

I N C I D E N T D A T A	Agency Name <i>North Miami Beach Police Department</i>		INCIDENT/INVESTIGATION REPORT				Case# <i>2003-0310-12</i>					
	ORI <i>FL0131000</i>						Date / Time Reported <i>03/10/2003 11:08 Mon</i>					
	Location of Incident <i>1930 NE 194 DR, North Miami Beach 33179</i>		Gang Relat	Premise Type <i>Other</i>	Zone/Grid <i>Z6, 135</i>		Last Known Secure <i>03/07/2003 11:00 Fri</i>					
							At Found <i>03/07/2003 14:00 Fri</i>					
M O	#1	Crime Incident(s) <i>Sexual Battery</i> <i>SEBA</i>		(Com)	Weapon / Tools <i>Personal Weapons (hands, Etc.)</i>			Activity <i>N</i>				
					Entry			Exit	Security			
	#2	Crime Incident		()	Weapon / Tools			Activity				
					Entry			Exit	Security			
	#3	Crime Incident		()	Weapon / Tools			Activity				
					Entry			Exit	Security			
V I C T I M	# of Victims <i>1</i>		Type: INDIVIDUAL (NOT A LE OFFICER)			Injury: None			Domestic: N			
	V1	Victim/Business Name (Last, First, Middle)			Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status	
						Age						
	Home Address					Email				Home Phone		
	Employer Name/Address					Business Phone				Mobile Phone		
	VYR	Make	Model	Style	Color	Lic/Lis	VIN					
	CODES: V- Victim (Denote V2, V3) WI = Witness IO = Involved Other RP = Reporting Person (if other than victim)											
	O T H E R S I N V O L V E D	Type: INDIVIDUAL (NOT A LE OFFICER)		Injury:								
Code <i>IO</i>		Name (Last, First, Middle)			Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status	
						Age						
Home Address					Email				Home Phone			
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P R O P E R T Y	1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown ("OJ" = Recovered for Other Jurisdiction)											
	VI #	Code	Status Frm/Tc	Value	OJ	QTY	Property Description		Make/Model		Serial Number	
S T A T U S	Officer/ID# <i>SANDERS, W. A. (511, 729) (166)</i>					Invest ID# <i>VAZQUEZ-BELLO, E. (530, 667) (216)</i>					Supervisor <i>BUSQUET, E. A. (510, 260) (39)</i>	
	Complainant Signature				Case Status <i>Inactive</i>		<i>06/06/2003</i>		Case Disposition:		Page 1	

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Sys#: 32193

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INCIDENT/INVESTIGATION REPORT

North Miami Beach Police Department

Case # 2003-0310-12

Status Codes L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found						
D R U G S	UCR	Status	Quantity	Type Measure	Suspected Type	Up to 3 types of activity
Assisting Officers						

Suspect Hate / Bias Motivated: NONE (NO BIAS)

INCIDENT/INVESTIGATION REPORT

Narr. (cont.) OCA: 2003-0310-12

North Miami Beach Police Department

NARRATIVE

On the indicated date and time, I was dispatched to Michael Kropp Senior High School (1410 N.E. 215 St.) per the request of Miami-Dade School Board Police Ofc. Dunn (unit #221/I.D. #403) in reference to a sexual battery. Ofc. Dunn advised that a school administrator was approached by the victim, [REDACTED], about the incident and the administrator contacted Ofc. Dunn. Ofc. Dunn interviewed [REDACTED] and investigation revealed the following: on 03-07-2003 at about 10:50 a.m., [REDACTED] was at a local hang-out with friends and ingested a Xanax bar. Some time later, [REDACTED] was at a party at [REDACTED] house ([REDACTED]) with [REDACTED]. There [REDACTED] ingested more Xanax and consumed some unknown alcoholic beverage. [REDACTED] also alleges that all of the males sexually battered her at the house.

Sgt. Busquet and Sgt. Hardison were contacted and per Sgt. Hardison, I transported [REDACTED] to N.M.B.P.D. where she was interviewed by Det. Vasquez-Bello and Det. Slusher. The investigation was turned over to Det. Vasquez-Bello and Det. Slusher. The specifics of the incident are unknown at this time as the incident is still being investigated. Refer to Detective Vasquez-Bello's supplement for additional.

Incident Report Suspect List

North Miami Beach Police Department

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North Miami Beach Police Department

OCA: 2003031012

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: INACTIVE

Case Mng Status: EXCP

Occurred: 03/07/2003

Offense: SEXUAL BATTERY

Investigator: VAZQUEZ-BELLO, E. (216)

Date / Time: 04/04/2003 20:25:25, Friday

Supervisor: DARDEN, C. Y. (56)

Supervisor Review Date / Time: 05/09/2003 11:44:37, Friday

Contact:

Reference: Detective Supplement

VICTIM:

[REDACTED]

INVOLVED OTHER:

[REDACTED]

INVOLVED OTHER

[REDACTED]

INVOLVED OTHER:

[REDACTED]

ALLEGED OFFENDER:

[REDACTED]

Investigator Signature

Supervisor Signature

North Miami Beach Police Department

OCA: 2003031012

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INVOLVED OTHER:

[REDACTED]

INVOLVED OTHER:

[REDACTED]

INVOLVED OTHER:

[REDACTED]

INVOLVED OTHER:

[REDACTED]

ALLEGED OFFENDER:

[REDACTED]

INVOLVED OTHER:

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[REDACTED]

ALLEGED OFFENDER:

[REDACTED]

INVOLVED OTHER:

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ALLEGED OFFENDER:

[REDACTED]

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[REDACTED]

INVOLVED OTHER:

[REDACTED]

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[REDACTED]

INVOLVED OTHER:

[REDACTED]

INVOLVED OTHER:

[REDACTED]

INVOLVED OTHER:

[REDACTED]

INVOLVED OTHER:

[REDACTED]

INVOLVED OTHER:

[REDACTED]

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Contact:

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INVOLVED OTHER:

INVOLVED OTHER:

CASE SUMMARY:

North Miami Beach Police Officer W. Sanders (ID # 166) was dispatched to Michael Kropp Senior High School, (1410 Countyline Rd. North Miami Beach, Fl. 33179) and meet with Miami Dade School Board Police Officer Dunn (Unit #221/L.D. #403) in reference to a sexual battery. Ofc. Dunn advised that he was notified by a school administrator that a juvenile was a victim of a sexual battery that had occurred in the City of North Miami Beach. Ofc. Dunn met with the victim and interviewed her. Ofc. Dunn's investigation revealed that the victim had ingested a Xanax bar prior to going to a party at [REDACTED] house. While at the residence, the victim alleged that she was sexually battered by several males.

