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Police officers accused of rape get a pass from the LA Times

by Rania Khalek on January 7, 2013



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The Los Angeles Times [reports](#) that two veteran police officers from the Los Angeles Police Department are under investigation for using the threat of jail to force several women they had previously arrested to have sex with them.

Though the crimes committed are horrific, this wouldn't be the first time rapists disguised as police officers have abused their authority to rape vulnerable women. Recent examples include the two California Highway Patrol officers who raped a drunk woman they pulled over for a DUI ([neither will face rape charges](#)); two NYPD officers who were [acquitted of rape charges](#) last year, also for raping a drunk woman; a Memphis police officer who was recently charged with [rape and incest](#); and the list [goes on](#).

Still, my stomach knotted up as I continued to read the article, which I now understand to have been the result of egregious reporting by the Times combined with willful ignorance at best or a cover up at worst by the LAPD.

For starters, I wish I could shout at the Times for employing every word imaginable besides "rape" to describe what these two officers did (more on that later). To add insult to injury, the Times unquestioningly regurgitates police statements as fact, almost all of which are suspicious, to say the least.

The suspects, Officers Luis Valenzuela and James Nichols, stand accused of "targeting at least four women whom they had arrested previously or who worked for them as informants."

The first woman to accuse Valenzuela and Nichols came forward in January 2010, when she told a supervisor in their narcotics unit that the officers had stopped her more than a year earlier, according to the warrant. The woman, who worked as a confidential informant for the narcotics unit and knew the men, said they were dressed in plain clothes and driving a Volkswagen Jetta. Valenzuela threatened to take the woman to jail if she refused to get in the car, then got into the back seat with her and exposed himself to her. The woman, who worked for them as an informant, said...

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her and exposed himself, telling the woman to touch him, the warrant said.

You'd think this accusation would raise red flags about the duo. Instead, "An investigation into the woman's claim went nowhere when the detective assigned to the case was unable to locate her." So the case was dropped on the basis of what sounds like a lame excuse crafted by a child who didn't do his homework. Consequently, officer pervy and his partner twiddly-fingers kept forcing women to suck them off with impunity for at least another year:

A year later...another woman demanded to speak to a supervisor after being arrested and taken to the LAPD's Hollywood station. Sometime in late 2009, according to the warrant, two officers driving a Jetta pulled up alongside her as she was walking her dog in Hollywood. The officers, whom she recognized as the same cops who had arrested her in a previous encounter, ordered her into the car, the woman recounted. It is not known why she was arrested.

Believing that the officers were investigating a case, the woman said she felt compelled to comply. Valenzuela then got into the back seat with the woman and handed her dog to Nichols, who drove the car a short distance to a more secluded area. "Why don't you cut out that tough girl crap," the woman recounted Valenzuela saying as he "unzipped his pants and forced [her] head down toward his lap and physically held her head down" as he forced her to perform oral sex on him, according to police records contained in the warrant.

The woman said she didn't report the incident immediately because she felt humiliated, thought no one would believe her and feared for her safety.

After describing what sounds like a horrific nightmare, the Times felt compelled to add, "Police noted that the woman displayed erratic behavior while recounting the events. Later, she made violent threats while in custody and was transported to a hospital."

The Times trumpets the LAPD's vaguely worded slander of a sex abuse victim without raising a single question about the details of such a statement.

Might I suggest that next time around, the Times ask the LAPD to kindly fill us ladies in on how to more appropriately present ourselves when recounting the brutal details of being raped. After all, we wouldn't want our "erratic behavior", provoked by the very traumatic experience we're describing, to scare the armed men dressed in the same uniform as our abuser, right?

And the absurdity doesn't end there. Despite detaining and hospitalizing this "mentally unstable" victim, police reopened the investigation. However, this time, by some miracle, they managed to locate the first woman in spite of her unexplained disappearance that had forced them to close the case a year earlier.

