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ELECTRONICALLY FILED
Superior Court of California,
County of San Diego

09/26/2022 at 11:49:00 AM
Clerk of the Superior Court
By Vanessa Sezenol, Deputy Clerk

Attorneys for Plaintiff Oscar Rendon

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
(Central – Hall of Justice)

OSCAR RENDON,

Plaintiff,

vs.

WILLIAM RODRIGUEZ-KENNEDY;
STEPHEN WHITBURN; and DOES 1
TO 20 ,

Defendants.

CASE NO.:37-2022-00037995-CU-PO-CTL

FIRST AMENDED COMPLAINT FOR:

- 1. Rape By Force and Physical Coercion**
[Civil Code § 1708.5];
- 2. Rape By Restraint**
[Civ. Code § 52.4; Penal Code §286(f)(1)(2)
and 286(i)]
- 3. Rape By Intoxication**
[Civ. Code § 52.4; Penal Code §286(f)(1)(2)
and 286(i)];
- 4. Sodomy of Unconscious Person**
[Civ. Code §52.4; Penal Code §286(f)(1)(2)
and 286(i)];
- 5. Violation of Ralph Act [Civ. Code §51.7];**
- 6. Illegal Recording of Private Conversation**
[Penal Code §632]
- 7. Violation of Civil Code §1714; and**
- 8. Premises Liability.**

Plaintiff Oscar Rendon alleges:

1. Plaintiff, Oscar Rendon ("Rendon" or "Plaintiff"), is a 23-year-old college student who resides in San Diego County, California.

2. Defendant, William Rodriguez Kennedy ("Kennedy"), is a 35-year-old notorious alcoholic and sexual predator who preys on young men he believes might be impressed by his self-proclaimed power. Currently, Kennedy is the disgraced, soon-to-be former Chairman of the San Diego County Democratic Party. He is the kind of politician who willfully employs deceit and

1 subterfuge to advance his political aspirations. A recent example of Kennedy's lack of veracity
2 manifested in a deceitful press release he issued September 16, 2022. Two weeks earlier, Kennedy's
3 criminal defense attorney had been notified by the San Diego County District Attorney that its office
4 would not file felony sodomy charges based on the Rendon's assault. As Kennedy and his criminal
5 defense counsel knew, the District Attorney's Office did not--in any way--conclude that Kennedy
6 was innocent of the charges. As Kennedy and his counsel knew, the prosecutor's decision was based
7 on the same principles underlying its routine, daily decisions not to file charges for countless violent
8 felonies committed by predators like Kennedy. As Kennedy and his criminal defense lawyer knew,
9 a prosecutor is ethically prohibited from filing criminal charges unless he or she believes that 12 out
10 of 12 jurors will conclude that the evidence proves criminal guilt "beyond a reasonable doubt." The
11 burden of proof in a criminal trial is that each and every juror on the panel must be left "with an
12 abiding conviction that the charge is true" and that "there is no other reasonable explanation that can
13 come from the evidence presented at trial." It is this ethical burden placed on prosecutors that results
14 in the criminal prosecution and conviction of only 1% of the millions of sexual predators like
15 Kennedy.

16 3. Again, Kennedy knows this. He has published articles about reform of the Court
17 system and a variety of similar legal matters. Kennedy knew that the prosecutor's decision not to
18 file charges against him hardly meant that he had been cleared of any wrongdoing. Yet, this is
19 precisely what Kennedy and crew tried to deceive the public into believing when, on September 16,
20 2022, Kennedy took to Twitter with the following bare-faced lie blazoned in the title of his press
21 release: "*Rodriguez-Kennedy cleared of wrongdoing.*" In his carefully crafted statement that
22 followed, however, Kennedy steered clear of repeating this big lie, instead sticking to his attorney's
23 comment that "*no charges of any kind will be filed.*" It seems Kennedy's attorney was not
24 contemplating charges in this civil prosecution when he used the word "*of any kind.*"

25 4. Defendant, Stephen Whitburn ("Whitburn"), is an adult resident of San Diego
26 County, California. Whitburn is a member of the San Diego City Council and was present in the
27 same residence he shared with Kennedy when and where the sexual assault occurred.

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1 5. At all material times, Defendants Kennedy and Whitburn occupied, leased,
2 maintained, and controlled a residence located on 9th Avenue, in San Diego, CA, (the“Residence”).

3 6. Plaintiff does not know the names of Does 1 through 20. The true names and
4 capacities, whether individual or otherwise, of defendants Does 1 through 20 are unknown to
5 Plaintiff who, therefore, sues them by such fictitious names under CCP § 474. Plaintiff is informed
6 and believes that each of the defendants is responsible in some manner for the acts of omissions
7 alleged in this complaint or caused him damages. Collectively, Kennedy, Whitburn and Does 1
8 through 20 may be jointly referred to as “Defendants” or “Defendant.”

