

Case Closed

Rohnert Park officer cleared in abuse trial

By R. V. Scheide

Curt Lubiszewski, a Rohnert Park California Highway Patrol officer accused of three counts of domestic abuse and one count of vandalism, was found not guilty on all charges in Sonoma County Superior Court Feb. 24. It took a jury of seven women and five men just two hours to reach the unanimous decision.

"Several of the women jurors approached Curt in the hallway afterwards, hugging him and stating that he did not deserve to be put on trial," brother Mark Lubiszewski told the *Bohemian*. "Others remained afterward to shake his hand in sympathy of his plight."

The allegations made against Lubiszewski were the subject of an Aug. 7, 2003, *Bohemian* news story, "Our Boys in Beige." Ex-girlfriend Mitzie Grabner had accused the CHP officer of intimidation and violence against her during their two-year relationship.

The case highlighted the ongoing controversy regarding the investigation of law-enforcement officers charged with

domestic abuse. Critics say that domestic-violence charges against police officers are often not fully investigated because law-enforcement officials have a tendency to protect their own.

That's particularly troublesome in light of studies showing that rates of domestic abuse are much higher among police officers than they are among the general population. According to the National Center of Women and Policing, police officers are two to four times more likely to be batterers, and 40 percent of officers reported that they had hit their wives in the past year, compared with 10 percent of the general population.

The Purple Berets, a Santa Rosa-based advocacy group for victims of domestic violence, took an interest in Grabner's case. The group was instrumental in helping the family of Maria Theresa Macias, murdered by her abusive husband in 1996, secure a \$1 million settlement against the Sonoma County Sheriff's Department for failing to properly investigate Macias' longstanding allegations against her husband, who committed suicide after killing her.

"I have no fear when I'm telling the truth," Grabner said last July at a demonstration organized by the Purple Berets in front of the CHP's Rohnert Park office. Last year, Lubiszewski's ex-wife, Bonnie Garrett, also alleged that Lubiszewski had been abusive during their entire eight-year marriage.

In the 15 cases involving abusive police officers Purple Berets founder Tanya Branning had previously handled, no witnesses or victims had ever stepped forward. With a number of witnesses

corroborating Grabner's story, the Purple Berets were eventually able to persuade the Sonoma County District Attorney to file charges against Lubiszewski.

The Purple Berets' involvement in the case became an issue during the trial. According to Lubiszewski's attorney, Steven Turer, Grabner was a woman who couldn't keep her story straight and was influenced by Brannan "to be significantly more accusatory."

Grabner spent five days on the stand. Bob Waner, who prosecuted the case for the Sonoma County District Attorney, said that "the jury found inconsistencies in her story, and they felt Mitzie was being influenced by Ms. Brannan of the Purple Berets and that Ms. Brannan had a particular agenda."

But Brannan argues that the verdict is further evidence the legal system does not treat victims of spousal abuse fairly, noting that the court allowed only one 1997 incident of alleged abuse from Lubiszewski's previous marriage to be admitted in the trial.

What happens next? The Purple Berets plan to meet with the district attorney soon to propose allowing the spouses of abusive police officers to report directly to the district attorney's office.

Beret founder Brannan is still inclined to believe that Grabner is telling the truth. "The bottom line is we come out of this proud," Brannan says. "We all went through hell, and justice wasn't served in this case. But it ain't over till the skinny lady sings--and they hate it when I sing!"

[[North Bay](#) | [Metroactive Central](#) | [Archives](#)]