



FLAGLER COUNTY SHERIFF'S DEPARTMENT

CASE REPORT

1001 Justice Ln  
Bunnell, FL  
32110

CASE NO.

2013-00019944

DETECTIVE ASSIGNED

SECTION - TYPE	ATTEMPT/COMMIT	COUNTS	DESCRIPTION
1			
2	Committed	4	Sex Battery on Physically Incapacitated
3			
4			
5			
6			

SUBJECT CODE <b>Victim</b>			NAME (LAST, FIRST, MIDDLE) [REDACTED]				PRIMARY PHONE [REDACTED]	
STATEMENT TYPE <b>Written Statement</b>			ADDRESS (STREET ADDRESS, CITY, STATE, ZIP) [REDACTED]				OTHER PHONE	
DOB	AGE	RACE	HEIGHT	WEIGHT	HAIR COLOR	SOCIAL SECURITY		
[REDACTED]	[REDACTED]	[REDACTED]			[REDACTED]	---		
INJURY TYPE		INJURY - MEDICAL TREATMENT		SEX		EYE COLOR		
				[REDACTED]				
SCHOOL/EMPLOYER NAME						SCHOOL/EMPLOYER PHONE		
SCHOOL/EMPLOYER ADDRESS (STREET ADDRESS, CITY, STATE, ZIP)								

SUBJECT CODE <b>Suspect</b>			NAME (LAST, FIRST, MIDDLE) <b>O'Brien, David, Scott</b>				PRIMARY PHONE [REDACTED]	
STATEMENT TYPE <b>None</b>			ADDRESS (STREET ADDRESS, CITY, STATE, ZIP) [REDACTED]				OTHER PHONE	
DOB	AGE	RACE	HEIGHT	WEIGHT	HAIR COLOR	SOCIAL SECURITY		
[REDACTED]	49	White	5 8	185		---		
INJURY TYPE		INJURY - MEDICAL TREATMENT		SEX		EYE COLOR		
				Male				
SCHOOL/EMPLOYER NAME						SCHOOL/EMPLOYER PHONE		
SCHOOL/EMPLOYER ADDRESS (STREET ADDRESS, CITY, STATE, ZIP)								

PUBLIC EXEMPTION

REPORTED DATE/TIME <b>03/13/2013 02:16</b>	INCIDENT TYPE <b>Sex Rape</b>		
OCCURRED FROM DATE/TIME <b>02/08/2013 12:00</b>	OCCURRED TO DATE/TIME <b>03/13/2013 02:16</b>	LOCATION OF OCCURRENCE [REDACTED]	



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NARRATIVE

1001 Justice LN  
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Narrative

On Wednesday morning at about 2:00 am I received a phone call from David O'Brien who advised that he needed to meet with me. I asked him what his location was and he stated that he was at the Sun Trust Bank on Florida Park Drive in Palm Coast, FL 32137. Upon my arrival at the location I observed Mr. O'Brien standing next to his motorcycle. He stated that [REDACTED] had accused him of sexually assaulting her about one month ago and he was unsure of what her intentions were. I explained to him that I would have to make contact with her to ask her about this incident and he advised that he understood that.

I attempted to call [REDACTED] by phone but received her voicemail so I went to the residence and made contact with her there. [REDACTED] advised me that about one month ago she was taking prescription medicine and had been drinking some alcoholic beverages when she passed out in bed. She woke up the next morning with no clothes on. For the next three nights while she was taking the medicine she woke up each morning with no clothes on. She said that it was a total of four nights in a row that she went to bed and woke up with no clothes on. [REDACTED] advised that a few days after these incidents occurred she started having "flashbacks" of the nights and remembered her [REDACTED] David O'Brien taking her clothes off and performing various sex acts on her to include oral, vaginal and anal penetration. She further advised that she believes that acts occurred over a period of time each night and that he ejaculated. She claims that these acts were done without her consent and while she was incapacitated due to the medicine. [REDACTED] told this officer that she confronted [REDACTED] about these incidents and he admitted to it happening and he could not explain why he had done it and that he had felt horrible about it. I had [REDACTED] complete a voluntary statement detailing the incidents which was placed in records. I also issued her a domestic violence pamphlet and had her sign a public records exemption form.

[REDACTED] advised that she is unsure of what action she wishes to take concerning these incidents and there was no physical evidence collected due to the delay in reporting of this incident. [REDACTED] advised that she did not want [REDACTED] to come back to the residence due to her being uncomfortable because of the situation. She gave me a bag with some clothes for him and I advised that I would take them to him.

After completing my interview of [REDACTED] I went back to the Sun Trust bank and met with Mr. O'Brien and advised him that [REDACTED] had reported being a victim of a sexual assault and asked him if he wished to make a statement. He advised me that he did not wish to at this time. I gave him the items she had given me and advised him not to have any contact with her while this incident was being investigated. He stated that he would not contact her.

I did not contact Investigative Services at the time of the report but I will be contacting Lt. Bovino in the morning to brief him of the incident.

Nothing further to report.