I met with the victim's father and the victim. Investigation revealed that on the day of the incident the victim had voluntarily consumed an unknown quantity of Xanax bars at school. Later that day, while her father was out and without his permission, the victim agreed to go visit [REDACTED] (a schoolmate) in order to hang out and meet with a friend that she was attracted to named [REDACTED]. The victim made arrangements to be picked up by a male friend and arrived at [REDACTED] house. The victim engaged in conversation while at the party and later engaged in sexual intercourse with [REDACTED] (another schoolmate) inside a bedroom. Victim was not able to recall for sure if she consented to having sex with him. Throughout the course of the night, the victim also engaged in sexual acts to include oral sex with two other males. The victim doesn't recall if she consumed any drugs at the location, but does recall consuming alcohol which she repeatedly asked for. The victim was not able to recall with certainty if she consented to the sexual acts with the other males. While the victim was at [REDACTED] residence, her father, with the help of his niece, located her whereabouts. (Here and hence forth the

Investigator Signature

Supervisor Signature

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Contact:

Reference: Detective Supplement

victim will be referred to as [REDACTED] Several hours after arriving at the party, the victim's father, [REDACTED] arrived at [REDACTED] residence and took [REDACTED]. The father then transported [REDACTED] to Aventura Hospital, where she tested positive for traces of Xanax and Marijuana. During the course of the investigation, several of the parties involved were interviewed, along with the victim, a school counselor and a few of her friends. Based on the facts that the males admitted to having consensual intercourse and the fact that the victim's statements were inconsistent during the interviews, the facts of the case were presented to Miami Dade State Attorney's Office/ Sexual Battery Unit ASA Barty Quinnelly for review. It was the Assistant State Attorney's position that the circumstances surrounding the case would not be able to satisfy a burden of proof beyond a reasonable doubt. There were no arrests made on the case. A copy of the Closeout memo was made part of this case file.

INVESTIGATION:

On March 10, 2003 at approximately 12:30 PM, I was advised by Sgt. W. Hardison of an incident involving several juvenile males that engaged in sexual intercourse with a female juvenile. I advised him to have the road patrol officer transport the female and a parent to the North Miami Beach Police Department.

At approximately 12:50PM, I met with [REDACTED] and [REDACTED] at the North Miami Beach Police Department. Mr. [REDACTED] advised me that he picked up his daughter at [REDACTED] residence on Friday night, took her to Aventura hospital and that she tested positive for marijuana and Xanax. [REDACTED] also had reason to believe that she was involved in some type of sexual activities with several males at the residence. Detective Sergeant Hardison, Detective Slusher, and myself spoke with Mr. [REDACTED] who agreed to let us interview his daughter.

During the pre-interview, [REDACTED] informed us that she had been sexually active prior to the day of the incident and that she had once before given [REDACTED] (a schoolmate) oral sex at his house. She also disclosed to us that she has had sex with her [REDACTED] in Key West during several visits to Key West. [REDACTED] also commented about other sexual experiences that she had in the past. [REDACTED] preferred not to discuss these incidents on a taped statement.

REFER TO NORTH MIAMI BEACH POLICE CASE # 2003-0401-09 FOR DOCUMENTATION OF THE INCIDENT INVOLVING THE VICTIM'S [REDACTED]. ALSO, CROSS REFERENCE MONROE COUNTY SHERIFF'S OFFICE CASE # 03OFF3509 FOR THE INVESTIGATION.

TAPED INTERVIEW OF [REDACTED]

LOCATION: North Miami Beach Police Department
Conference Room Second Floor
MARCH 10, 2003

At approximately 3:30PM, I commenced the interview by swearing in the victim. Detective Slusher ID #230 was also present during the interview. The interview was completed at 4:06PM.

Investigator Signature

Supervisor Signature

North Miami Beach Police Department

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Offense: SEXUAL BATTERY

Investigator: VAZQUEZ-BELLO, E. (216)

Date / Time: 04/04/2003 20:25:25, Friday

Supervisor: DARDEN, C. Y. (56)

Supervisor Review Date / Time: 05/09/2003 11:44:37, Friday

Contact:

Reference: Detective Supplement

█████ advised during a taped statement that had purchased 10 Xanex bars in school on the day of the incident prior to going to ██████ house. After school while her father was not home, she smoked weed at her house with several of her female friends and later hung out with a friend named ██████. While with ██████, she consumed a Xanex bar. When she got back home, she made arrangements to go to ██████ house. She arrived at the residence and met with ██████. She walked to the kitchen and placed her bars on the kitchen counter, where she claims she noticed other bars. She then ingested more bars (unknown quantity). ██████ called her over to ██████ room, where they engaged in sexual intercourse but does not recall if she wanted to have sex with him. After they were done, ██████ got dressed and two other boys entered the room but does not recall if she had sexual intercourse with these two boys. She then walked out of the room and walked back to ██████ room where she remembers dozing off next to ██████ and asking for alcohol. Someone brought her alcohol and she engaged in sexual intercourse with ██████. During the intercourse, she recalls that ██████ stated that his condom broke. ██████ does not remember ever having a struggle, being forced, or saying no to any of the males.

█████ later hid in a bathtub at the residence as she heard her ██████ voice calling out her name. She knew it was her ██████ because earlier that night, her ██████ had called her on the cell phone and told her that her ██████ and ██████ were looking for her. ██████ walked out of the bathroom, went to the kitchen, grabbed her purse and shoes and walked out of the residence, where she met with her ██████ and ██████. Her ██████ was yelling at her. She then got inside the car with her ██████ and went home. As she arrived home, her ██████ asked her ██████ to take her to the hospital. ██████ does not remember what happened at the hospital.

█████ recalls some of the details of the bedrooms that she was in. ██████ discussed the incident on the next day with her ██████. ██████ told the victim that she heard about what had happened from her ██████. The rumor was that she had slept with seven guys.

That Sunday, the victim approached ██████ about the incident in Sunday school, but had to go to class and they were not able to talk. Later that day, she spoke with ██████ online about what had happened. Both ██████ said that they did not have sex with her. ██████ believed ██████ because "he is a good kid and would not do something bad like that". ██████ further discussed the incident with two of her ██████ online.

Victim stated that she also lost \$75.00 in US Currency while at ██████ residence. This money was returned to her by ██████ who denied knowing anything about who took it.