9 7. Plaintiff is informed and believes, and based thereupon alleges, that at all material
10 times, Defendants, and each of them, were the agents, employees, managing agents, supervisors,
11 coconspirators, parent corporation, joint employers, alter ego, and/or joint ventures of the other
12 Defendants, and each of them, and in doing the things alleged herein, were acting within the course
13 and scope of said agency, employment, conspiracy, joint employer, alter ego status, and/or joint
14 venture and with the permission and consent of each of the other Defendants. At all material times,
15 all of the Defendants conspired with, aided, incited, abetted, authorized, and ratified all of the
16 actions of all of the other Defendants. Alternatively, in doing the things alleged in this Complaint,
17 each Defendant was acting alone and solely to further his or her or its own interests.

18 8. Rendon met Kennedy through the “Tinder” dating app in or around April 2020. At
19 the time, Rendon was 20 years old and Kennedy was 32. After a few dates, Rendon decided he did
20 not want a steady romantic relationship with Kennedy.

21 9. On or about August 18, 2021, Rendon made plans to celebrate his birthday with
22 friends. Prior to that evening, Rendon and Kennedy agreed through text messages that they would
23 be going out that night as friends only and would not be having sex. Rendon texted Kennedy, “*But*
24 *I wanted to talk about something*” continuing, “*Can we go out and sleep without having Sex ... Like*
25 *go out as friends.*” Kennedy agreed: “*If we are drinking and all that I don’t want things to go that*
26 *way if we don’t want that so . . . yeah.*”

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1 10. After dinner, the group continued the night at a couple of local bars. Throughout the
2 night, Rendon consumed approximately eight shots of tequila in addition to continuously drinking
3 mixed alcoholic beverages while they were out. At one point, one of Rendon's friends wanted to
4 leave and offered to drive Rendon home, but Kennedy insisted that Rendon stay out and continue
5 drinking.

6 11. At some point late in the evening, the remaining group left the bar and Kennedy
7 drove Rendon and another friend to the friend's house. Rendon intended to stay at the friend's
8 house, and helped her get into the house because she was locked out. When Rendon returned to
9 Kennedy's car to retrieve his belongings, Kennedy coerced the inebriated Rendon to come back to
10 his and Whitburn's residence.

11 12. According to Kennedy and his legal counsel, while inside the Residence, Kennedy
12 intentionally, maliciously, and without Rendon's consent recorded a private conversation in which
13 Kennedy alleges Rendon verbalized that he wanted to have sex. Kennedy knew that it was a
14 misdemeanor crime to record Rendon without his consent, but he also knew he was about to commit
15 felony rape of an intoxicated person who had previously stated, in writing, that he did not want to
16 have sex. As such, in an act of premeditated CYA, Kennedy decided that illegally recording his
17 inebriated victim might provide him a defense to felony rape and sodomy should Rendon later report
18 Kennedy to the police.

19 13. Because of his state of intoxication, Rendon does not remember the drive to
20 Kennedy's apartment and remembers little else before awaking around 3 a.m., naked, with
21 Kennedy's penis inside of his rectum. Rendon was so intoxicated that he could not resist and instead
22 lay still on his side while Kennedy penetrated him. The next thing Rendon remembered was waking
23 up around 6 a.m., still naked, and realizing that he was in Kennedy's and Whitburn's apartment.
24 Rendon confronted Kennedy and asked him what happened and asked why he penetrated him when
25 it had been agreed that they would not have sex. Kennedy refused to answer, claiming he was too
26 busy.

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1 14. Rendon tried to deal with the trauma on his own for several months until he sought
2 advice from a college professor who advised Rendon that he had been raped by Kennedy and that
3 he should report the assault to the police. On March 30, 2022, Rendon contacted the San Diego
4 Police Department and filed the report attached as Exhibit 1.

5
6 **FIRST CAUSE OF ACTION**
7 **(Rape, Civ. Code §1708.5, Against Kennedy and Does 1-20)**

8 15. Plaintiff realleges paragraphs 1 through 14.

9 16. As alleged *supra*, Kennedy committed a sexual battery on Rendon without his
10 consent by sodomizing him and committing other harmful and offensive touchings of his sexual
11 organs.

12 17. As a legal result of the rape, Rendon suffered damages, and will continue to suffer
13 damages, including but not limited to, past and future medical expenses, past and future lost earnings
14 and earning capacity, pain, suffering, emotional distress, mental anguish, and embarrassment.

