

The city of Eugene has released five binders full of documents from the civil suits by victims of police sex abuse. The documents include the sworn depositions of 16 current and former officers and police chiefs and the EPD HR manager. The city heavily censored some of the pages.



Files show how EPD failed to stop Magaña.

BY ALAN PITTMAN

Are you a high-school dropout who used meth, cocaine and marijuana, sold drugs and was arrested for burglary, public urination and lying to police, and have a shady expunged juvenile record? Did you get rejected by another police department and score in the bottom 5 percent on the SAT? Then you, too, could qualify as a Eugene police officer.

Roger Magaña and Juan Lara had these disqualifications but were hired by the Eugene Police Department (EPD) anyway, to the department's lasting shame. Magaña was convicted in 2004 and sentenced to 94 years in prison for raping, sexually abusing, sodomizing, kidnapping and/or harassing a dozen women over seven years as a Eugene police officer. Lara was convicted of a much smaller sexual spree of harassment, coercion, public indecency and official misconduct and served two years in jail.

The city of Eugene has denied that any of its personnel did anything wrong in hiring, supervising and disciplining the two officers. But Magaña is estimated to have had more than 40 alleged victims over six years, and questions remain concerning how such a massive crime spree could have happened under EPD officers' noses.

Det. Scott McKee recalls that as the Magaña/Lara criminal investigation grew shockingly bigger in 2003, he talked with then Chief Thad Buchanan about concerns that others were involved, complicit or turned a blind eye. "Jesus, do you think there's anybody else?"

After settling lawsuits with 14 of Magaña and Lara's victims for a total of \$5 million, the city has begun releasing a mountain of court documents, including sworn depositions, that shed new light on that question. The documents reveal a pattern of questionable hiring and officers quickly dismissing complaints without formal investigation and without telling Internal Affairs (IA) or supervisors, and apparently pressuring victims to recant.

Hiring

Would Magaña and Lara be hired today as police officers, given their past resumes?

"I think he [Magaña] would" be hired, said EPD Human Resources Manager Helen Towle in her deposition.

Lara "probably would get hired again tomorrow," said former Eugene Police Chief Jim Hill in his deposition.

When Magaña was hired a decade ago, a background investigation revealed that Magaña had twice been arrested for burglary, but never charged. McKee, the lead criminal investigator for the Magaña and Lara cases, later found troubling evidence of a possible earlier crime when Magaña was about 17.

The record of that juvenile crime had been legally expunged and destroyed by request just before Magaña was hired. But after Magaña's conviction, McKee said he talked to a woman who said she had gone to high school with Magaña. She alleged that Magaña had been caught in a violent sexual assault of a young woman in the bushes outside a teen party.

McKee testified that he has not been able to confirm the incident. Two other party-goers said they didn't recall it, the woman now doesn't return his calls, he was unable to find any records and has only the first name of the alleged victim. "I'm at a dead end," he said.

HR Manager Towle said the EPD also investigated a "rumor" that surfaced after Magaña was hired in 1995 as a police trainee. Co-workers of Magaña in the city's Public Works Department alleged that Magaña was living beyond his means and could be selling drugs. A police sergeant went to public works and "the people confronted backed down," Towle said.

Lara's background investigation also revealed an arrest record. In 1994, he was caught peeing in a park with friends and lying to police about having beer in his car when he was

20 years old. Lara told EPD officials that he suspected the incident was why the Seattle Police Department rejected him for a job.

Lara also admitted a high school history of drug use and sales. He said he used cocaine or meth approximately 20 to 25 times and marijuana five times. He admitted that he sold cocaine at parties about 10 times. Lara also admitted to driving while drunk or high, teenage shoplifting and resigning a job under pressure, according to documents.

Lara dropped out of high school but later obtained a GED, meeting state minimum education requirements for officers. Plaintiffs' lawyers asked whether Towle was aware that Magaña had a 2.0 GPA at a community college and had scored in the bottom 5 percent on the SAT.

Towle said such low academics would not disqualify a candidate for an officer job.

Hill said he was impressed with Magaña's later "stellar" military record in the Marines. "He's kind of typical of some of the folks we see who did some goofy things in high school that they are not proud of," Hill said.

Officers described hiring the right people as a vital way for the department to prevent officer abuse in a town where police patrol by themselves without constant supervision. "We're supposed to have high moral character so that they can trust us to run around in the city," officer Mel Thompson said.

Mystery Woman

After Magaña was hired, fellow officers rejected complaints from his victims.

One previously unreported incident occurred in 1999 and involved a "mystery woman" from Florence who was a suspected heroin user and prostitute.

Officer Larry Crompton testified that the "very attractive" woman told him that she had a romantic relationship with Magaña. She said Magaña hurt her emotionally because she found he was just using her for information.

Crompton said the woman — he couldn't remember her name — told him that she had told others about the relationship and Magaña had found out she was talking. "She said the next thing that she knew she had two of his buddies, indicating two other police officers, who showed up at her door and told her to — I don't remember the exact words — but more or less to keep her mouth shut."

Asked if the two officers were threatening the woman to be silent, Crompton replied, "I don't think there's really too many ways to take that."

Crompton said he was concerned and confronted Magaña with the information. Magaña admitted he knew the woman but denied romantic involvement. He admitted that two officers had talked to her to tell her to stop spreading false rumors.

Magaña "put it all at rest" by explaining the woman was one of his police informants, Crompton said. He said he was "satisfied" with the explanation but thought Magaña behaved in a "tacky" manner with the woman. Crompton said he did not report the incident to Internal Affairs or his superiors because he thought it was his discretion to decide the complaint wasn't credible.

Officer Mel Thompson said he was Magaña's "pal" and one of the officers who talked to the mystery woman about spreading rumors. He said he could not remember her name nor the name of the other officer with him. He said the two officers confronted the woman during an arrest in an alley and gave her a "spiel" about wrongly harming an officer's reputation. Thompson denied threatening the woman and said she recanted the accusation. He said she admitted that she made it only because Magaña arrested her.

Thompson said he did not officially report the incident to IA or his superiors but said with the Rapid Deployment Unit, "it was a known within the team ... including the supervisor."

McKee said he didn't believe anyone in the department was involved or "complicit" in Magaña and Lara's crimes. But McKee said that, unlike the two officers, he would have officially reported the woman's accusation to supervisors. He described the confrontation between the two officers and the accusing woman as "not a pleasant exchange."

But McKee said he was too busy preparing for the Magaña trial to pursue the woman's identity, investigate other witnesses or look for corroborating documents. "The obvious follow-up related to the conduct, the subsequent conduct alleged involving the follow-up and kind of hush-