On the day of this interview, ██████ went to school and saw ██████ and ██████, but did not speak to them. She became frantic and was taken to see a counselor by a school security guard. She later spoke to the police about the incident.

█████ was able to distinguish the difference between the truth and a lie. As I pointed at a white dry-erase board located in the same room, I asked ██████ that if it would be the truth or a lie If I told her that the board was green in color. The victim replied, "it would be alie". I then asked her if it was good or bad to lie and she replied, "bad".

Investigator Signature

Supervisor Signature

North Miami Beach Police Department

OCA: 2003031012

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Case Mng Status: EXCP

Occurred: 03/07/2003

Offense: SEXUAL BATTERY

Investigator: VAZQUEZ-BELLO, E. (216)

Date / Time: 04/04/2003 20:25:25, Friday

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Supervisor Review Date / Time: 05/09/2003 11:44:37, Friday

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█████ had been sexually active prior to the day of the incident. She feels that the males involved should be punished but not as severely as they would originally. She also believes that they took advantage of her.

At approximately 4:57PM, Detective Slusher and I followed ██████ home as he transported his daughter. Upon arrival, we recovered and impounded the ██████'s clothing that she wore on the night of the incident. The clothing was stored on the bathroom floor inside her bathroom. The items were packaged, inventoried and impounded into North Miami Beach Police Department as evidence. Refer to property receipt for further information.

Prior to departure, ██████ advised that she could point out some of the alleged offenders on the school yearbook. ██████ looked through her yearbook and pointed out the following individuals.



█████ circled, initialed and dated the yearbook pictures on photocopies made from the pages where the individuals were found. All of the above were either identified by ██████ as possibly being at the party. The yearbook book was Michael Krop Sr. High School Year 2002.

Mr. ██████ directed us to ██████ residence. We were led to ██████

At approximately 7:00PM, Detective Slusher and I arrived at ██████. We made contact with ██████ and advised him that we needed to meet with his ██████ in reference to an investigation. We briefed his ██████ on the case. ██████ agreed to accompany us back to the police station along with his ██████.

At approximately 7:50PM, we spoke with ██████ and ██████ at the North Miami Beach Police Department Conference Room, located on the second floor. ██████ allowed us to speak with his ██████ without his presence. ██████ wanted to be present during the interview. ██████ was allowed to enter the interview room at his request. ██████ informed his father in our presence that he preferred to speak to us without him being present. At that point, we allowed ██████ to speak to his father in private for a few minutes. Within several minutes, ██████ exited the conference room and walked downstairs.

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██████████ stated that he know the ██████'s older brother, ██████ but was not that close to the ██████. On the day of the incident while in school, he heard from ██████ that ██████ had taken Xanax bars in school. After school while at his residence, he made contact with ██████ made arrangements to come to his house. They arrived sometime at approximately 11:20PM.

As ██████ came inside his residence, she greeted him and several of his friends who were at his house. ██████ appeared to be high on something. ██████ mother and father were home sleeping and were aware that friends were coming over to the house. ██████ was playing cards on the computer inside the house in a room located near the back of the house. When ██████ noticed that ██████ was inside the house, he heard her ask "where is ██████..I want to fuck him". NOTE: ██████ was present when ██████ stated this. After ██████ made the statement, he did not see where she walked to. A short while later, ██████ stated to ██████, "I am so horny I really want to have sex". ██████ said "ok" and they engaged in sexual intercourse. ██████ took off her shorts but left her bra and shirt on. ██████ asked her to take off her shirt, but ██████ said she was insecure about her body and left it on. During the course of having sex, his condom broke. ██████ remembers saying "shit, my condom broke!" ██████ said "what!" ██████ removed his condom and asked ██████ to "suck his dick" as he sat on a chair in a corner inside the room. ██████ was on her knees giving him oral sex while he sat down. This occurred while they were in ██████ room. When ██████ ejaculated, ██████ said "ah you busted." ██████ went to the bathroom located in the room and cleaned himself up. ██████ then went to play cards on the computer. ██████ never felt that he did anything wrong.

At approximately 2:00AM, he heard a female voice screaming "where the fuck is my cousin"? He noticed that a female walked inside the house and kept repeating the same phrase. ██████'s father was also outside repeatedly asking, "where the fuck is my daughter"? ██████ was walking out of the house at the time and walked back in to retrieve her purse. ██████ walked out with her. During the whole commotion, ██████ friends left the residence.

I then asked ██████ if he knew for sure if ██████ had sexual intercourse with ██████. He stated that he knows they went inside his sister's (██████) room and heard them talking to each other through the door. As he continued to listen through the door, he recalls hearing a female voice say "that feels good". He then walked away from the door. ██████ and ██████ were in the room for a while before walking out.

Sometime after this, ██████ walked inside the room and saw ██████ "giving ██████ head". When he opened the door, the light bothered ██████ and ██████ said, "close the door man". ██████ stopped when he opened the door. ██████ was inside the room just sitting there. ██████ closed the door and continued to play cards. ██████ described ██████ to not be wearing any shorts and nude from the waist down. ██████ shorts were off. Within a few minutes, ██████ noticed that ██████ walked out. ██████ and ██████ stayed in room for several minutes before ██████ walked out also. ██████ was dressed when she walked out.

██████████ stated that he just met ██████ on the night of the incident and that he has heard of her through his friends. ██████ denied using any drugs other than the two beers he drank while ██████ was at his residence, but that he had smoked earlier that day.

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At approximately 9:20PM, North Miami Beach Police dispatcher contacted me and advised that [REDACTED] attorney was downstairs and that he wanted to be in the interview. At that point, we advised [REDACTED] that his attorney was at the station. I walked downstairs and brought the attorney and [REDACTED] father to the interview room. The attorney identified himself as [REDACTED] and advised me that he was [REDACTED] attorney for a previous case that is still pending. I briefed [REDACTED] on the case. [REDACTED] agreed to allow us to speak with his client as long as he was present.

[REDACTED] further advised that he spoke with [REDACTED] after the incident. [REDACTED] told him that he had crashed his vehicle after the party. [REDACTED] went over his account of what had occurred in the presence of the attorney.

03/11/2003

Detective Slusher accompanied [REDACTED] and her father to Jackson Memorial Hospital Rape Treatment Center. [REDACTED] was at the Rape Treatment Center upon their arrival. Dr. Simmons conducted the examination of the victim. Dr. Simmons provided Detective Slusher with a copy of the examination report and the examination was concluded.