15 18. The foregoing conduct of Kennedy was despicable and subjected Plaintiff to cruel
16 and unjust hardship, and was committed with willful and conscious disregard of his rights and
17 safety. In doing so, Kennedy acted with malice, oppression or fraud, as defined by California Civil
18 Code §3294, entitling Plaintiff to punitive damages in an amount appropriate to punish and make
19 an example of Kennedy.

20 **SECOND CAUSE OF ACTION**
21 **(Gender Violence, Civ. Code §52.4/Pen. Code §286 Against Kennedy and Does 1-20)**

22 19. Plaintiff realleges paragraphs 1 through 18.

23 20. By doing the things alleged above, Kennedy committed gender violence and acts that
24 constituted criminal offenses under Penal Code §§ 286(f)(1)(2) and 286(i), against Plaintiff, i.e. one
25 or more acts that would constitute a criminal offense under state law that has as an element the use,
26 attempted use, or threatened use of physical force against the person or property of another,
27 committed at least in part based on the gender of the victim, whether or not those acts have resulted
28 in criminal complaints, charges, prosecution, or conviction, or a physical intrusion or physical

1 invasion of a sexual nature under coercive conditions, whether or not those acts have resulted in
2 criminal complaints, charges, prosecution, or conviction.

3 21. Kennedy committed Gender Violence against Plaintiff because he was a man.

4 22. As a legal result of the Gender Violence, Rendon suffered damages, and will continue
5 to suffer damages, including but not limited to, past and future medical expenses, past and future lost
6 earnings and earning capacity, pain, suffering, emotional distress, mental anguish, and
7 embarrassment.

8 23. The foregoing conduct of Kennedy was despicable and subjected Plaintiff to cruel
9 and unjust hardship, and was committed with willful and conscious disregard of his rights and
10 safety. In doing so, Kennedy acted with malice, oppression or fraud, as defined by California Civil
11 Code §3294, entitling Plaintiff to punitive damages in an amount appropriate to punish and make
12 an example of Kennedy.

13 **THIRD CAUSE OF ACTION**
14 **(Gender Violence, Civ. Code §52.4/Pen. Code §286 Against Kennedy and Does 1-20)**

15 24. Plaintiff realleges paragraphs 1 through 23.

16 25. By doing the things alleged above, Kennedy committed gender violence and acts that
17 constituted criminal offenses under Penal Code §§ 286(f)(1)(2) and 286(i), against Plaintiff, i.e. one
18 or more acts that would constitute a criminal offense under state law that has as an element the use,
19 attempted use, or threatened use of physical force against the person or property of another,
20 committed at least in part based on the gender of the victim, whether or not those acts have resulted
21 in criminal complaints, charges, prosecution, or conviction, or a physical intrusion or physical
22 invasion of a sexual nature under coercive conditions, whether or not those acts have resulted in
23 criminal complaints, charges, prosecution, or conviction.

24 26. Kennedy committed Gender Violence against Plaintiff because he was a man.

25 27. As a legal result of the Gender Violence, Rendon suffered damages, and will continue
26 to suffer damages, including but not limited to, past and future medical expenses, past and future lost
27 earnings and earning capacity, pain, suffering, emotional distress, mental anguish, and
28 embarrassment.

1 28. The foregoing conduct of Kennedy was despicable and subjected Plaintiff to cruel
2 and unjust hardship, and was committed with willful and conscious disregard of his rights and
3 safety. In doing so, Kennedy acted with malice, oppression or fraud, as defined by California Civil
4 Code §3294, entitling Plaintiff to punitive damages in an amount appropriate to punish and make
5 an example of Kennedy.

6 **FOURTH CAUSE OF ACTION**
7 **(Gender Violence, Civ. Code §52.4/Pen. Code §286 Against Kennedy and Does 1-20)**

8 29. Plaintiff realleges paragraphs 1 through 28.

9 30. By doing the things alleged above, Kennedy committed gender violence and acts that
10 constituted criminal offenses under Penal Code §§ 286(f)(1)(2) and 286(i), against Plaintiff, i.e. one
11 or more acts that would constitute a criminal offense under state law that has as an element the use,
12 attempted use, or threatened use of physical force against the person or property of another,
13 committed at least in part based on the gender of the victim, whether or not those acts have resulted
14 in criminal complaints, charges, prosecution, or conviction, or a physical intrusion or physical
15 invasion of a sexual nature under coercive conditions, whether or not those acts have resulted in
16 criminal complaints, charges, prosecution, or conviction.

17 31. Kennedy committed Gender Violence against Plaintiff because he was a man.

