

IN THE ARROWHEAD JP (PEORIA/LK PLSNT) COURT  
STATE OF ARIZONA, COUNTY OF MARICOPA

\*\*\*\*FINAL\*\*\*\*

RELEASE QUESTIONNAIRE

Notice: Unless a specific Form IV is sealed or ordered redacted by the Court, all Form IVs are public records of the Court or Clerk at the time they are provided to the Court and will be released in their entirety upon request.

DEFENDANT'S NAME HEATH ALLEN MCCONKEY DOB [REDACTED] BOOKING NO. T381170  
ALIAS(ES) \_\_\_\_\_ CASE NO. PF2017132097001

**A. GENERAL INFORMATION**

Charges  
1 Cts. 13-1105A MURDER 1ST DEGREE F1

Pursuant to A.R.S. §41-1750 ten-print fingerprints were taken of the arrested person?  Yes  No  
If yes, PCN =

Pursuant to A.R.S. §13-610 one or more of the above charges requires the arresting agency to secure a DNA sample from the arrested person?  Yes  No

If yes, does the defendant have a valid DNA sample on file with AZDPS?  Yes  No

If no, Arresting Agency has taken required sample?  Yes  No

Offense Location: [REDACTED]  
Offense Date: 2017-07-11  
Arrest Location: [REDACTED]  
Date: 2017-07-11 Time: 23:00

**B. PROBABLE CAUSE STATEMENT**

1. Please summarize and include the facts which establish probable cause for the arrest:  
See Addendum (Page 3)

**C. OTHER INFORMATION (Check if applicable)**

1.  Defendant is presently on probation, parole or any other form of release involving other charges or convictions:  
Explain:

2. List any prior:  
Arrests?

Convictions?

F.T.A.'s?

3. Is there any indication the defendant is:

An Alcoholic?  An Addict?  
 Mentally disturbed?  Physically III?

4.  Defendant is currently employed

With whom POOLDADDY

How long: 2 years

5. Where does the defendant currently reside? [REDACTED]

With whom MOM AND STEP DAD

How long: 6 years \_\_\_\_\_ months \_\_\_\_\_ days

6. What facts indicate the defendant will flee if released?  
Explain: VIOLENT NATURE OF CRIM AGAINST VICTIM WHO IS UNABLE TO DEFEND HIMSELF DUE TO DISABILITY

7. What facts does the state have to oppose an unsecured release? Explain: VIOLENT NATURE OF CRIM AGAINST VICTIM WHO IS UNABLE TO DEFEND HIMSELF DUE TO DISABILITY

**D. CIRCUMSTANCES OF THE OFFENSE(Check if applicable)**

1.  Firearm or other weapon was used  
Type:

Someone was injured by the defendant

Medical attention was necessary

Nature of injuries: VICTIM PRONOUNCED DEAD ON SCENE

2.  Someone was threatened by the defendant  
Nature and extent of threats:

3. Did the offense involve a child victim?  Yes  No  
If yes, was DCS notified?  Yes  No

4. If property offense, value of property taken or damaged:

Property was recovered

5. Name(s) of co-defendant(s):

E. CRIMES OF VIOLENCE

1. Relationship of defendant to victim: VICTIM IS THE STEP-FATHER TO DEFENDANT

[X] Victim(s) and defendant reside together

2. How was the situation brought to the attention of the police?

[ ] Victim [X] Third Party [ ] Officer observed

3. [X] There are previous incidents involving these same parties Explain:

4. Is defendant currently the subject of:

[ ] An order of protection [ ] Any other court order

[ ] Injunction against harassment

Explain:

F. DOMESTIC VIOLENCE ISSUES (Check if applicable)

Defendant's actions

- [ ] Threats of homicide/suicide/bodily harm
[ ] Control/ownership/jealousy issues [ ] Crime occurs in public
[X] Prior history of DV [ ] Kidnapping
[ ] Frequency/intensity of DV increasing [ ] Depression
[ ] Access to or use of weapons [ ] Stalking behavior
[ ] Violence against children/animals
[ ] Multiple violations of court orders

