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**Ex-officer sentenced in rape, battery
Feeney to serve 10 years despite plea for leniency**

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Former Anne Arundel County police Sgt. Michael Dennis Feeney was sentenced to 10 years in state prison Friday for rape even after pleading with the judge that it would amount to a death penalty.

A Howard County circuit judge gave Feeney the maximum sentence for a second-degree rape conviction, 13 years, and for a battery conviction, three years, despite his family's pleas for leniency and concern that the former narcotics officer might not fare well behind bars.

"It would be a penalty of death, your honor, and I'm not exaggerating," Feeney said during the sentencing. "I can't make it in jail."

He spent eight years targeting drug kingpins and likely would meet some of them in jail, his family said.

Judge Diane O. Leasure suspended three years of the sentence and ordered that the jail time be served concurrently and include the 18 months Feeney was sentenced to last year for a separate attempted sexual assault.

Feeney also was sentenced to five years' probation and ordered to undergo a mental health evaluation when released.

Leasure said Feeney violated the trust people place in police officers.

"There are two different juries in this state who have found you guilty of two different sex offenses against women," Leasure told Feeney, 45, before passing sentence. "There are two circumstances in which you have violated that trust."

Defense lawyer T. Joseph Touhey said he will appeal the conviction because the jury was not allowed to see the victim's mental health records.

Feeney was convicted of a Dec. 9, 1995, attack on a clerk at a Parole Plaza drugstore where he once moonlighted as a security guard. Touhey argued during the trial that health records showed the 40-year-old Caroline County victim had a history of abusing prescription drugs and had attempted suicide two months before she was raped.

"I'm approaching this appeal with some enthusiasm," Touhey said. "I don't think he did anything else but be promiscuous."

Assistant State's Attorney Kathleen Rogers declined to comment.

The trial of Feeney, an 18-year police veteran, was moved to Howard County because of the publicity the case received in Anne Arundel. A jury there found him guilty of second-degree rape, assault with intent to rape, and battery. The first two charges were merged Friday for sentencing.

Two weeks ago, the state's intermediate appellate court upheld Feeney's first conviction for attempted sexual assault Dec. 12, 1995, against the manager of the same drugstore.

During sentencing Friday, Feeney maintained his innocence and apologized to his family for his actions before Howard County sheriff's officers escorted him out of the courtroom and handcuffed him.

"I regret the day that I met her," Feeney said. "I do regret the pain my actions have caused to my family, and the embarrassment to the police department."

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