18 32. As a legal result of the Gender Violence, Rendon suffered damages, and will continue
19 to suffer damages, including but not limited to, past and future medical expenses, past and future lost
20 earnings and earning capacity, pain, suffering, emotional distress, mental anguish, and
21 embarrassment.

22 33. The foregoing conduct of Kennedy was despicable and subjected Plaintiff to cruel
23 and unjust hardship, and was committed with willful and conscious disregard of his rights and
24 safety. In doing so, Kennedy acted with malice, oppression or fraud, as defined by California Civil
25 Code §3294, entitling Plaintiff to punitive damages in an amount appropriate to punish and make
26 an example of Kennedy.

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FIFTH CAUSE OF ACTION
(Violation of Ralph Act Against Kennedy and Does 1-20)

34. Plaintiff realleges paragraphs 1 through 33.

35. As alleged above, Kennedy committed violent acts against Plaintiff, specifically the rape/sodomy of Rendon, and a substantial motivating reason for this conduct was because Rendon was and is a man.

36. As a legal result of the sexual assault and violation of his civil rights, Rendon suffered damages, and will continue to suffer damages, including but not limited to, past and future medical expenses, past and future lost earnings and earning capacity, pain, suffering, emotional distress, mental anguish, and embarrassment.

37. The foregoing conduct of Kennedy was despicable and subjected Plaintiff to cruel and unjust hardship, and was committed with willful and conscious disregard of his rights and safety. In doing so, Kennedy acted with malice, oppression or fraud, as defined by California Civil Code §3294, entitling Plaintiff to punitive damages in an amount appropriate to punish and make an example of Kennedy.

SIXTH CAUSE OF ACTION
(Illegal Recording of Conversation; Penal Code §637.2 Against Kennedy and Does 1-20)

38. Plaintiff realleges paragraphs 1 through 37.

39. Kennedy admits that he violated Penal Code §632 by illegally recording a private conversation with Rendon. Pursuant to Penal Code §637.2, Kennedy is required to pay Rendon three times his damages or \$5,000, whichever amount is greater. Kennedy made this admission at a press conference, making it a matter of public concern. As such, Rendon is also entitled to recover his attorney's fees and costs.

40. The foregoing conduct of Kennedy was despicable and subjected Plaintiff to cruel and unjust hardship, and was committed with willful and conscious disregard of his rights and safety. In doing so, Kennedy acted with malice, oppression or fraud, as defined by California Civil Code §3294, entitling Plaintiff to punitive damages in an amount appropriate to punish and make

1 an example of Kennedy.

2 **SEVENTH CAUSE OF ACTION**
3 **(Violation of Civ. Code §1714 Against Kennedy and Does 1-20)**

4 41. Plaintiff realleges paragraphs 1 through 40.

5 42. On or about August 19, 2021, Kennedy interacted with Rendon inside the Residence
6 in ways that violated Civil Code §1714 and other laws, including but not limited to touching him
7 without his consent.

8 43. Rendon was harmed as a legal result of this wrongful conduct.

9 **EIGHTH CAUSE OF ACTION**
10 **(Premises Liability Against Whitburn and Does 1-20)**

11 44. Plaintiff realleges paragraphs 1 through 39.

12 45. Whiburn owned, leased, occupied, or controlled the Residence.

13 46. Whitburn was negligent in his use or maintenance of the Residence, that Whitburn
14 was leasing the Residence with Kennedy, that on the night of August 18, 2021 or the morning of
15 August 19, 2021, Whitburn observed Rendon and Kennedy and witnessed Rendon in a state of great
16 intoxication, that Whitburn knew, or should have known, that Kennedy was likely to assault Rendon
17 if he did not intervene, e.g. because of past instances of sexual misconduct or domestic violence of
18 which Whitburn was aware of, or should have been aware of, and that Whitburn left Kennedy alone
19 with Rendon and took no steps to protect him.

20 47. As a legal result of this negligence, Rendon suffered damages, and will continue to
21 suffer damages, including but not limited to, past and future medical expenses, past and future lost
22 earnings and earning capacity, pain, suffering, emotional distress, mental anguish, and
23 embarrassment.

24 **REQUEST FOR RELIEF**

25 Therefore, Plaintiff Oscar Rendon requests judgment against defendants William Rodriguez
26 Kennedy, Stephen Whitburn; and Does 1 to 20, as follows:

- 27 a. Special and general damages according to proof;
28 b. Punitive damages;

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- c. Civil penalties allowable by law;
- d. Attorney's fees allowable by law, including but not limited to under Civil Code §52;
- e. Costs of court; and
- f. Other further relief.

