



Whitewash

Victims' attorneys blast city report on officer sex scandal

BY ALAN PITTMAN

When Roger Magaña worked at the Eugene Police Department (EPD), women complained over and over that he was using his badge to force sex, but Eugene police did nothing. After Magaña was finally caught after six years and sent to prison for abusing a dozen women, substantial evidence emerged that other police officers had failed in the investigation, supervision and hiring of the criminal. But the police again did nothing.

What the police and city did do is select a former cop who wrote a report that agreed with their inaction. That consultant, former McMinnville Police Chief Rod Brown, released a report last week that city officials claimed should restore lost citizen confidence in the EPD.

City Manager Dennis Taylor praised the “incredibly objective” report, which largely concurred with the city position that no other officers should be investigated, disciplined or reprimanded for their handling of the Magaña complaints. The city paid \$5 million to settle lawsuits by the victims of Magaña and Juan Lara, another officer convicted of a lesser sex crime spree. “I just hope this will close the chapter,” Taylor said of the Brown report.

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— ATTORNEY ELDEN ROSENTHAL

But Michelle Burrows, the Portland attorney for one of Magaña’s most frequent victims, called the Brown report a “whitewash.” Burrows emailed that the retired police chief’s report “itself manifests why society should not let the police review their own conduct.” She continued:

The analysis by the report writer just repeats all the justifications and excuses proffered by the Eugene Police Department as to how the abuse was allowed to spread to 35 women over six years. It isn’t just the benefit of hindsight that allows us to see this. The law enforcement community who worked with Magaña and Lara are trained to detect criminal activity, especially sexual misconduct. The officers who knew parts of the entire puzzle are as important a part of how the extensive abuse continued as Magaña or Lara, and in some respects their willful disregard of what was obvious is just as bad as what Lara and Magaña did. We trusted them to do the right thing and even now with this inane report, they still refuse to take responsibility for their own actions.

Elden Rosenthal, a prominent Portland civil rights attorney, represented two of Magaña’s other victims. “I disagree strongly with the conclusions of the report,” he said.

“This is the reason that you don’t have the police investigate the police,” Rosenthal said. “This is the reason you need to have independent review.”

“The people of the city of Eugene should not countenance police not reporting the misconduct of their fellow officers,” Rosenthal said. “Unless the culture of the Eugene Police Department changes, there will be other incidents of misconduct in the future.”

In his \$25,000 report, Brown argued that “the dynamics of working in law enforcement ... are only comprehended when you have lived that professional life.”

But Rosenthal said the judge and jury system doesn’t leave it only to cops to judge cops. “That’s what the civil rights laws are all about.”

Rosenthal noted that federal Judge Thomas Coffin dismissed many of the city’s and Brown’s arguments in ruling