REFER TO EXAMINATION REPORT FOR RESULTS OF EXAMINATION

03/13/2003

At approximately 10:20 AM, Detective Slusher and I arrived at Dr. Michael Kropp Senior High School and met with Mr. George A. Nunez, Principal & Eduardo Lopez, Assistant Principal. We informed them that we were conducting an investigation involving several of their students and that we needed to meet with them. Dr. Eduardo Lopez assisted us in locating the students.

At approximately 10:35AM, [REDACTED] responded, at our request, to Mr. Lopez's office. Mr. Lopez contacted [REDACTED] via telephone. [REDACTED] was advised by Mr. Lopez that police detectives were at the school and wanted to speak to his son in reference to an investigation. [REDACTED] spoke with his son briefly on the telephone and then allowed us to speak with his son. Detective Slusher and I, along with Mr. Lopez, met with [REDACTED] inside a meeting room located inside the school directly across Mr. Lopez's office.

[REDACTED] advised that on the day of the alleged incident, during school hours, he remembers seeing [REDACTED] walk in his Mathematics class. He overheard from two students in the class that she was on two Xanax bars. On that day, a friend picked him up from school. Once he was home, he got online and made contact with [REDACTED] to see what the plans were for Friday night. He then called [REDACTED] who picked him up and took him to [REDACTED] house. [REDACTED] arrived at [REDACTED] house between 9:20PM and 9:30PM. While at the house, [REDACTED]

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told [REDACTED] to invite [REDACTED], [REDACTED] and [REDACTED] to come over the house. [REDACTED] and [REDACTED] came over to [REDACTED] house at approximately 10:30PM, but [REDACTED] and [REDACTED] did not come over. [REDACTED] then went to pick up [REDACTED] at her residence. [REDACTED] was wearing shorts and a sweater. While at [REDACTED] house, [REDACTED] was in [REDACTED] room and [REDACTED] was on the computer playing a game. [REDACTED] was on the couch watching television with him. [REDACTED] walked in the house and started to ask "where is [REDACTED]"? Approximately ten minutes later, [REDACTED] and [REDACTED] entered [REDACTED] room. The door was closed, but he heard the sheets ruffle from outside of the door. The lights inside the room were off. Approximately 20-25 minutes later, [REDACTED] and [REDACTED] exited the room together (they were both dressed) and walked to the livingroom. [REDACTED] sat down with him on the couch and [REDACTED] then walked inside [REDACTED] room, where [REDACTED] and [REDACTED] were. While sitting on the couch, he asked [REDACTED] what had happened and [REDACTED] said that they had hooked up and that he will let him know tomorrow. He and [REDACTED] watched television for a while. Approximately 30 minutes later [REDACTED] walked to [REDACTED] room (the door was closed but not locked). When he opened the door, he saw [REDACTED] sitting down on the couch and [REDACTED] "was giving him head". She was on her knees and said, "close the door". [REDACTED] was sitting on the bed. [REDACTED] returned to where [REDACTED] was and told him that he had seen [REDACTED] giving [REDACTED] head. [REDACTED] did not say anything. By now it was approximately 12:20PM. [REDACTED] then received a call from his [REDACTED] reminding him that he had to help him in the morning. [REDACTED] then told [REDACTED] that he had to leave and exited through the computer room.

The Saturday following the day that he had visited [REDACTED] he received a telephone call from [REDACTED]. [REDACTED] asked him if he had heard what had happened with [REDACTED]'s [REDACTED] who was mad. [REDACTED] told him that [REDACTED]'s [REDACTED] had threatened to call the police on the night of the incident. He then spoke with [REDACTED] on the telephone. [REDACTED] told him that he had sex with [REDACTED] for a minute and that his condom broke so she gave him a "blowjob".

According to [REDACTED], on Sunday while logged on the computer, [REDACTED] instant messaged him and said, "hey, I don't know..my dad is mad at me.. he also took me to the hospital on that night. "

[REDACTED] also stated to police that approximately 3 weeks prior to the day of the alleged incident, [REDACTED] told him that he had hooked up with [REDACTED] at his house and that [REDACTED] had told him that she had sex before with a 21 year old male.

Sometime prior to the alleged incident, [REDACTED] also had a conversation with [REDACTED]. ([REDACTED]'s [REDACTED]) She informed him that [REDACTED] told her in a conversation that she remembered "giving head" to [REDACTED] and that she bit him by mistake.

While at [REDACTED] house, [REDACTED] did not see any drugs or alcohol but did see [REDACTED] drinking beer. [REDACTED] also does not remember [REDACTED] being asleep or passed out during the time that he was there.

Lastly [REDACTED] stated that he never had any type of contact with [REDACTED]

This interview was completed at 11:45 AM.

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At approximately 12:05PM, [REDACTED] responded, at our request, to Mr. Lopez's office. Mr. Lopez contacted [REDACTED] via telephone. [REDACTED] was advised by Lopez that police detectives were at the school and wanted to speak to her [REDACTED] in reference to an investigation. [REDACTED] allowed us to speak to her [REDACTED]. Detective Slusher and I, along with Mr. Lopez spoke with [REDACTED] inside a meeting room located inside the school.

[REDACTED] is a student at Dr. Michael Kropp Senior High School and is one of [REDACTED]'s good friends. [REDACTED] stated that on Friday night, the day of the incident, she went by [REDACTED] house at approximately 12:00PM to pick up a friend. When she arrived, she noticed [REDACTED]'s [REDACTED] and her [REDACTED] looking for [REDACTED]. [REDACTED]'s [REDACTED] was asking for [REDACTED] and then she saw [REDACTED] exit the house. According to [REDACTED], [REDACTED] appeared under the influence of something. She did not want to get inside the car with her [REDACTED].

On the next day, [REDACTED] called her friend [REDACTED]. [REDACTED] informed her that [REDACTED] had told her that she was under the influence of alcohol and that she had sex with seven boys. [REDACTED] also told her that she wanted to claim rape on everyone except [REDACTED] because she wanted to sleep with him. [REDACTED] also stated to her that she knows for sure that [REDACTED] did not touch her. [REDACTED] also remembered "giving head" to [REDACTED] and having sex with him. [REDACTED] then started to ask the boys that were at [REDACTED] house about the incident. [REDACTED] said that he did not touch her and that all he did was pick her up from her house. According to [REDACTED], [REDACTED] has been telling her for a while that she wants to hook up with [REDACTED].

When [REDACTED] returned to school on the Monday following the incident, everyone was looking at [REDACTED] weird and she started to cry hysterically.

On the Friday of the incident, [REDACTED] remembers that [REDACTED] took Xanax sometime in the morning (at approximately 10:00-10:30 AM).

