

Blind Oversight

Cops block auditor from seeing informant complaints

WORDS BY ALAN PITTMAN
PHOTO BY TODD COOPER



Police confidential informants came up repeatedly during the scandal involving Roger Magaña, the Eugene police officer sentenced to 94 years for raping or sexually abusing more than a dozen women.

In a sworn deposition during the subsequent \$5 million in lawsuits against the city, Eugene officer Larry Crompton testified that he once confronted Magaña about a victim's complaint but dropped the matter. A suspected heroin user and prostitute had complained to Crompton that after she told others about having sex with Magaña, Magaña had sent

other officers to tell her to "keep her mouth shut" in a threatening manner.

Magaña explained to Crompton that the woman was one of his confidential informants. That claim, Crompton testified, "put it all to rest."

Shocked by the six-year spree of officer sex abuse that the EPD failed to stop despite numerous complaints, voters passed a 2005 charter amendment to create an independent Civilian Review Board and police auditor to oversee complaints.

But now, apparently, the police chief and city manager have instituted a policy of illegally refusing to allow the auditor to oversee

complaints involving confidential informants.

Asked if she has been allowed to handle confidential informant cases like those in the Magaña trial, Eugene Police Auditor Cristina Beamud said, "I would like to be able to say yes," but the chief and city manager have taken the policy position that she cannot.

Beamud declined to say whether the confidential informant policy dispute is involved in a recent controversial case. The chief and city manager have been hiding a complaint by two citizens from the auditor since May 22 and dismissed the allegations of misconduct against the officer without independent oversight, according to Beamud.

Beamud said the city attorney — hired by the city manager — has told her not to reveal the nature of that controversial complaint. Beamud said the complaint from two citizens was not an excessive force allegation but declined to say whether the complaint involved sex, as in the Magaña case.

City Manager Jon Ruiz did not respond to requests for an interview for this story. An assistant said he was out of the office or in meetings.

Police Chief Robert Lehner also declined to say whether the confidential informant policy dispute was involved in the recent controversy. Lehner refused to talk about the dispute, even in broad terms. "It would be illegal to do that," Lehner claimed, but refused to cite which laws that would violate.

Lehner said he may be able to reveal details of the "sensitive" complaint against a fellow officer later. He said he doubted that future date would be more than a year. Asked if it would be less than a month, he said, "I don't know." Lehner referred other questions to a written statement claiming: "The viability of criminal cases and safety of associated persons is at some risk" in discussing the issue.

Lehner and Ruiz's action in hiding the complaint appear to directly violate city law. "The auditor's office is the intake center for all community complaints about police employees," the city ordinance creating the auditor position states.

Beamud said she only found out that the police were hiding the complaint because her assistant noticed that a number was missing in the complaint numbering sequence.

Beamud, a former police officer and prosecutor, says she has procedures in place to handle confidential complaints and would not reveal the identity of police confidential informants. She said the police can provide complaint information to her with redacted names. "We have ways of dealing with that."

The City Council "hired someone perfectly capable of keeping confidential information confidential," City Councilor Bonny Bettman said. Bettman, who spearheaded creation of the independent oversight function, pointed out that the auditor's only real power is to oversee and not to adjudicate complaints. "The entire model allows access to information, and that's it," she said. "Now what they want to do is take even that role away."

"The auditor is under the same confidentiality rules [as the police] and has a perfect track record," said Councilor Zelenka. "The ordinance is clear" about her intake of complaints and access to information, he said. "There are no exceptions."

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