

'Recipe for Disaster'

How EPD failings lead to cop scandal

In a report issued last week, a city of Eugene consultant attempted to answer the question of how EPD officers Roger Magaña and Juan Lara could have used their badges to coerce sex from more than a dozen women over five years before fellow officers stopped them.

"The question that begs to be answered," reported Dr. Gayle Fisher-Stewart, a University of Maryland criminal justice professor, "is why did Magaña and Lara do what they did, and how could those acts go unnoticed?"

Personal flaws "coupled with values and norms learned as part of the socialization process of the police organization and lax supervision create a perfect environment where those who are bent on violating societal norms can do so without detection," the consultant reported. The officers "felt free to engage in illegal and sordid activity because the sub-culture of the organization taught them that: 1. They would probably not be caught, and/or; 2. If caught, no one would care, and/or; 3. If caught, they would not be held accountable."

"How could they come to these conclusions?" Fisher-Stewart asked. The consultant with the International City/County Management Association (ICMA) offered the formula: "Deviant Behaviors + Police Worldview + Lax Supervision = Recipe for Disaster."

The deviant officers "should have been screened out via an effective selection process," the consultant wrote. Instead they "were able to find a favorable growing environment in the police worldview," an "us-them mentality" of viewing citizens with suspicion. "Lax supervision further strengthened the environment and gave tacit approval to the officers to continue to engage in their illegal behavior."

After reviewing EPD documents, the consultant gave the city a grade of 'B' for beginning to follow the reform recommendations of an earlier study by ICMA and the Police Executive Research Forum (PERF). The consultant gave the city high marks in many areas but downgraded the city for: threatening complainants on its web site, an arbitrary scoring system for police hiring exams, weak management training, not providing line officers with crime data, not having internal affairs report direct to the chief, weak performance evaluations and failing to complete internal investigations of wrongdoing.

Will the changes the department has written down "ensure that incidents such as this will never happen again? The answer is, 'No,' for these are paper documents. It is only when they are acted upon and infused throughout the organization culture" that the possibility of a repeat will lessen, the consultant report stated.

In the wake of the Magaña/Lara scandal, it's unclear just how "infused" the EPD is with reform or whether the "recipe for disaster" at EPD still exists.

Police Chief Robert Lehner has said the hiring process has been reformed. But EPD human resources manager Helen Towle previously said in a sworn deposition, "I think he [Magaña] would" be hired again today.

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

Lehner has also said the attitude of officers towards citizen complaints against police has changed. But the "us-them" worldview at the EPD appears unchanged. Recent op-eds in *The Register-Guard* by police union leaders

mendation by arguing it was "impossible" to increase supervision by busy lieutenants and said sergeants couldn't spare time from their "not discretionary" administrative duties to supervise officers.

Attorneys for Magaña's victims have blasted the city's response to the scandal as "whitewash." Portland attorney Michelle Burrows alleged that "During the entire five years of Magaña's activities, 23 different officers, one Chief of Police and the Director of Human Resources had actual knowledge of no less than 15 different complaints involving 15 different women who were being either harassed, raped or sexually abused by Magaña."

Contrary to reports in *The Register-Guard* and from police, not all of Magaña's many

'Why did Magaña and Lara do what they did and how could those acts go unnoticed?'

—Dr. Gayle Fisher-Stewart, consultant

have railed against a "worm infested" proposal by a councilor for an independent investigation of officers' failures to stop Magaña and Lara and have stated that the union represents police employees, not the citizens who voted for a new independent police auditor. The union is pursuing legal action in an apparent attempt to use its labor contract to derail the auditor process before it has even started.

Chief Lehner, himself a former police union president, said police supervision has improved. But Lehner and other city officials responded to an earlier ICMA/PERF recom-

victims were drug addicts and prostitutes. For example, one was a college student, another a relative of a retired Eugene cop, another a woman just out late searching for her cat, another a young police cadet.

While city officials appear to want to bury the Magaña/Lara scandal, the ICMA consultant said the department needs the opposite. "It will take a constant mining of the [EPD] environment and the culture to reduce the potential for serious incidents that undermine the public trust." An EPD scandal could occur again, she said, "at any moment." **EW**



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