[REDACTED] lastly stated that she did not believe that [REDACTED] was raped, but that she did have sex with several males.

03/14/2003

At approximately 2:25PM, Detective Slusher and I met with [REDACTED] at the North Miami Beach Police Department. [REDACTED] advised that on Friday, March 7, 2003, he went to a basketball game. [REDACTED] stayed home. Prior to him leaving, his daughter asked him if she could have friends come over and he authorized it. [REDACTED] returned from the basketball game at approximately 11:00PM and did not find a note. [REDACTED] did, however, find a note left by [REDACTED] addressed to him. The letter stated that she had gone to a friend's house to help her with a school project. [REDACTED] began to call several of [REDACTED] friends inquiring about her whereabouts. After making several phone calls, [REDACTED] learned that [REDACTED] had been picked up by [REDACTED]. [REDACTED] telephoned [REDACTED] and asked about [REDACTED]. [REDACTED] told him that his son was at [REDACTED] house sleeping. After getting an address for [REDACTED], [REDACTED] and [REDACTED] drove to [REDACTED] house. As they arrived, he saw [REDACTED] and asked about his daughter. [REDACTED] told him that she was

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inside. [REDACTED] entered the house and came back out saying that [REDACTED] was not inside the house. [REDACTED] then asked [REDACTED] again where [REDACTED] was and he replied "I don't know, I don't know". Within seconds, [REDACTED] walked out. [REDACTED] appeared sluggish and was wobbling. [REDACTED] took her to Aventura Hospital to get tested for drugs. While at the hospital, he asked his [REDACTED] what she had taken. [REDACTED] told him Xanax. The hospital doctor informed [REDACTED] that [REDACTED] had the tests showed traces of Xanax and Marijuana. [REDACTED] then took his daughter home.

[REDACTED] also stated that [REDACTED] did not recall anything that she had told him while at the hospital.

[REDACTED] informed us that a year and a half ago, his current [REDACTED] was very close to [REDACTED], and that all of a sudden [REDACTED] started to talk about wanting to live in [REDACTED]. [REDACTED] describes his relationship with his daughter as a close one, but believes that his daughter would not tell him directly what happened on the day of the incident and she typically does not discuss personal issues with him. He believes that his daughter had sex with [REDACTED] and oral sex with others while at [REDACTED] house. [REDACTED] also believes that his daughter can easily be influenced, and also believes that on the night of the incident, his daughter did not know what she was doing.

Lastly, I asked [REDACTED] what he wanted to happen to the boys involved. Mr. [REDACTED] replied by saying that his main concern is about the drug problem. [REDACTED] believes that his daughter made a bad judgment and wanted the police to investigate what went on that night.

At approximately 3:30PM, Detective Slusher and I met with [REDACTED] in the conference room located on the second floor of the North Miami Beach Police Department.

[REDACTED] stated that her daughter, [REDACTED] was in the second grade when she and [REDACTED] were divorced. [REDACTED] still has a very close relationship with her daughter where [REDACTED] tells her virtually everything. [REDACTED] also speaks to her on a daily basis. [REDACTED] stated that her daughter has told her that she has smoked pot a couple of times. [REDACTED] believes that [REDACTED] struggles to get along with her father. [REDACTED] has threatened to run away in the past.

Sometime after the incident, [REDACTED] learned from [REDACTED] that she had purchased Xanax bars in school and taken the bars on that same day. [REDACTED] also purchased bars for her friend but did not tell her mother that anyone had given her bars at the residence.

[REDACTED] recalls during the Christmas break, when [REDACTED] was at her house in [REDACTED], that she asked when she was going to see a Gynecologist. [REDACTED] asked her if she was sexually active and her daughter replied, "no".

After the alleged incident, [REDACTED] asked her daughter again if she had been sexually active before. [REDACTED] replied by saying that in the 9th grade she was sexually involved with someone. [REDACTED] believes that the name of the boy [REDACTED] was involved with is [REDACTED].

[REDACTED] heard from her daughter that on the day of the incident, [REDACTED] did not allow [REDACTED]

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friend, [REDACTED] to spend the night over the house. On that same day after purchasing the bars, she brought some of them to her house. Her friends then came over and she went with them to a place called [REDACTED], where they hang out. On the way to [REDACTED], [REDACTED] took one of the bars. While at the [REDACTED], police broke up the crowd and her daughter returned home. [REDACTED] took her home. Her daughter then hooked up with [REDACTED] who picked her up. [REDACTED] also informed her that she took bars in the kitchen at the boy's house. Her daughter then walked into a bedroom where she had sex with [REDACTED]. While at the boys house, she asked for a Smirnoff Ice (alcoholic beverage). Someone brought it to her and she passed out. Next thing she knew there was someone else with her in bed. Sometime after that, she was inside a bathroom where some guys were trying to hide her.

[REDACTED] informed me that she asked her daughter if she ever told the guys "no" and [REDACTED] stated to her that she did not remember. [REDACTED] did not mention anything to [REDACTED] about oral sex during the time she was at the boy's house.

The interview was concluded at 4:00PM.

At approximately 4:30 PM, Detective Slusher and I met with [REDACTED] again. We asked [REDACTED] if there was anything that she failed to include in the first interview that she wanted to add.

[REDACTED] advised that on the day of the incident, she bought four Xanex bars in school. This was a third party transaction. Out of these four bars, she gave one to her friend and spilt the other three with another one. She skipped to all three lunches. After school, she went home where she hung out with two of her female friends [REDACTED]. She made arrangements to have an unknown person deliver 11 bars to her residence before her father got home. She gave her friend [REDACTED], who arrived later, 6 of the 11 bars and kept the other five. Her father left at around 6:30PM to watch a basketball game. [REDACTED] ordered Pizza and smoked weed in her backyard and took an unknown amount of Xanex bars.

At the party, [REDACTED] remembered having sex with [REDACTED] and did not tell him to stop because she "really liked him". She also recalls seeing him put on a condom. When he was done, he got up and sat on the corner of the bed and got dressed. During the time she had sex with [REDACTED], two guys walked in and [REDACTED] said "leave us alone".

[REDACTED] then walked to [REDACTED] room and sat next to [REDACTED] and said, "I won't do anything with you guys until I get Smirnoff Ice". Someone then asked her if she "could give them head". She drank Smirnoff Ice and put the bottle down. She was laying on bed. An unknown person fingered her, someone had sex with her and she "gave head" to someone else. She thinks that she did not really want to have sex, but she is really nice and can't say no. She then passed out, but recalls that someone said, "my condom broke". Later on, two guys got her up and put her in the bathroom to hide her from her cousin. She could hear her cousin yelling her name.

