

NEIGHBORHOOD WATCH

Police review measure would keep an independent eye on cops.

BY ALAN PITTMAN

Roger Magaña is now in jail serving a 94-year sentence for using his power as a Eugene police officer to rape, sexually abuse, assault and harass a dozen women over six years.

Prisoners behind bars can't easily campaign for ballot measures, but supporters of an external police review measure (20-106) now before voters say Magaña is the best reason to vote for police reform.

The Magaña case shows that the internal police review "process that's in place right now doesn't work," said Ron Chase, a member of the local group Citizens United for Better Policing (CUBP). Had measure 20-106 passed years ago, "we probably would have prevented some victims."

MAGAÑA'S LESSON

Magaña's trial last year demonstrated the failings of Eugene police in policing themselves.

Many of the women that officer Magaña victimized repeatedly complained to police over the years. At least a half dozen different officers heard the complaints and others observed questionable behavior, but the fellow cops did nothing to stop it. While cop co-workers looked the other way, Magaña was well known on the street as "Officer Blow Job," according to testimony.

After a co-worker told Magaña about one woman's complaint of forced sex, Magaña retaliated against the victim, according to testimony. He ripped off her pants, put his police pistol to the woman's genitals and said, "If you tell anyone anything about me, I'll blow you up from the inside out," said the woman, who choked on her tears in court testimony. "Why the hell didn't they listen to me?"

The crimes Magaña was convicted of started in 1997 and continued until 2003. The officer was convicted last year of one rape, 10 charges of sexual abuse, five charges of forced sodomy, four kidnappings, seven charges of coercion, three harassment charges, one burglary and 10 charges of official misconduct. About a dozen other women also alleged abuse by Magaña, but the district attorney did not pursue charges. Another officer, Juan Lara, was trained by Magaña, convicted of a lesser sex crime spree and sent to jail for five years.

The city has so far paid out \$1.06 million to settle six civil lawsuits by Magaña's and Lara's victims. Another six cases are still

pending, with the women asking for about \$32 million in actual and punitive damages. Multiple women complained about Magaña, but the department failed to investigate. One woman complained that Magaña scared and sexually harassed her during a 2001 traffic stop, but her complaint was dismissed. In 1997 a 17-year-old woman testified that Magaña forced himself on her, rubbing his crotch against her when she was working as a police cadet. She said she complained to another officer, but the department took no action. The woman said Magaña retaliated with more harassment, forcing her to leave the program.

While Magaña was using his position to sexually abuse women, his supposed supervisor praised him as a "role model for young officers."

"This stuff has been happening for years and people have been telling people about it for years," Bob Lane, the prosecutor in the Magaña case, told the jury. When Magaña's final victim called 911, her complaint was dismissed by a police supervisor who investigated only by talking briefly with Magaña, who denied the allegation. Lane said the police only investigated after the woman called back, providing evidence that Magaña was lying when he said he didn't know her. If not for her persistence, "it could so easily have gone the other way and none of this would have come out," Lane said.

One 28-year-old victim reacted with disbelief when Magaña demanded oral sex in his police cruiser. How could he expect to get away with it? She testified that Magaña

replied, "Oh, you would be amazed at what I can do, and I can get away with."

At one point, Magaña coerced a letter of commendation from a woman he had repeatedly forced oral sex from by threatening to have her children taken away, she testified. Police Captain Becky Hanson wrote to Magaña that the letter was a "tremendous testimonial to your work and efforts with this young woman. What a positive impact you made. You are a credit to all police officers."

Police officials claim that they will do better at supervising and investigating themselves in the future, but they've balked at serious reforms. After the Magaña verdict, Police Chief Robert Lehner promised at a press conference that he would conduct a thorough internal investigation of the department's failings in hiring, supervising and disciplining the convicted officers. The investigation would include whether any other officers were involved in the crimes or needed to be disciplined for negligence and the results would be released to the public, Lehner said. No such investigation has been reported and no other officers besides the two in jail have been punished.

An outside review by the International City/County Management Association (ICMA) and the Police Executive Research Forum (PERF) found that faulty hiring procedures, discipline, supervision and leadership "created an environment where Magaña



Henry Luvert, Bonny Bettman, Alan Siporin, Gary Papé and Ken Tollenaar at a debate last week on the police review measure.

'I don't care about the city structure. We've been waiting for a citizen review process that is external and independent for 20 years.'

— **Guadalupe Quinn**, CUBP member and Latino-rights advocate