G. CIRCUMSTANCES OF THE ARREST (Check if applicable)

1. Did the defendant attempt to:

[ ] Avoid arrest [ ] Resist arrest [ ] Self Surrender

Explain:

N/A

2. [ ] Defendant was armed when arrested

Type:

3. [X] Evidence of the offense was found in the defendant's possession

Explain: DEFENDANT HAD VICTIM'S BLOOD ON HIS BODY AND CLOTHING

4. Was the defendant under the influence of alcohol or drugs at the time of the offense?

[X] Yes [ ] No [ ] Unk

H. DRUG OFFENSES

1. If the defendant is considered to be a drug dealer, please state the supporting facts:

2. What quantities and types of illegal drugs are directly involved in the offense?

[ ] Drug field test completed

[ ] Defendant admission of drug type

Approximate monetary value: \$

3. Was any money seized?

[ ] Yes [ ] No

Amount: \$

I. ADDITIONAL INFORMATION

1. Military Service:

Has the defendant served in the military services of the United States? [ ] Yes [X] No [ ] Unknown

If yes, currently on active duty? [ ] Yes [ ] No

Branches Served In:

(AF - Air Force AR - Army CG - Coast Guard MC - Marine Corp MM - Merchant Marines NG - National Guard NV - Navy RS - Reserves)

2. Is the defendant homeless?

[ ] Yes [X] No [ ] Unknown

3. Do you need the court to provide an interpreter to help communicate and to understand what is being said?

[ ] Yes [X] No

If so, what language:

\*\*If a fugitive arrest, a Form IVA must also be completed\*\*

I certify that the information presented is true to the best of my knowledge.

M LOWE/12419 ARRESTING OFFICER/SERIAL NUMBER

AZ0071300/623-930-3173 ARREST AGENCY/DUTY PHONE NUMBER

2017-07-11 DATE

1799606/AZ0071300 DEPARTMENTAL REPORT NO.

/ DEPARTMENTAL REPORT NO.

/ DEPARTMENTAL REPORT NO.