[REDACTED] remembers that when she gave [REDACTED] "head", she bit him and commented that on the internet with him after the incident. [REDACTED] believes that she bit him because her jaw was tired and it dropped.

She also mentioned to one of her friends after the incident that she still thinks [REDACTED] is hot.

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■ further stated that in the past, she "gave head" to a boy named ■ as a favor. She did not know him, but her friend ■ wanted to hook up with ■ friend named ■ and asked ■ to hook up with ■ as a favor. ■ gave ■ oral sex while he fingered her. ■ also informed us that she has watched pornography via internet with her female friends; ■, and ■ (which she refers to as ■). The site that they downloaded is KAZA.COM.

■ lastly stated that she believes that she would not have done what she did if she "was not messed up", and that she did not think the males knew what was going to happen at the party because they were intoxicated.

03/21/2003

At approximately 3:35 PM, ■ contacted me at the North Miami Beach Police Department and asked me if I was aware that his daughter had slept with her ■. I informed ■ that ■ had disclosed it to me, but I did not inform him or ■'s mother because it would first need to be reported to the corresponding jurisdiction. I suggested that he not discuss this with anyone in order to protect the integrity of the investigation.

03/25/2003

Detective Slusher and I responded to Dr. Michael Kropp Senior High School. At approximately 11:55 AM, ■ responded, at our request, to Mr. Lopez's office. Mr. Lopez contacted ■ via telephone. ■ was advised by Lopez that police detectives were at the school and wanted to speak to her son in reference to an investigation. ■ allowed us to speak to ■. We, along with, Mr. Lopez met with ■ inside a meeting room located inside the school.

■ stated that on the day of the incident, he went home after school and went to Aventura Community Center to play racquetball. When he arrived home, he made arrangements with his friend, ■ to go to ■ house and hang out. Sometime between 9:45 PM and 10:00PM, people started to arrive at ■ house. ■ and ■ were also in ■ room with ■. While at ■ house, he called ■ and ■ (friends from school) on their cell phone and invited them over. Since they lived close by, ■ drove to pick them up, but the girls were not ready so they left. ■ said that he knew a girl from school and called ■ picked ■ up from her house. When she walked in, she appeared shy and kept asking "where is ■"? ■ also asked several times for beer. After ■ came out of a room, ■ walked inside the room with him. Prior to going inside the room, she hugged ■ and spoke a while with him. ■ and ■ were inside the room approximately 15 minutes. ■ and other guys in the party walked to the room door trying to hear what was going inside and did not hear anything. ■ later came out of the room followed by ■ a short time later. After ■ exited the room, she was a bit more open. She was engaging in conversation with everyone. ■ sat down next to him on a couch and asked him what his name was. He and ■ engaged in small talk and started to kiss. The kissing led to him unzipping his pants. ■ began to "give him head" for a couple of minutes. During the time that she gave him oral sex, she bit him a few times and said "sorry...sorry". As a result, ■ told her to stop and pulled up his pants and ■ walked to the kitchen. ■ asked ■ what had happened and he told ■

Investigator Signature

Supervisor Signature

North Miami Beach Police Department

OCA: 2003031012

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Case Status: INACTIVE

Case Mng Status: EXCP

Occurred: 03/07/2003

Offense: SEXUAL BATTERY

Investigator: VAZQUEZ-BELLO, E. (216)

Date / Time: 04/04/2003 20:25:25, Friday

Supervisor: DARDEN, C. Y. (56)

Supervisor Review Date / Time: 05/09/2003 11:44:37, Friday

Contact:

Reference: Detective Supplement

that she bit him a few times, so he asked her to stop. During the night, [REDACTED] told him and [REDACTED] that he had sexual intercourse with [REDACTED] later was in the computer room with [REDACTED]. [REDACTED] was in and out of the computer room many times. [REDACTED] and [REDACTED] then went to another room and left the door halfway open. He then went inside the room and saw [REDACTED] there. The television was on, the lights were also on and they were just inside hanging out. [REDACTED] were sitting on the bed and he was standing up. [REDACTED] was sitting on a lounge chair that is inside the room. While inside the room [REDACTED] got on top of [REDACTED] and started to kiss him. At this point, [REDACTED] left the computer room and [REDACTED] was saying that he had to go home because it was getting late and his parents were going to get mad. [REDACTED] also left the room and shortly thereafter left [REDACTED] house. [REDACTED] went back in the room where [REDACTED] and [REDACTED] were, opened the door and saw [REDACTED] laying on bed with her legs in an upright position while Adam was having sexual intercourse with her. During the intercourse, [REDACTED] overheard [REDACTED] and [REDACTED] engaged in a conversation as well. [REDACTED] asked "what are you doing"? [REDACTED] replied, "my condom broke..what do I do?.. [REDACTED] gave me a bad condom". [REDACTED] commended, "your what broke"? [REDACTED] told him not to worry as long as he "did not cum". [REDACTED] also remembers [REDACTED] asking for a drink and for Smirnoff Ice and saying that she was thirsty. [REDACTED] got her a drink and entered the room where he saw [REDACTED] giving oral sex to [REDACTED]. [REDACTED] was standing up and [REDACTED] was kneeling on the bed. [REDACTED] faced the wall and you could only see his back. Another friend named [REDACTED] arrived at the residence and walked in as [REDACTED] was giving [REDACTED] "head". [REDACTED] gave [REDACTED] oral sex for at least 15 minutes. [REDACTED] walked out of the room and hung out for a while, but was never with [REDACTED]. A short while later, [REDACTED] left and went to a neighbor's house named [REDACTED], where he played video games. [REDACTED] and [REDACTED] then returned to [REDACTED] house and saw a male outside screaming, "where is [REDACTED]"? There was a young girl with the man.

[REDACTED] stated that while [REDACTED] was at [REDACTED] house, someone called [REDACTED] on a cell phone and asked her "where are you?..what are you doing"? [REDACTED] replied, "don't worry.. Left my father a note saying that I was at a friend's house".

[REDACTED] left prior to [REDACTED] coming out of the house, and later that night, he spoke with [REDACTED] on the telephone asking him what had happened at [REDACTED] house. He then went over to [REDACTED] house and slept there.