Date: September 26, 2022

Gilleon Law Firm, APC



Daniel M. Gilleon
Attorneys for Plaintiff Oscar Rendon

EXHIBIT 1



San Diego Police Dept Crime/Incident Report

Case No. **22013894**CAD Event No.: **E22030046190**Case Disposition: **Active**Primary Victim: **Rendon, Oscar David**Report No. **22013894.1****1**

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GENERAL CASE INFORMATION

Primary Charge: 286 (f) - PC - SODOMY:VIC UNCONSCIOUS OF THE NATURE OF THE ACT (F)			
Special Studies:		Related Cases:	
[REDACTED]		Occurred On: 08/19/2021 01:00:00 (Thursday)	
Core-Columbia - Central		Call Source: OFFICER	(and Between): 08/19/2021 06:00:00 (Thursday)
Means:	524	Motives:	

VICTIM/S**Victim #1**

Person Code:	☐ Secured Premise	☐ Discovered Crime	☐ Reporting Party	☐ Law Enforcement Officer
Name:	Rendon, Oscar David			Victim Type: I - Individual
				Interpreter Language:

ALIAS / AKA / NICKNAME / MONIKER:

Name Type:	First:	Middle:	Last:	Suffix:
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Victim Of:				County Residence:			
286 (f) - PC - SODOMY:VIC UNCONSCIOUS OF THE NATURE OF THE ACT (F)				R - Resident			
Home Address, City, State, ZIP:				Res. Country:		Place of Birth:	
[REDACTED]				US		Baja California (Northern Section)	
Race:	Sex:	Date of Birth / Age:	Height:	Weight:	Hair Color:	Eye Color:	Facial Hair:
H	M	[REDACTED]	5' 3"	120	BLK	BRO	05 - Goatee and Mustache
Employment Status:		Occupation/Grade:	Employer/School:		Employer Address, City, State, ZIP:		
S - Student		[REDACTED]	[REDACTED]		[REDACTED]		

CONTACT INFORMATION:

Type:	[REDACTED]
MP - Mobile Phone	[REDACTED]

IDENTIFICATION:

Type:	[REDACTED]	State:	Country:
CI - California ID	[REDACTED]	CA	US
Attire:	Injury:	Extent of Treatment:	Violent Crime Circumstances:
grey pants/white shirt/black jacket	N - None	01 - None	
LAW ENFORCEMENT OFFICER KILLED OR ASSAULTED INFORMATION	Type:	Type Activity:	Type Assignment:
VICTIM OFFENDER RELATIONSHIPS	Offender:	Relationship:	
	Rodriguez-Kennedy, William	XBYF - Victim Was Ex-boyfriend	

IBR/UCR OFFENSE/S

Offense Description:	Level:	Against:	Completed?	Counts	Using:
286 (f) - PC - SODOMY:VIC UNCONSCIOUS OF THE NATURE OF THE ACT (F)	F	PE	Yes		A - Alcohol
Location Type:	Hate/Bias:			Domestic Violence:	
201 - Apartment/Condo	88 - None (no bias) (mutually exclusive)			Yes	
Criminal Activity:	Type Security:	Gang Related:	Entry:	Point of Entry:	
		No			
Weapons/Force:	Tools:		Targets:		
40 - Personal Weapons (Threats, Hands, Fists, Feet, etc.)					

I certify that the information requested will be used solely for those limited purposes stated and will not be used to harass, degrade or humiliate any person. The requesting agency or person hereby agrees to indemnify and hold harmless the San Diego Police Department and the City of San Diego for any liability arising out of the improper use of the information provided.

Reporting Officer	Division / Organization	Reviewed By
SD1660 - STENBERG, TIMOTHY	Southeastern Patrol (Southeastern)	SD6982 - WHITE, JOHN
Report Date	Detective Assigned	Reviewed Date
3/30/2022 4:57:30 PM	SD6973 - TENNEBAUM, CASEY	03/30/2022 21:48:13



San Diego Police Dept Crime/Incident Report

Case No. **22013894**CAD Event No.: **E22030046190**Case Disposition: **Active**Primary Victim: **Rendon, Oscar David**Report No. **22013894.1****2**

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ARRESTEE/S**SUSPECT/S (Not Yet Arrested)****Suspect #1**