ADDENDUM**B1. Probable Cause Statement**

ON 07/11/2017 AT ABOUT 1546 HOURS GLENDALE PATROL OFFICERS RESPONDED TO EMERGENCY TRAFFIC AT 6374 W FIREBIRD DR, GLENDALE, ARIZONA. A FEMALE WAS CALLING ADVISING HER HUSBAND AND SON WERE DECEASED IN HER HOUSE. THE FEMALE SAID HER SON BEAT HER HUSBAND AND IS BLEEDING TO DEATH. OFFICERS ARRIVED AT THE HOUSE AND CONTACTED THE FEMALE. AS OFFICERS WENT INSIDE THEY LOCATED THE MALE VICTIM FACE-DOWN ON THE FLOOR IN A POOL OF BLOOD. OFFICERS CALLED OUT FOR ANY PERSONS INSIDE THE OTHER BEDROOMS TO STEP OUT. THE DEFENDANT THEN WALKED OUT OF HIS BEDROOM TO OFFICERS. OFFICER TOOK THE DEFENDANT INTO CUSTODY. THE DEFENDANT HAD BLOOD COVERING HIS ARMS, HANDS, CLOTHING, LEGS AND SHOES. THE DEFENDANT DID NOT MAKE ANY STATEMENTS TO OFFICERS. THE FEMALE SAID THE DEFENDANT IS HER SON AND HE LIVES WITH HER AND HER HUSBAND AND STEP-FATHER AT THIS RESIDENCE. THE FEMALE SAID SHE HAD BEEN GONE FROM THE HOUSE FOR ABOUT 30 MINUTES. THE FEMALE SAID SHE ENTERED THE HOUSE THROUGH HER GARAGE AND NOTICED THE BLOOD ON IN THE HOUSE. THE FEMALE LOOKED INSIDE HER BEDROOM AND SAW HER HUSBAND/VICTIM AND THE DEFENDANT ON THE FLOOR IN A POOLING OF BLOOD. THE FEMALE SAID SHE SCREAMED AND THE DEFENDANT WOKE UP. THE FEMALE ASKED THE DEFENDANT WHAT HAPPENED TO WHICH HE REPLIED, I BEAT HIM FOR WHAT HE DID TO . THE DEFENDANT THEN WALKED FROM THE BEDROOM TO THE COUCH AND SMOKED A CIGARETTE. THE FEMALE THEN CALLED 911. THE FEMALE TOLD DETECTIVES THE DEFENDANT HAS BEEN DIAGNOSIS WITH DEPRESSION AND ANXIETY. THE DEFENDANT IS PRESCRIBED MEDICATION BUT HE REFUSES TO TAKE HIS MEDICATION DAILY. THE DEFENDANT HAS BEEN ACTING "STRANGE" THE PAST 2 DAYS AND SHE DID NOT THINK HE WAS TAKING HIS MEDICATION. THE FEMALE SAID SHE FOUND A GLASS SMOKING PIPE AND A BROWNISH GREEN COLORED PLANT SUBSTANCE WHICH SHE DESCRIBED AS HAY. THE FEMALE SAID SHE BELIEVED IT WAS MARIJUANA. THE FEMALE SAID IS THE DEFENDANT DAUGHTER. THE VICTIM HAS NOT TOUCH OR DONE ANYTHING INAPPROPRIATE WITH OR ANY OTHER PERSON. THE VICTIM IS A 72-YEAR-OLD MALE WHO REQUIRES CARE FROM NURSES AT HIS RESIDENCE. THE VICTIM IS A DISABLED VETERAN AND IN POOR HEALTH. THE VICTIM HAS MOBILITY ONLY WITH THE USE OF AN ELECTRIC WHEELCHAIR. THE DEFENDANT WAS INTERVIEWED UNDER MIRANDA BY DETECTIVES. DURING THE INTERVIEW THE DEFENDANT SAID HE IS ON PRESCRIBED MEDICATION FOR ANXIETY AND DEPRESSION AND TAKES HIS MEDICATION DAILY. THE DEFENDANT SAID HE SMOKED MARIJUANA EARLIER THAT DAY AT THE HOME. THE DEFENDANT SAID HIS RELATIONSHIP WITH THE VICTIM WAS GOOD WHEN HIS MOTHER FIRST MARRIED HIM BUT THROUGH THE YEARS HIS FEELING HAVE CHANGED. THE DEFENDANT SAID THE VICTIM IS CONTROLLING AND DOES NOT DO ANYTHING EXCEPT LAY AROUND IN HIS BED ALL DAY. THE DEFENDANT SAID HE WALKED OUT OF HIS BEDROOM AND SAW THE VICTIM LYING IN HIS HOSPITAL STYLE BED IN HIS ROOM. THE DEFENDANT SAID HE WALKED IN AND TOLD THE VICTIM TO GET OUT OF BED AND LEAVE THE HOUSE. THE DEFENDANT SAID THE VICTIM TOLD HIM NO. THE DEFENDANT SAID HE BECAME ENRAGED AND STARTED TO PUNCH THE VICTIM IN THE FACE WITH BOTH HANDS. THE DEFENDANT SAID HE THEN SAW AN IMAGE OF HIS DAUGHTER IN THE VICTIM'S BED WITH HIM. THE DEFENDANT SAID HE KNEW HIS DAUGHTER WAS NOT IN THE BED. THE DEFENDANT SAID HE SAW THE VICTIM SMILE AT HIM WHEN HE SAW THE IMAGE OF HIS DAUGHTER AND BECAME MORE ANGRY AND ENRAGED AT THE VICTIM. THE DEFENDANT SAID HE CONTINUED TO PUNCH THE VICTIM IN THE FACE TELLING HIM TO GET OUT OF BED. THE DEFENDANT SAID THE VICTIM DID NOT FIGHT BACK. THE DEFENDANT THEN GRABBED THE VICTIM'S LEG AND ARM AND PULLED THE VICTIM OFF THE BED ONTO THE GROUND. THE DEFENDANT CONTINUED PUNCH AND KICKING THE VICTIM WHILE HE WAS FACE-DOWN ON THE GROUND. THE DEFENDANT SAID THE VICTIM JUST LAID ON THE FLOOR BLEEDING AND DID NOT MOVE. THE DEFENDANT SAID HE LEFT THE ROOM AND WALKED AROUND THE HOUSE. HE LATER RETURNED TO THE ROOM WITH HIS BELT HE GOT FROM HIS ROOM. THE DEFENDANT SAID HE WAS GOING TO USE THE BELT TO DRAG THE VICTIM OUT OF THE HOUSE BUT WAS EXHAUSTED FROM BEATING THE VICTIM AND PASSED OUT ON THE FLOOR. THE DEFENDANT SAID HIS MOTHER CAME HOME AND WOKE HIM UP. HE SAID HE TOLD HIS MOTHER HE BEAT THE VICTIM AND WENT TO HIS ROOM. THE DEFENDANT SAID HE NEVER CHECK THE CONDITION ON THE VICTIM AFTER PUNCHING HIM SEVERAL TIMES. THE DEFENDANT SAID HE JUST WAS MAD AND BEAT HIM UP SO HE WAS NOT GOING TO HELP HIM. THE DEFENDANT SAID HE DID NOT CARE ABOUT THE MEDICAL CONDITION OF THE VICTIM AND SHOWED NO REMORSE OR REACTION WHEN TOLD THE VICTIM WAS DECEASED. THE DEFENDANT SAID HE DID NOT CARE THAT THE VICTIM WAS DECEASED. THE