Monday, he arrived at school and saw [REDACTED] in his second period class. [REDACTED] was crying and screaming. He remembers [REDACTED] saying out loud, "Oh my god, [REDACTED] got me pregnant"! Later that day in school, someone came up to him and asked him if he had raped [REDACTED]. [REDACTED] later that day, text messaged him on the telephone that they had seen police in school talking to [REDACTED]. The next day, Tuesday, [REDACTED] Instant messaged him. At first, he did not know it was [REDACTED] because he did not know her screen name. [REDACTED] introduced herself to him. [REDACTED] told her that he was upset with her at the reputation that she gave him and asked her why she got the police involved. [REDACTED] replied by telling him I can't really talk to you about it or say anything to you.

Sometime after that on another day, [REDACTED] instant messaged him. She asked him online if he was home. He replied, "no I am at a friend's house, you want to send police here?" [REDACTED] replied, no and asked him to come to her house, that she was alone and needed to talk to him about the incident. [REDACTED] drove him, along with another friend named [REDACTED], to [REDACTED]'s house where he met [REDACTED] at the front door. She told him that she was so sorry.

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Supervisor Signature

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Case Status: INACTIVE

Case Mng Status: EXCP

Occurred: 03/07/2003

Offense: SEXUAL BATTERY

Investigator: VAZQUEZ-BELLO, E. (216)

Date / Time: 04/04/2003 20:25:25, Friday

Supervisor: DARDEN, C. Y. (56)

Supervisor Review Date / Time: 05/09/2003 11:44:37, Friday

Contact:

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█████ told her that she knew she was not raped and that the whole thing was crazy. █████ replied by saying that she knew and that "things got out of hand..one thing led to another." He and █████ talked about the subject and █████ stated that she had talked to a counselor who called the police!" █████ further told █████ that the police might be going to his house and that they were monitoring her telephone calls and that she would try to them out of it.

NOTE: During the conversation █████ and █████ remained inside the vehicle.

█████ advised at the end of the interview that he truly believed that █████ knew what she was doing on the night of the incident. He remembers her being able to walk and have conversations. █████ also believes that █████ knew where she was and that she became upset when people in school started to attack her reputation.

The interview was completed at approximately 12:20PM.

At approximately 12:25 PM, I met with SANDRA MANFREDDIE, Guidance Counselor at Dr. Michael Kropp Senior High School, who advised that she spoke with █████ on April 10, 2003 after she was brought in by a security guard. Manfredie stated that █████ was upset and was crying and that she advised her that a boy had picked her up and taken her to █████ house on Friday where several boys were at. █████ was high when she got there, she had taken Xanax that same day prior to going there. Although █████ told her that she did not remember much, she did say that she remembered having sex with █████. There were also other boys who raped and took advantage of her. █████'s father and cousin picked her up from █████ house and then took her to the emergency room at the hospital.

At approximately 1:20PM, █████ responded to Mr. Lopez's office. Mr. Lopez contacted █████ and advised her that detectives wanted to speak to her daughter in reference to an investigation. █████ agreed to allow us to speak to her daughter. Detective Slusher and I, along with Mr. Lopez met with █████ inside a meeting room located across Mr. Lopez's office.

█████ advised that the Monday after the incident, while in school, she saw █████ crying. █████ said to her that she had gone to a guy's house and that she was a little messed up. █████ also talked about possibly being raped and pregnant because she recalled one of the boy's condom breaking. While at the house, someone also took her money from her, which █████ paid her back. █████ was walking with █████ and people were looking at her weird and were making comments.

█████ advised us that she just met █████ this year and that she seems like a nice girl.

█████ did not tell her anything further about the incident. █████ did not tell her about any drugs at the house she was at, but believes that the boys did take advantage of █████ while she was with them.

█████ has told her in the past that she is attracted to █████.

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Occurred: 03/07/2003

Offense: SEXUAL BATTERY

Investigator: VAZQUEZ-BELLO, E. (216)

Date / Time: 04/04/2003 20:25:25, Friday

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At approximately 1:40PM, [REDACTED], responded, at our request, to Mr. Lopez's office. Mr. Lopez contacted [REDACTED] and advised her that detectives were at the school and wanted to speak to her daughter in reference to an investigation. [REDACTED] gave permission for us to speak to her daughter. Detective Slusher and I, along with Mr. Lopez, met with [REDACTED] inside a meeting room located across Mr. Lopez's office.

[REDACTED] is a friend of the victim and advised that during the week of the alleged incident, [REDACTED] had told her that she was attracted to [REDACTED] and that she was planning to chill (hang out) with him. Friday, on the day of the incident, [REDACTED] had taken Xanex bars during lunch, everyone in school was talking about it. After school, [REDACTED] and another friend went to [REDACTED]'s house. [REDACTED] left them at her house while she went to a place called [REDACTED], where people hang out (located in Hollywood). After [REDACTED] returned from Towers, she said that she was going to hang out with [REDACTED], but she was grounded and could not leave.

Later on that night, after [REDACTED] left [REDACTED]'s house (approximately 11:30PM), she received a telephone call from [REDACTED] inquiring about his daughter's whereabouts. [REDACTED] called [REDACTED] on her cell phone and told her that her father was worried and was looking for her. [REDACTED] replied by saying not to worry, that she had left him a note and hung up. [REDACTED] called several times thereafter, but the telephone was turned off.

At approximately 2:00AM, [REDACTED]'s cousin called her asking directions to [REDACTED] house. The cousin had informed her that she had gone to four houses trying to find [REDACTED]. Shortly thereafter, [REDACTED] called her and said that she was at [REDACTED] house and that she would call her back. A few minutes later, she received another call stating that they had found her and that she had come out of the bathroom stumbling with two boys saying that she left a note.

On Saturday, she called [REDACTED], but was only able to get in touch with her after 7pm. [REDACTED] had been sleeping the whole day. [REDACTED] asked her what happened and [REDACTED] told her that she would tell her the story after dinner. On Sunday, [REDACTED] came over to her house and told her that while she was at [REDACTED] house, she saw bars on the table. She also told [REDACTED] that she recalled asking all night for Smirnoff Ice and that [REDACTED] had taken her in a room. While in the room, they had sex. Then she went to another room with two other boys. She felt that a few of the boys had sex with her and that [REDACTED] condom broke. [REDACTED] also gave oral to [REDACTED] who she said was hot and that while she was doing it, she bit his penis and apologized to him for doing it on AOL instant messenger after the fact.

[REDACTED] has told her in the past that she has had sex with her [REDACTED] who was in his 20's during winter break in [REDACTED], FL. [REDACTED] also talked about having sex with him on Thanksgiving in a car as well. According to [REDACTED], [REDACTED] has given [REDACTED] oral sex in the past, and she also felt bad for a guy one time and gave him oral as well.

