

Fear of Retaliation

Citizens express apprehension, doubt cops can police themselves.

Eugene police took a lashing last week at a public forum on reforming the city's handling of complaints against police.

Courts convicted two ex-Eugene Police Department officers this year of using their police power to coerce sex from more than a dozen women. The EPD ignored complaints from women victims and the abuse continued for nearly a decade, according to trial testimony.

Speakers at the forum did not give names and most of those who spoke Aug. 5 said they feared retaliation from Eugene officers for complaining. About 50 people showed up at the forum set up by the Eugene Police Commission.

Another woman said she complained to police about an officer who harassed her. Police never responded to the complaint, she said and the harassment "just keeps going on and on."

"My whole concern has been summarily dismissed," said a different woman, who says she waited three months before finally calling the EPD in frustration to find out what happened to her complaint.

Bills said police have a new policy of responding to complaints within 25 days, but the deadline doesn't apply if police decide that a citizens complaint is somehow actually an "inquiry" and not a complaint at all.

Neil Van Steenberg, who helps mediate police complaints, said people frequently

Police Commissioner and newly elected City Councilor Andrea Ortiz said she's heard complaints that officers fail to act when they hear complaints against other officers on the street. "Each person in the police department is responsible for, I think, all the police."

A man agreed that while most officers do a good job, "Every one of those cops that's doing a good job knows a cop that's not doing a good job." Officers shouldn't keep silent about co-workers misconduct, he said. "The system is broken."

A man called for police to post information on complaints and results of investigations on a web site. "There is no legal or ethical reason not to publicly disclose the nature of complaints."

A woman agreed that the police should give up the "old-boy network and the codes of silence" in favor of an open complaint process. In most other professions complaints and discipline are public, she said. With police, "Why does it have to be undercover?"

Police should be sensitive to the additional fear of retaliation that marginalized people such as the homeless have in complaining about police, the woman who works with the homeless said. "I work with people who are arrested regularly, sometimes for good reason, sometimes for sport, sometimes for training."

A man agreed that people often don't complain because they fear retaliation and know the police won't do anything anyway. "The sense is in general in the community that nothing will be done," he said. "That is exactly what happened in the Magaña case."

A man said the police internal complaint system needs to be "beyond reproach" but now has little credibility with the public. The man joined others in calling for an independent external police review board. As an alternative, the city could criminalize officer misconduct and run complaints through municipal courts, he said.

Another man said the city needs to over-

Many people don't complain because they 'fear retaliation and have experience of the police department as an old-boy network, looking out for each other, code of silence.'

— Woman who works with the homeless

"We don't tolerate retaliation," EPD internal affairs investigator Jennifer Bills told citizens. But Bills said the department tells officers the names of people who complain against them. She said she ignores anonymous complaints.

A woman in the crowd questioned how the EPD would know if an officer retaliated against a complainant, especially if other officers helped.

In the trial of Roger Magaña, fellow police officers quickly told Magaña that a woman had complained about him coercing sex. Police officials did nothing with the complaint, but Magaña soon visited the woman, put his gun to her genitals and threatened to shoot her if she complained again, according to trial testimony.

Another woman at the forum asked how many in the room didn't file formal complaints because they had a "fear of retaliation" from police. More than a dozen people raised their hands.

A woman said she filed a complaint and was followed by an officer in her car for a mile and half. The officer claimed that he thought she was drunk.

complain that the police say their complaint isn't a real complaint but an "inquiry."

One woman said she is helping a young woman who is "terrified" of police after a frightening traffic stop late at night. The woman said the young woman was tailgated by a car late at night and sped up. The car turned out to be a police officer who then turned on his lights to pull her over. After the police sex scandals, the woman was afraid so she drove to a well lighted area before pulling over. The officer demanded to know why she didn't pull over immediately and began asking frightening personal questions, the woman alleged.

Referring to the two officers convicted of forcing sex, the woman said many in the community question, "Does the department have them all?"

"The situation is pretty obviously bad," said a man. The man called for the council to hire an independent performance auditor to look at the larger question of how well the EPD is serving the community.

A woman agreed that the city needs an independent auditor and said the city manager "should be fired" for resisting the reform.

What is it they don't want people to know?"

A woman who works with homeless disabled people said many people don't complain because they "fear retaliation and have experience of the police department as an old-boy network, looking out for each other, code of silence." Another factor, she said, is "the slow response to these complaints and the fact that there's no significant change that seems to come."

The woman said the police system of having an officer's immediate supervisors investigate complaints is flawed because of conflict of interest. Punishing an immediate subordinate would reflect poorly on the supervisor's own failure to adequately train or supervise that person, she noted.

A former combat veteran and Eugene Citizens Police Academy graduate agreed that immediate supervisors should not investigate complaints because they depend on co-workers for back-up in threatening situations. "You should absolutely not have that person's supervisor doing the investigation. That's idiocy."

The man also faulted the police union for loading overtime on overstressed new recruits.

come the police union's resistance to reform. "I hope the City Council is strong enough to say it's the community's way, not the union's."

A man said he fears that police officers have closed ranks into an us-versus-them attitude where there are only two kinds of people, police officers and suspects. "Sizeable chunks of the police department may have that view. If that's the case, then we have got a bigger problem than we think we do."

In the past, the woman who works with the homeless disabled said she filed a complaint to no avail. "It took a month and a half and the response was really smug and patronizing and nothing changed." But she said she filed a complaint last week and got an appropriate response back within 24 hours. It was the same person she had dealt with before, so something has changed after the scandals, she said. "There's a little ray of hope." **EW**

The Police Commission plans to hold additional forums on the police complaint system this fall. Call 682-5852 for information. Written comments can be sent to holly.a.mathews@ci.eugene.or.us or Eugene Police Commission: 777 Pearl Street, Room 106, Eugene 97401.

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