Name: Rodriguez-Kennedy, William	County Residence: R - Resident	Interpreter Language:
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Name Type:		First:	Middle:	Last:	Suffix:
Home Address, City, State, ZIP:		Res. Country:		Place of Birth:	Undocumented:
		US		United States of America (USA)	
Race:	Sex:	Height:	Weight:	Hair Color:	Eye Color:
H	M	5' 6"	220	BLK	BRO
Facial Hair:		Complexion:			
03 - Full Beard and Mustache		MBR - Medium Brown			
Hair Style:	Hair Length:	Build:	Teeth:	Suspected User:	
C - Curly	L - Shoulder	FAT - Heavy		No	
Employment Status:	Occupation/Grade:	Employer/School:	Employer Address, City, State, ZIP:		
E - Employed					

CONTACT INFORMATION:	
Type:	Number/Address:
MP - Mobile Phone	

IDENTIFICATION:	
Type:	Number:
	State:
	Country:

SCARS, MARKS, TATTOOS, ODDITIES:	
Altire:	Suspect Actions:

WITNESSES**OTHER ENTITIES****PROPERTY****Property Item #1.000 - CD with photos**

Derivative No.: 0	Property Category: 1311 - Recording - Interview or Case related - Video/Photo CD, DVD, Tape, Film, Digital storage, Negative	
Status: I - Information Only	Count: 1	Value:
Manufacturer:	Model:	
Serial No.:	Model Year:	OAN:
Color:	Caliber:	
Body Style:	Recovered/Seized Date: 03/30/2022	
Owner:	Disposition:	
Evidence Tag:	Alert(s):	
Drug Type:	Drug Quantity:	
Search Warrant:		
Notes:		

REPORT NARRATIVE**SYNOPSIS:**

Reporting Officer SD1660 - STENBERG, TIMOTHY	Division / Organization Southeastern Patrol (Southeastern)	Reviewed By SD6982 - WHITE, JOHN
Report Date 3/30/2022 4:57:30 PM	Detective Assigned SD6973 - TENNEBAUM, CASEY	Reviewed Date 03/30/2022 21:48:13



San Diego Police Dept Crime/Incident Report

CAD Event No.: **E22030046190**
Primary Victim: **Rendon, Oscar David**

Case No. **22013894**
Case Disposition: **Active**
Report No **22013894.1**

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August 19, 2021, at approximately 0300 hours, Oscar RENDON was sodomized by his ex-boyfriend, William RODRIGUEZ-KENNEDY. RENDON was incapacitated due to his alcohol consumption and he did not consent to the sodomy.

The incident took place in RODRIGUEZ-KENNEDY's apartment located at [REDACTED], San Diego (B/524).

RENDON did not sustain any injuries during the incident.

RODRIGUEZ-KENNEDY is not currently in custody.

ORIGIN:

On March 30, 2022, at approximately 1438 hours, Officer Ayala #7158 and I were on duty, in full police uniform, and in a marked police vehicle. We responded to the front parking of the Southeastern substation, 7222 Skyline Road, San Diego, to assist Sgt. White with flag down regarding a rape investigation.

INVESTIGATION:

Upon our arrival, we contacted Oscar RENDON, who I identified via his California driver's license. RENDON provided me with his statement, regarding the incident (See statement section).

RENDON told me that the suspect, William RODRIGUEZ-KENNEDY, is the "[REDACTED]" for San Diego".

RENDON also showed me text messages between him and RODRIGUEZ-KENNEDY as well as an email that RODRIGUEZ-KENNEDY had sent.

After gathering all the information and evidence, I provided RENDON with a case number, Marcy's Card, DV/Sexual Assault information sheet, and the location of the courthouse and the process for obtaining a restraining order.

During my investigation, I noticed that RENDON was visibly shaken when he talked about the incident. At times during my interview, RENDON's eyes began to well with tears. When asked to describe RODRIGUEZ-KENNEDY and his relationship, RENDON seemed disgusted when talking about it.

While providing RENDON with the DV/ Sexual Assault information sheet, I asked him if he would like his information to be withheld from public records, RENDON took a long pause and said "No, I want this public. It's an election year and I want this out there."

Reporting Officer SD1660 - STENBERG, TIMOTHY	Division / Organization Southeastern Patrol (Southeastern)	Reviewed By SD6982 - WHITE, JOHN
Report Date 3/30/2022 4:57:30 PM	Detective Assigned SD6973 - TENNEBAUM, CASEY	Reviewed Date 03/30/2022 21:48:13



San Diego Police Dept Crime/Incident Report

Case No. **22013894**

CAD Event No.: **E22030046190**

Case Disposition: **Active**

Primary Victim: **Rendon, Oscar David**

Report No. **22013894.1**

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I took photos of the text messages between RODRIGUEZ-KENNEDY and RENDON, the email that RODRIGUEZ-KENNEDY sent RENDON on March 28th. RENDON has Instagram videos saved from the night of the incident while they were at Rich's. The photos of the text messages show communication between RODRIGUEZ-KENNEDY and RENDON, discussing their relationship, the incident and trying to re-establish their relationship after the incident. The email that was photographed is from RODRIGUEZ-KENNEDY and talks about his struggles through life and reflects on their relationship together.