ADDENDUM (cont'd)

DEFENDANT SAID HE DID NOT BELIEVE THE VICTIM HAD EVER TOUCH OR DONE ANYTHING ELSE INAPPROPRIATE WITH HIS DAUGHTER OR ANY OTHER PERSON. THE DEFENDANT DENIED MAKING PLANS TO ATTACK OR PUNCH THE VICTIM. THE SCENE AT THE RESIDENCE WAS PROCESSED. THE BLOOD EVIDENCE AT THE HOUSE SHOWS THE VICTIM WAS IN BED WHEN HE FIRST STARTED BLEEDING. THERE IS SEVERAL AREAS OF BLOOD EVIDENCE TENDING TO SHOW THE CAST OFF OF BLOOD AS THE VICTIM WAS PUNCHED SEVERAL TIMES. THERE IS A BELT NEAR THE VICTIM'S HEAD AND THE VICTIM APPEARS TO HAVE HAD HIS CLOTHING REMOVED AFTER HE WAS ON THE FLOOR AND NON-RESPONSIVE OR DECEASED. THE VICTIM'S UNDERWEAR WHERE LOCATED NEAR HIS FACE ON THE FLOOR. THE VICTIM'S SHORTS WERE LOCATED NEAR THE DOOR TO THE BEDROOM AND COVERED IN BLOOD. THE DEFENDANT DENIES PUTTING THE VICTIM'S UNDERWEAR IN OR ON HIS MOUTH. THE DEFENDANT HAS SEVERAL DEEP CUTS AND A SWOLLEN RIGHT HAND WHICH IS CONSISTENT WITH HIM PUNCHING THE VICTIM IN THE FACE MULTIPLE TIMES. DUE TO THE VIOLENT NATURE OF THE CHARGES OF THE DEFENDANT PUNCHING THE VICTIM WHO WAS UNABLE TO DEFEND HIMSELF FROM THE ABUSE DUE TO HIS HEALTH AND DISABILITY NO BOND IS BEING REQUESTED.





**SUPERIOR COURT OF ARIZONA FOR  
Maricopa County  
Final Release Order and Order Regarding Counsel**

State of Arizona 1 Cnt MURDER 1ST DEGR F1

CaseNumber: **PF2017132097001**

vs.