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Then, in an almost comical fashion, the Times follows with this:

For reasons not explained in the warrant, the department's investigation made little progress for the next 18 months. During this time, police records show, the officers were transferred, with Valenzuela being reassigned to the Olympic Division and Nichols to the Northeast Division.

Rather than immediately investigate a clear pattern of sexual abuse, the LAPD separated and reassigned the abusers, providing them with new potential victims to exploit.

But not to worry. This time the Times actually followed-up on the reason behind the 18-month investigation hiatus, noting, "Cmdr. Rick Webb, who heads the LAPD's internal affairs group, declined to comment on the specifics of the probe, but said such cases are often difficult to complete." I suppose that should satisfy us, especially since it only took more than two and a half years from the first complaint for the LAPD to take this shit (kinda) seriously:

The case picked up steam again in July 2012, when a man left a phone message for the vice unit at the Northeast station, saying he was a member of the Echo Park neighborhood watch and had been told by a prostitute that patrol officers in the area were picking up prostitutes and letting them go in exchange for oral sex, the warrant said.

Two more months passed before a third internal affairs officer was assigned to look into the Echo Park claim.

And here is where the LA Times performs language wizardry. Notice the phrases used in place of what should be the identified as rape:

*It is not clear how, but the investigator identified another two women who reported encounters in which Nichols and Valenzuela had sought **sexual favors** in exchange for leniency.*

One said Nichols had detained her in July 2011, handcuffed her and driven her to a quiet location. Removing the restraints, Nichols exposed himself and said, "You don't want to go to jail today, do you?" the woman recalled. Fearing she would be arrested, the woman performed oral sex on Nichols, who then released her, she said. She said Nichols had done the same thing to her six years earlier.

*The other woman discovered by the internal affairs investigator alleged that she became a confidential informant for Valenzuela and Nichols after she was arrested, according to the warrant. Valenzuela, she said, told her that having sex with him would help her avoid jail, according to the warrant. She alleged that **she had sex with the officer twice**, once when he was off duty at her apartment in Los Angeles, and the second time in the back seat of an undercover police car while he was on duty. She said she was afraid he would send her back to jail if she refused.*

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She said Nichols contacted her in January 2011 and told her he would cancel her obligation to inform for him if she would have sex with him.

*The woman filed a lawsuit against the city on Wednesday, alleging that the officers **forced her to have sex with them** several times in exchange for keeping her out of jail. The Times in general does not name the victims of alleged **sex crimes**.*

All the LA Times had to do was look up California's rape statute to clear up any confusion. [California Penal Code Section 261\(a\)\(7\)](#) includes the following in defining what constitutes rape:

Where the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official. As used in this paragraph, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.

Perhaps the times felt that victims three and four weren't capable of being raped given their line of work, a dangerously common belief that not only dehumanizes sex workers but also makes them targets for sexual predators.

If that's not enough to convince the Times that this was an act of rape, maybe [California Penal Code Section 261\(a\)\(2\)](#) will suffice: "Where it is accomplished against a person's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another." [Section 261\(b\)](#) explains that "'duress' means a direct or implied threat of force, violence, danger, or retribution sufficient to coerce a reasonable person of ordinary susceptibilities to perform an act which otherwise would not have been performed, or acquiesce in an act to which one otherwise would not have submitted."

In California rape is generally punishable by three to six years behind state prison bars, though it has yet to be seen whether these officers will ever be charged. Meanwhile, the fourth rape victim is currently serving over seven years in prison "for possession of cocaine with intent to sell and identity theft," despite what the LA Times calls "the officers' promises" to keep her out of jail in exchange for sex. Last I checked, "promises" and "threats" along with "sex" and "rape" had very different meanings.

UPDATE: My twitter friend, [@OLAASM](#), who alerted me to this LA Times article, had this to add:



Rania Khalek @RaniaKhalek

08 Jan

Special thanks to [@OLAASM](#) for bringing [#LAPD](#) and LA Times [#rapeculture](#) to my attention: raniakhalek.com/2013/01/07/pol...
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