RENDON sent the videos to Officer Ayala's ARJIS phone and they were saved to a CD with the pictures. The CD was impounded at the Southeastern sub under barcode number 11360537 (also uploaded to NetRMS).

At 1730 hours I called back to obtain details about RODRIGUEZ-KENNEDY's description. During my phone call, RENDON provided me with further detail about the morning after the incident. (see statement below). My BWC was used during the phone call.

BWC USED

BACKGROUND:

RENDON and RODRIGUEZ-KENNEDY met in April of 2020 on Tinder and began a romantic relationship in May of 2020.

The relationship continued, on and off, until December of 2021.

Prior to the relationship becoming romantic, RENDON used RODRIGUEZ-KENNEDY as a source of knowledge and networking, due to RODRIGUEZ-KENNEDY being the [REDACTED] for the San Diego [REDACTED].

During their relationship, RENDON resided at RODRIGUEZ-KENNEDY's apartment, for a period. RENDON could not provide exact dates.

From May of 2020 to December of 2021, RENDON ended the relationship several times with RODRIGUEZ-KENNEDY but continued to stay in contact.

After the incident occurred on August 19, 2021, RENDON saw RODRIGUEZ-KENNEDY one more time to discuss the incident, and then ended all contact.

STATEMENTS:

Statement of Oscar RENDON (VICTIM):

(Paraphrased - see BWC for verbatim interview)

Reporting Officer SD1660 - STENBERG, TIMOTHY	Division / Organization Southeastern Patrol (Southeastern)	Reviewed By SD6982 - WHITE, JOHN
Report Date 3/30/2022 4:57:30 PM	Detective Assigned SD6973 - TENNEBAUM, CASEY	Reviewed Date 03/30/2022 21:48:13



San Diego Police Dept Crime/Incident Report

CAD Event No.: **E22030046190**
Primary Victim: **Rendon, Oscar David**
Case No.: **22013894**
Case Disposition: **Active**
Report No.: **22013894.1**

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We met back in April of 2020, right after the pandemic hit. We matched on Tinder and went on a few dates. After those few dates, I realized I wasn't sexually attracted to him and just wanted to continue a friendship but nothing else. We would occasionally go out together or with friends but that was it. The reason I wanted to keep the friendship going was because of his job and I knew he could help me get my career going in politics. During this time, we would go to dinner or fundraiser events, but it wasn't a relationship. We did engage in romantic acts, like holding hands and kissing, we even engaged in sexual acts like oral sex and anal sex.

On August 18, 2021 I went to dinner with four of my friends, to celebrate my birthday, and I invited RODRIGUEZ-KENNEDY to come as well. We started at dinner downtown, and got Pho on 5th Ave. After dinner we went to Flicks to get some drinks and planned to end the night at Rich's. Between Flicks and Rich's, I probably had about 8 shots of Tequila and was sipping on one mixed drink throughout the night. At Rich's I remember my friend, Freddy, saying he was going to leave and take me home too. Then RODRIGUEZ-KENNEDY stopped me and pulled me away from the group by my arm, saying not to leave and that he was going to take me home later, but it was too early to leave. I did not feel as though I could leave and felt pressured to stay with RODRIGUEZ-KENNEDY.

I don't remember what time we finally left, but when we did, RODRIGUEZ-KENNEDY, my friend Diana GONZALEZ and I got into RODRIGUEZ-KENNEDY car and left. RODRIGUEZ-KENNEDY drove to GONZALEZ's house at [REDACTED] to drop us off. When we got to GONZALEZ's house she had locked herself out, but I remember jumping a fence and helping her get back into her house. I was going to stay there that night, but for some reason RODRIGUEZ-KENNEDY had my Passport card and phone in his car. When I went back to get my things RODRIGUEZ-KENNEDY kept trying to get me to go home with him. I told him I didn't want to have sex with him but that I would go. I do not remember the drive from GONZALEZ's house or anything after that until about 3am.

Around 3am, I remember waking up with no clothes on, and just a blanket over me. When I woke up, RODRIGUEZ-KENNEDY had his penis inside of my rectum. I did not tell him to stop and I didn't try to stop him. I was still so drunk that I just laid there, on my side.

When I woke up again it was about 6am. I remember opening my eyes, and looking at the ceiling, very confused as to where I was or how I had gotten there. When I sat up from the couch I was sleeping on, I realized I was in RODRIGUEZ-KENNEDY's apartment. I was still completely naked, and RODRIGUEZ-KENNEDY was lying next to me in his underwear.

