, three former Detroit Police officers will serve lengthy **prison** sentences **in** what U.S. District Judge Robert Cleland on Tuesday called an extraordinarily troubling moment for the department.

"What I will remember for the rest of my career is the disgrace this has brought," Cleland said as he sentenced the officers **in** his Detroit courtroom.

The officers, Rodney Rice, 42, Irvin Upshaw, 43, and Larone Cook, 33, were convicted **in** April on charges that include racketeering and conspiracy to commit **extortion**. They were acquitted at trial on a charge of providing protection to drug organizations and other drug- and gun-related charges.

Upshaw was sentenced Tuesday to 20 years **in prison**; Rice to 17 1/2 years and Cook to 14 1/2 years. Cleland said Upshaw's sentence was the most severe because he perjured himself at the trial by claiming that marijuana discovered **in** his home belonged to his brother- **in** -law.

Lawyers and friends of the defendants said many of the witnesses against the officers were drug dealers with scores to settle.

Detroit Police Lt. Charles Flanagan, Rice's former supervisor, said he still believes Rice is innocent.

Flanagan called Rice "one of the most dedicated and proactive narcotics enforcement officers" he has ever worked with. Rice won his precinct's 1994 officer-of-the-year award.

"If you put enough witnesses up there telling the same story, the jury will believe it because of the respect the FBI commands," Flanagan said.

More than 50 witnesses testified **in** the trial, many of them drug dealers, said Assistant U.S. Attorney Robert Cares.

Cares said the real victims were residents who live **in** the 5th Precinct and the police profession and its reputation.

Detroit Police Sgt. Joe O'Leary, who investigated the **case** with internal affairs, agreed.

"The real victims were not the drug dealers. It was the community where the drug dealers were flourishing because there was no enforcement," he said.

The **case** arose from a 1998 tip that a small band of officers **in** the 5th Precinct may have been robbing and threatening or perhaps protecting drug houses and dealers on the city's east side.

The three officers were caught by a task force of FBI agents and Detroit internal affairs investigators.

A fourth officer was acquitted **in** April of all charges. Another officer, Mark Heath, earlier pleaded guilty to misconduct and received a one-year sentence.

In court on Tuesday, Cook's wife, Janie Cook, maintained "they didn't prove anything against my husband."

She yelled, "Be strong," as U.S. marshals took Cook into custody after the hearing.

"No doubt," he yelled back.

Cleland didn't dispute the officers' meritorious careers or the support they still have from family and friends.

When sentencing Rice, the judge said: "It's all the more sad when a person with your potential and the ability to do a good job succumbs to the temptation as you did to enrich yourself and victimize society **in** general."

Contact BEN SCHMITT at 313-222-6597 or schmitt@freepress.com.

Edition: METRO FINAL

Section: NWS

Page: 1B

Index Terms: DETROIT ; POLICE CRIME ; SENTENCE ; POLICE CORRUPTION

Record Number: 0203270147

Copyright (c) 2002 Detroit Free Press