



Search

Full Coverage [It's Your Land](#) - [It's All Your Money](#) - [On the Job Hunt](#)

- HOME
- U.S.
- WORLD
- BUSINESS
- POLITICS
- ENTERTAINMENT
- LEISURE
- HEALTH
- SCITECH
- OPINION
- SPORTS
- ON AIR ▼

World

Sponsored By

WORLD HOME

WEBCAMS
AROUND THE
WORLD

UNITED NATIONS

NEWS ARCHIVE

HOT TOPICS
[CREDIT CENTER](#)
[INFRASTRUCTURE](#)
[HEALTH CARE](#)

SECTION MAP
SEE MORE

5 Mexican Police Officers Charged With Homicide in Jail Cell Death of Oregon Man

Saturday, September 27, 2008
Associated Press

Print | ShareThis

CABO SAN LUCAS, Mexico — Five Mexican police officers have been charged with homicide and other counts for the death of an Oregon man in a Mexican jail cell last August.

Regional Deputy Attorney General Omar Barajas says the five municipal officers were charged Wednesday with homicide and abuse of power. A sixth officer, the commander of the jail, was released after investigators determined he was not involved.

Sam Botner, 38, of Yoncalla, Ore. was arrested on Aug. 27 while vacationing in the resort of San Jose del Cabo at the southern tip of Mexico's Baja Peninsula.

San Jose del Cabo and Cabo San Lucas are about 20 miles apart but fall under the same "municipio," or municipal jurisdiction.

Prosecutors say a surveillance video shows officers beating Botner, who was vacationing there with his wife Kym after he returned from a commercial fishing trip in Alaska.

An autopsy found traces of marijuana, cocaine and methamphetamine in his system. His wife said he resisted arrest but prosecutors said police still have a duty to protect people in custody.

Police spokesman Jorge Castaneda said the five could face 10 years or more in jail.

Under remnants of the old Napoleonic Code there is no presumption of innocence in Mexico or many other Latin American countries, and defendants must prove their innocence.

Castaneda said a judge has 72 hours to decide the fate of the officers charged, although the process can take longer.

Lawyers will submit written briefs, and a judge likely will decide Monday or Tuesday.

Jury trials are relatively rare in Mexico.

Castaneda said an autopsy concluded that Botner died of asphyxiation but prosecutors say he was beaten in jail.

His wife, Kym, told KMTR-TV of Eugene that police were called after her husband got into an argument with a man at a resort. She said she was told the morning after her husband's arrest that he had died.

"I think the officers need to go to prison but I forgive them as people," Botner's brother, Paul, told The Oregonian. "I have no hatred for them."

Print | ShareThis

[▶ See Next Story in World](#)

Recommend Be the first of your friends to recommend this.

PEOPLE WHO READ THIS ALSO WATCHED

- [Sen. McConnell on 'FNS'](#)
- [Walking With Dinosaurs](#)
- [Deadly Tornado](#)
- [Rage Against Government](#)
- [Arizona's Controversial Immigration Law](#)

Sponsored Links [ADVERTISE HERE](#)

Military Taxes

Free Tax Prep. & Filing. Visit Military OneSource.
www.MilitaryOneSource.com

Top-Rated MBA Online

Earn Your MBA In 2 Years. No GMAT Required. 100% Online Program!
FloridaTechOnlineMBA.com?

Refinance Now 4.0% FIXED!

\$160,000 Mortgage for \$633/mo. Free. No Obligation. Get 4 Quotes!
Mortgage.LendGo.com

FOX NEWS VIDEOS

TOP VIDEOS



Iranian-born actress responds to cleric



Sunday's national weather forecast



Headlines from Fox News Channel

WORLD

- [Pirates captured off Somali coast](#)
- [NATO: Afghans could take lead this year](#)
- [Bolton on nuclear threat from Iran](#)
- [Too pretty to enter Disney park?](#)

ADVERTISEMENT

MOST ACTIVE

Articles

- 1 [SKorean minister: Torpedo likely sank warship](#)
- 2 [Saudi Girl, 12, Wins Divorce From 80-Year-Old Husband](#)
- 3 [2010 NFL Draft grades](#)
- 4 [EyePoppers: The Best Science Photos of the Week](#)
- 5 [Strange New Animals From Borneo](#)



Recent FOXNews Politics Headlines

- [TRANSCRIPT: President Reagan's First...](#)
- [Retail Sales Rise 1.3 Percent in November,...](#)
- [GOP Senator Blasts Sebelius for Answers to...](#)
- [Gates, Crowley Reportedly Meet for Encore...](#)
- [White House: 650,000 Jobs Created or Saved...](#)



ADVERTISEMENT

VIDEO



Trained to Kill? Pakistani security forces rescue boys who they say were kidnapped by the Taliban to become suicide bombers



Around the World Goddess of snakes honored in India; French president released from hospital