

REGION: Man arraigned for sex with minor following false rape report

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A Vista man was arraigned Thursday on one count of unlawful sexual intercourse with a girl he met online who initially told authorities she had been raped by three strangers.

Jose A. Cano, 20, pleaded not guilty to charges he lured a 15-year-old Encinitas girl he met online to meet him and have consensual sex last Friday. He was ordered held without bail while authorities decide if he is in the country illegally.

Shortly after her parents reported her missing last Friday, the girl turned up and claimed she had been abducted by three men and raped, prompting sheriff's deputies to launch a multi-prong effort to find the attackers the girl had described. She eventually admitted making up the story.

Deputy District Attorney Katherine Flaherty said the girl is "doing as well as can be expected."

A laptop believed to belong to Cano has been seized and authorities are researching its hard drive to determine if Cano tried to lure other underage girls into sexual trysts, Flaherty said after Cano's brief court appearance before Judge Joan Weber at the Vista Courthouse.

A decision on whether the girl will be charged with filing a false report has not yet been made, Flaherty said.

"The investigation is ongoing and she is a necessary witness in this case," Flaherty said. "The reality is that at times children do fabricate stories if they think they are going to get into trouble."

The girl told authorities she made up the story of being abducted to avoid having to tell her family what really happened.

Flaherty, who often is assigned to sex crime cases, said the girl's fabrication is uncommon.

"The vast majority of sexual assault victims come to this courthouse and testify truthfully about what happened to them," she said.

Another lesson from the case is that parents need to exercise constant oversight of their children's use of the Internet, Flaherty said.

"Parents can't be too vigilant," she said.

Authorities are continuing to study whether Cano will face additional charges, which could include contacting a minor online with the intent to commit a sex crime.

The crime he is charged with can be prosecuted either as a misdemeanor or a felony, Flaherty said. A decision on which way to go hasn't been made, she said.

If the case is treated as a misdemeanor and he is convicted, Cano would face a maximum of 12 months in the county jail. If it's handled as a felony and he's convicted, he could face up to three years in state prison.

Authorities say Cano met the teen through mocospace.com, which touts itself as "the world's largest mobile social network."

Cano has been in trouble before. He was arrested in December on misdemeanor methamphetamine charges. On Jan. 5, he pleaded guilty to a reduced charge of disorderly conduct and was sentenced to time served.

After he was released, agents from the federal Immigrations and Customs Enforcement returned him to Mexico.

He is under an immigration hold again, but if that is released, the judge set his bail at \$20,000.

Cano's parents and other family members attended Thursday's arraignment. There was no sign of the girl or her family in the courtroom.

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