



INFORMATION REPORT

Jl/Cite/Call #: 200430-0719

Reporting Area: Aliso Viejo

**ORIGINAL**

**EVENT SUMMARY**

Date Occurred: Saturday, 4/18/2020 12:00

End Date: Saturday 4/18/2020 23:59

Date Reported: Thursday, 4/30/2020 20:14

Incident Location: 5200 Capobella, Aliso Viejo CA 92656

Naloxone Deployed?

Use of Force

Brief Description of Incident: Possible Sexual Assault

**SUBJECT**

[Redacted subject information]

**REPORTEE**

Name: BARON, SEPTEMBER LEE

DOB: 10/19/1980

Age: 39

Address: 5200 Capobella, Aliso Viejo CA 92656

Email:

Cell Phone: (949)350-9779

Home Phone: (949)350-9779 Other Phone:

Sex

Race

F

White

**SUBJECT**

[Redacted subject information]

**SUBJECT**

[Redacted subject information]

**PROPERTY/EVIDENCE**

Related Offense: INFO REPORT

Property Description: Compact Disc

Misc, Description: Containing 34 Photographs of text messages from September's cell phone

Quantity: 1

Brand/Make:

**NARRATIVE**

INFORMATION REPORT

Jl/Cite/Call #: 200430-0719

Reporting Area: Aliso Viejo

**ORIGINAL**

On Thursday, April 30th, 2020, I was working uniformed patrol in the City of Aliso Viejo. At about 2015 hours, Deputy E. Giummo #9171 and I were dispatched to 5200 Capobella, Aliso Viejo reference an unknown trouble. Sheriff's dispatch advised the reportee, September Baron (10/19/1980), was screaming on the phone that she was just raped. As we were responding to the aforementioned address, Sheriff's dispatch advised September was screaming hysterically and was not answering questions. From previous encounters I knew September to have mental health issues and is usually confrontational towards deputies. Just prior to our arrival, Sheriff's dispatch advised September was yelling that another female raped her and the rapist's parents were at her door.

We arrived on scene and I saw September standing outside of her garage. I spoke to September who stated she was raped by her friend, [REDACTED]. September was upset and was yelling at me stating that we don't do anything to help her. I asked September who the two people were standing near the front door of her apartment. She stated they were [REDACTED] parents and they were there to pick up their car which was parked in her garage. The vehicle parked in the garage was a Mercedes sedan [REDACTED]. September handed me the keys to the Mercedes to give to [REDACTED] parents so they could take possession of their vehicle. A records check of the vehicle showed it was registered to a [REDACTED].

I spoke to [REDACTED] and [REDACTED] who identified themselves as [REDACTED] parents and the owner of the Mercedes. [REDACTED] explained September and [REDACTED] are friends and have known each other for a few months. [REDACTED] stated [REDACTED] occasionally stays over at September's apartment and September also occasionally stays over at their residence with [REDACTED]. [REDACTED] stated the Mercedes is registered to him and he lets [REDACTED] drive the vehicle. [REDACTED] stated September stayed the night at their residence with [REDACTED] the night of 04/26/2020. The following morning (04/27/2020) they noticed the Mercedes was missing from their driveway. [REDACTED] asked [REDACTED] where the car was and she stated September had it. [REDACTED] both stated they were not aware of any sexual assault allegations between [REDACTED] September. [REDACTED] stated when September was over at their residence Sunday night everything seemed fine between the two of them. I gave [REDACTED] the keys to his vehicle and they left the scene.

I spoke to September and asked her to explain to me what occurred between her and [REDACTED]. September stated she and Diva are not in a dating or sexual relationship. September stated they were only friends. September stated on Friday, April 17th, 2020 [REDACTED] spent the night at her apartment. September woke up early in the morning the following day. September explained everything was fine and nothing appeared to be out of the ordinary. At about 1200 hours, her feet were hurting so she soaked them in the tub to help the pain. September stated she does not remember what happened after that other than she woke up suddenly in her bedroom and [REDACTED] was on top of her. September described feeling strong burning sensation inside of her vagina and she had a small amount of blood she described to resemble period blood. September went to take a shower. I asked September why she felt pain inside her vagina. She stated she did not know but that [REDACTED] "raped" her. I asked September if [REDACTED] was holding any foreign objects in her hands when she woke and she stated she did not see or recall seeing anything in her hand. I asked September if it is possible [REDACTED] penetrated her vagina with her fingers. September stated if [REDACTED] used her fingers she would have to have sharp finger nails to cause the pain she felt. I asked September if [REDACTED] had long finger nails at the time of the incident and she stated she does not pay attention to those things because she is not interested in [REDACTED] that way.