I asked RODRIGUEZ-KENNEDY what happened the night before and why he had sex with me because he knew I didn't want to. RODRIGUEZ-KENNEDY responded with "You wanted to go home with me. You were so drunk when we got here and started ripping your clothes off as soon as we walked. While I was inside of you, you didn't stop me, and you seemed like you were enjoying it."

Reporting Officer SD1660 - STENBERG, TIMOTHY	Division / Organization Southeastern Patrol (Southeastern)	Reviewed By SD6982 - WHITE, JOHN
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I got up and went to the bathroom. While in the bathroom, I wiped myself and there was semen on the toilet paper. After coming out of the bathroom I got dressed and immediately left RODRIGUEZ-KENNEDY's apartment. After leaving I went down to my mom's house, who lives in Tijuana. When I got down there, I took a shower and washed all the sticky stuff off me because I don't like that feeling.

On August 30, 2021, I reached out to RODRIGUEZ-KENNEDY and told him I wanted to talk. RODRIGUEZ-KENNEDY stated he was in Seattle with his family but would be back on the 31st. RODRIGUEZ-KENNEDY asked what I wanted to talk about and I just told him I didn't understand why he would have sex with me when I told him I didn't want to have sex with him prior to going home with him. RODRIGUEZ-KENNEDY made the same statement as the morning after it happened.

On August 31, 2021, I met with RODRIGUEZ-KENNEDY at the VR room at Mission Valley mall and we talked again. I don't remember what was said during that conversation though.

During the next three months I saw RODRIGUEZ-KENNEDY a few times and for a short period I stayed at RODRIGUEZ-KENNEDY's apartment with him, I even received mail there. During the time I lived with RODRIGUEZ-KENNEDY, I felt like RODRIGUEZ-KENNEDY controlled me.

RODRIGUEZ-KENNEDY wouldn't let me see certain friends, wouldn't let me leave the apartment at times. RODRIGUEZ-KENNEDY never physically forced me to stay but would make me feel bad for trying to leave. At times RODRIGUEZ-KENNEDY would block the door to prevent me from walking out. I remember a couple times where RODRIGUEZ-KENNEDY made statements about turning me in for voter fraud because I didn't have a physical address in the city.

On December 21st of 2021, I finally had enough of RODRIGUEZ-KENNEDY controlling me and I gathered all my belongings and left his apartment and haven't seen RODRIGUEZ-KENNEDY since then. RODRIGUEZ-KENNEDY has texted me several times trying to reconnect, but I just leave him on read and don't respond. I feel like RODRIGUEZ-KENNEDY is just trying to reel me back in to a relationship.

On March 26th, 2022, he sent me a long text message about missing me and how he wants me back around but I didn't respond. Then on March 28, 2022 he sent me a long email, that I didn't respond to either.

The reason I am finally filing a report is because I am majoring in criminal justice and I took a class about "crimes against persons". During that class, I realized what RODRIGUEZ-KENNEDY did to me was in fact a crime and I want to report it.

(END STATEMENT)

Statement of Oscar RENDON (VICTIM) during phone call:

(Paraphrased - see BWC for verbatim interview)

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After watching more of my Instagram videos, I saw some that I saved, and it reminded me of something else. The morning after the incident, after we both woke up, I guess we went to his office, because I have videos from there too. That is where RODRIGUEZ-KENNEDY told me "I have work to do." And, I left from there to go to my mom's house.

(END STATEMENT)

EVIDENCE:

I took photos of the text messages between RODRIGUEZ-KENNEDY and RENDON, the email that RODRIGUEZ-KENNEDY sent RENDON on March 28th. RENDON has Instagram videos saved from the night of the incident, RENDON has sent the videos and they were saved to a CD with the pictures. The CD was impounded at the Southeastern sub under barcode number 11360537. The photos and videos were also uploaded into NetRMS.

INJURIES:

None.

PROPERTY DAMAGE:

None.

FOLLOW-UP:

Due to the suspect, RODRIGUEZ-KENNEDY (being a political figure), I did not run him or verify any of his information. All RODRIGUEZ-KENNEDY's information was provided by RENDON.

RELATED REPORTS:

None.

REVIEWED BY: FTO AYALA #7158

I certify that the information requested will be used solely for those limited purposes stated and will not be used to harass, degrade or humiliate any person. The requesting agency or person hereby agrees to indemnify and hold harmless the San Diego Police Department and the City of San Diego for any liability arising out of the improper use of the information provided.

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