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Eugene settles final lawsuits in police sex scandal

SUMMARY: Payments The \$5 million case leaves unanswered how two officers were able to assault women for years

Eugene closed a financial wound opened by the biggest police scandal in its 144-year history, announcing the settlement Tuesday of the last six **lawsuits** filed after two uniformed officers sexually assaulted women and shattered the community's faith in the department.

With the **final** settlements, the city has spent more than \$5 million on the case, with \$3.7 million going to a total of 14 victims.

One of the police officers, Roger Magana, is serving a 94-year prison term. The second officer, Juan Lara, was released from prison May 30, two years early, after completing a special program for nonviolent inmates.

Both men were indicted and fired from the force in 2003 after two women came forward with charges that they had been forced into having sex with the officers.

As the scandal unfolded, the community learned the two officers had committed the crimes for years. The charges grew so horrendous in the normally laid-back city of 145,000 people that it triggered a rethinking of how the police department should operate.

It also signaled an end to the days when **Eugene** could think of itself as a small town without big-city problems.

"We're of two minds. We think nostalgically of the town we were and are coming to grips with the city we've become," City Manager Dennis Taylor said. "We had to embrace and own as a city, as a community, that these egregious acts occurred and we're responsible."

Taylor announced the settlements at a news conference alongside Police Chief Robert Lehner. Neither were in their jobs when the crimes occurred.

The new settlements range from \$120,000 to \$390,000 and total \$1,475,000, Taylor said. Five of the settlements involved acts of rape and sodomy committed by Magana, and one involved a sodomy case involving Lara.

The \$390,000 settlement concerned a woman who was sexually assaulted "no fewer than 25 times from 2001 to 2002," according to a city memorandum from Taylor to the City Council and mayor. "Magana also made multiple threats of harm if she told anyone, including pointing his gun at her and threatening to shoot if she was not quiet," the memorandum stated.

Most of the women were particularly vulnerable to the police because they had problems with drugs and alcohol, and in one case had mental health problems. The women in Tuesday's settlements mostly remain in the **Eugene** area, although one is in prison on unrelated charges, their attorney said.

"A lot of them looked at the police as the last line of hope," said civil rights attorney Gregory E. Veralrud, who represented five of the women. "And then they were being taken out and having sex forced on them."

Veralrud said he believed he could have gotten much higher damages awards for the women if the cases had proceeded to trial. But the women wanted to move on with their lives, he said.

Testifying in public, losing their anonymity and reliving the sexual assaults were more than the women wanted to endure, he said.

One of the key questions in the three-year investigation and subsequent court cases has been how the men got away with their crimes in a relatively small force of about 180 sworn officers.

The earliest documented assault occurred in 1997 by Magana, Veralrud said. While other officers had heard rumors of the sexual assaults, police did not begin an investigation until 2002 when victims began coming forward.

No clear answer to that question came Tuesday. Taylor said that although department oversight had been consistent with "generally accepted law enforcement standards, our oversight and supervision proved insufficient."

The acts of the two officers were isolated and not representative of the department, he said. Because the officers picked women whose credibility would be questioned, they were able to get away with their crimes for a long time, he said.

The two men were not suitable candidates to become police officers, he wrote in the memorandum. Their hiring revealed a need to improve screening practices, he said.

The department is still undergoing massive restructuring, Taylor said. Perhaps most important, the city is hiring a "police auditor" to report directly to the City Council. The idea is to provide independent oversight of investigations and complaints within the department. The auditor position was authorized by a public vote in November 2005.

An earlier review of the department resulted in 57 recommendations, including changes in recruitment and training procedures, a full staff in the internal affairs unit and better field supervision by sergeants.

The city also is in the process of hiring two people, including a former Oregon police chief, to review all city changes in the department.

All documents from the **lawsuits** and investigation that can be released under law will be available to the public beginning next week, Taylor said. The money to pay the settlements comes from previously budgeted city money.

Damage from the case will take years to heal, Taylor said.

"I would say the last three years have been traumatic for the entire city," he said. "I believe in a sense, we have all been victims of these two former police officers."

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