[REDACTED] stated that she did not know if [REDACTED] knew everything that she was doing. According to [REDACTED], [REDACTED] is not the most innocent girl and that she would have probably given the guys "head" anyway, even if she was not under the influence of drugs. Nevertheless, she believes that the guys took advantage of her and should be punished.

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Occurred: 03/07/2003

Offense: SEXUAL BATTERY

Investigator: VAZQUEZ-BELLO, E. (216)

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Lastly, [REDACTED] stated to police that if the males would have not made fun of her and laughed at her, she would have never gone to the counselor who suggested to get the police involved.

03/27/2003

At approximately, 3:10PM, Detective Slusher and I met with [REDACTED], one of the boys at [REDACTED] residence on the day of the incident. Accompanying [REDACTED] was his [REDACTED]. [REDACTED] authorized us to speak to her son about the incident. [REDACTED] advised that during the interview, she would wait downstairs. The interview was conducted in the North Miami Beach Police Department Conference Room located on the second floor.

[REDACTED], advised that on the day of the incident, he went to school and stayed there until 2:30 PM. He went home and slept a little and played basketball. While he was in school, he saw [REDACTED] in the Mathematics class "barred out" (meaning that she appeared to have consumed Xanax bars). According to [REDACTED], [REDACTED]'s brother had told him that [REDACTED] had tried Xanax, but he did not see her do it. [REDACTED] was laughing and acting weird when he saw her.

After school while at his house, he called his friends and went to [REDACTED] house. When he arrived, he saw a bunch of kids at the house, to include [REDACTED] and [REDACTED]. [REDACTED] called several people later, including some girls. [REDACTED] showed up sometime between 9:00-9:30PM. When [REDACTED] arrived, he was on the computer with [REDACTED]. She appeared "barred out", but said hi to everyone. [REDACTED] then walked to [REDACTED] room where [REDACTED] and [REDACTED] were at. He then remembers seeing [REDACTED] in the kitchen taking out a prescription style bottle out of her purse and ingesting some of what was inside the bottle. [REDACTED] then took some of it. [REDACTED] then continued to chat with the people at [REDACTED] house. [REDACTED] walked up to him and took his hand. He walked with her inside of [REDACTED] room. He locked the door. [REDACTED] laid on her back on the bed and they started kissing. He removed his clothes and she removed hers. She threw her underwear on the floor. She laid on her back and opened her legs. He then started to have sex with her.

During the time they were having sex, [REDACTED] moaned. The sex lasted 5 minutes. He used a condom. When he climaxed, he pulled out and removed the condom. [REDACTED] stayed in bed while he went to the bathroom and cleaned up and then left. While he was having sex with her, he heard someone try to open the door. [REDACTED] never told him to stop during the time they had sex.

Approximately 1 hour later, he saw [REDACTED] and [REDACTED] on the livingroom couch. [REDACTED] appeared to be normal, unlike when she came in. He then went outside and saw [REDACTED], [REDACTED]'s dad and two of her cousins. [REDACTED]'s father kept asking, "where is my daughter?"

[REDACTED] does not remember [REDACTED] asking for or taking any alcohol. He does not remember any drugs being at [REDACTED] house either, but advised that [REDACTED] has smoked marijuana in the past. During the time that [REDACTED] was at

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Case Status: INACTIVE

Case Mng Status: EXCP

Occurred: 03/07/2003

Offense: SEXUAL BATTERY

Investigator: VAZQUEZ-BELLO, E. (216)

Date / Time: 04/04/2003 20:25:25, Friday

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Contact:

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house, he remembers her talking on the cell phone once or twice, but doesn't recall what she was saying.

According to , has typed him on the computer, on instant messages that she wanted to have sex with him. He has heard from his sister that had sex while in the 8th grade and that she is a horny girl. She is always at his house asking him to let her "give him head". One time in the past, he said ok and started to give him oral sex.

believes that is mad and that she only got mad after she went to school on Monday and people started asking questions and was embarrassed about it. also believes that was willing to do it, and that she never said no or pulled away. On the night of the alleged incident, told him that gave him head and that had sex with her.

has not talked to her since the day of the incident, but knows that and have talked to her.

Lastly, stated that he believes that would have done the same thing even if she wasn't on Xanax because she always kept asking him to let her "give him head".

03/31/2003

At approximately 10:00 AM, responded to the North Miami Beach Police Department along with her father, . agreed to let us speak to his daughter. The interview was conducted in the interview room located on the second floor of the North Miami Beach Police Department.

is sister and also 's best friend, and has known her since pre-school. advised us that on the day of the alleged incident, she was with her friends at Miami Shores. She spoke with over the weekend informed her that she had left her house while her father was at a Heat basketball game. left him a note stating that she was at a female friend's house working on a project. stated to that she had been at house and that she could not believe that she had sex with the guys that were there. also told her that was hot, and that she really did not remember much of what had happened.

According to , informed her that she had taken Xanax bars in school on Friday. has also told her in the past that she has had sex with her older , who is twenty something. liked it and thought that was really nice.

also had sex while in the 9th grade with a guy in her cousin's band. His name is and he lives in California. This happened while was in California for summer vacation. has also given oral sex and let him finger her. She would always be saying how much she liked him and of how much she wanted to have sex with him.

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██████████ stated that ██████████ is the type of person that never says no, and that she remembered a day in the past when she was at ██████████'s house and a friend named ██████████ came over with another male named ██████████. ██████████ gave ██████████ oral sex because she felt bad for him because his friend, ██████████ was hooking up and he wasn't.

██████████ bragged about loosing her virginity in the 9th grade, about drinking alcohol and having sex. ██████████ has heard from other mutual friends that ██████████ informed them that she had been forced to have sex, however she recalls ██████████ bragging to her about it.

Lastly, ██████████ stated that she believed that ██████████ would have done it without the influence of Xanax. ██████████ also believes that ██████████ is troubled because she doesn't see her mother much and is not happy with her father.

This interview was concluded at 1:35PM.

The facts of the case were presented to Assistant State Attorney Barty Quinnelly of the Sexual Battery Unit. The state closed out the case on May 28, 2003. It was the opinion of the Assistant State Attorney, Barty Quinnelly that no criminal charges could be filed in the case due to the inconsistencies of the statements made by the victim, contradicting witnesses, insufficient evidence, and the fact that the defendants admitted to having sexual intercourse with the victim.

This case was exceptionally cleared.

Note: Refer to case file for a copy of the close out memo.

Investigator Signature

Supervisor Signature