I asked September if [REDACTED] remained in her apartment after she woke up feeling pain inside of her vagina. September stated she was angry and began yelling at [REDACTED] to leave her apartment. [REDACTED] left the apartment but she knows [REDACTED] was still in the parking lot waiting the rest of the night. I asked September if she saw [REDACTED] in the parking lot after asking her to leave. September did not. During my entire interview with September her statements were inconsistent and she could not provide me with specific facts surrounding her allegations against [REDACTED]. She would change her story continuously and were not consistent with her overall statement she initially provided me with. I initially asked her if she took any medications or drugs on the date of the incident

INFORMATION REPORT

Jl/Cite/Call #: 200430-0719

Reporting Area: Aliso Viejo

**ORIGINAL**

that would cause her to blackout or not remember what happened. September stated she did not. I later asked her if she took any medication or alcohol the date of the incident and she stated she took Xanax. September stated she is not prescribed Xanax and explained she was given Xanax by [REDACTED].

I asked September why she waited almost two weeks to report the incident. She explained [REDACTED] agreed to give her car to her, the Mercedes, in exchange for not reporting the incident. On today's date, [REDACTED] contacted September about returning the car to them because it did not belong to [REDACTED] and she had no right to give her the car. After realizing she could not keep the car she decided to report the incident. September stated she had text messages from [REDACTED] confessing she was sorry she "raped" her. September showed me the text messages between her and Diva. I reviewed the text messages and saw there were numerous text messages between the two sent today. Most of the text message were of September calling [REDACTED] profanities and calling her a rapist. [REDACTED] messages were mostly of her apologizing to her about "raping" her and how she loves her and that she thought they were more than just friends. After reviewing the text messages, I did not see any specific details as to how September was "raped" or "violated". I took digital photographs of the relevant text messages using a department issued camera. I later transferred the photographs onto a compact disc and booked them as evidence at the Aliso Viejo Substation.

I asked September if she took any photographs of any injuries she sustained as a result of the incident for documentation purposes. September stated she did not. I asked her if she desired prosecution against [REDACTED] and she stated she did. I asked September if she desired a forensic sexual assault examination and she stated she did not because there was no point since it happened a long time ago.

I notified Sergeant D. Lee #3969 of the above incident. I consulted with the Special Victim's Detail who advised me to document the incident as information report and they would follow up with September at a later date. [REDACTED] was not at the scene during my interview with September. I provided September with a Victim's of Sexual Assault Pamphlet containing my contact information and report number.

INVOLVEMENT TYPE	OFFICER NAME	BODY WORN CAMERA	DATE
Reporting Officer	Munguia, M. 08779	<input type="checkbox"/>	4/30/2020
Assisting Officer	Giummo, E. 09171	<input type="checkbox"/>	5/1/2020
Approving Officer	Lee, D. 03969	<input type="checkbox"/>	5/1/2020



CLOSE CASE REQUEST

**ORIGINAL**

**REASON FOR CASE CLOSURE**

OTHER - ENTER REASON BELOW

Other Reason for Case Clearance: Victim stated she did not want to move forward with the case without a lawyer. Victim said she would contact me in the future if she wanted pursue the case.

**ADDITIONAL DETAILS FOR CLOSING//INACTIVATING CASE**

I spoke with victim on the telephone and set up a face to face interview for Thursday May 7th 2020. While enroute to the interview, the victim called me and stated she did not want to go to the interview without a lawyer present with her. I also received a call from victim services stating the same. I advised both parties that was not a problem and when and if she wanted to proceed with the case and she had her lawyer to please contact me to set up an interview. As of May 05-13-20, I have not heard back from the victim. At this time the case will be closed until I am contacted. No evidence booked for this DR.

OFFICER INVOLVEMENT	OFFICER NAME	DATE
Investigating Officer	Arredondo, E. 05135	5/13/2020
Approving Officer	Almaguer, C. 06432	5/13/2020