Booking#: **T381170**

**Heath Allen Mcconkey**

It is hereby ordered that **Heath Allen Mcconkey shall be released** as indicated and must comply with ALL release conditions.

**NEXT HEARINGS**

**Status Conference** July 19, 2017 at 08:30 AM at South Court Tower, 175 W. Madison Street, 3rd Floor, Phoenix, AZ, 85003-2243 Courtroom: 3D **Docket: RCCT2**

**Preliminary Hearing** July 21, 2017 at 08:45 AM at South Court Tower, 175 W. Madison Street, 3rd Floor, Phoenix, AZ, 85003-2243 Courtroom: 3D **Docket: RCCT2**

**WARNING: If the defendant appears at the next hearing without a lawyer, the hearing may still proceed as scheduled.**

**RELEASE TYPE**

**Bailable As a Matter of Right**

The defendant has been found to be bailable as a matter of right. IT IS HEREBY ORDERED that the defendant must comply with all release conditions and shall be released from custody in this Cause Number as follows:

**Secured Appearance Bond**

The defendant will deposit with the Clerk of the above Court the total sum of **\$1,000,000.00**, which includes all applicable surcharges.

**RELEASE CONDITIONS**

1. You are not to return to the scene of the alleged crime.
2. You are not to initiate contact with the alleged victim or victims.
3. You are not to initiate contact with the alleged complainant or witness.
4. You are not to initiate contact with the arresting officers.
5. You are not to possess any weapons.
6. You are not to possess any drugs without a valid prescription.
7. You are not to possess or consume any alcohol.
8. You are not to drive a motor vehicle without a valid driver's license.
9. You must continue to provide the court with proof of your local address.
10. You must find an alternative residence and provide proof of that residence within hours to Pretrial Services Agency.
11. You must obey all of the terms, conditions and requirements of any Order of Protection issued, or to be issued, and served upon you.
12. You may have no contact with the alleged victim's next-of-kin (including your mother), even if one of them contacts you first.

You must appear at all court proceedings in this case or your release conditions can be revoked, a warrant will be issued and proceedings may go forward in your absence. You must maintain contact with your attorney. If convicted, you will be required to appear for Sentencing. If you fail to appear, you may lose your right to a direct appeal. In addition, failure to appear at a future court proceeding may result in a waiver of any claim that you were not informed of a plea offer made in your case by the State. **a.** You will appear to answer and submit to all further orders and processes of the court having jurisdiction of the case. **b.** You will refrain from committing any criminal offenses. **c.** You will diligently prosecute any appeal. **d.** You will not leave the state without permission of the court. If you violate any conditions of this release order, the court may order the bond and any security deposited in connection therewith forfeited to the State of Arizona. In addition, the court may issue a warrant for your arrest upon learning of your violation of any conditions of your release. After a hearing, if the court finds that you have not complied with the conditions of release, it may modify the conditions or revoke your release altogether.

If you are released on a felony charge, and the court finds the proof evident or the presumption great that you committed a felony during the period of release, the court must revoke your release. You may also be subject to an additional criminal charge, and upon conviction you could be punished by imprisonment in addition to the punishment which would otherwise be imposed for the crime committed during the period of release. Upon finding that you violated conditions of release, the court may also find you in contempt of court and sentence you to a term of imprisonment, a fine, or both.



**SUPERIOR COURT OF ARIZONA FOR**

**Maricopa County**

**Final Release Order and Order Regarding Counsel**

Case#: **PF2017132097001**

Booking#: **T381170**

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**ATTORNEY APPOINTMENT**

The Court finds you to be indigent and orders an attorney to provide you representation.

You must contact the Office of the Maricopa County Public Defender at **620 W. Jackson Street, Suite 4015, Phoenix, AZ 85003. 602-506-7711**

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**ACKNOWLEDGEMENT BY DEFENDANT**

I have received a copy of this form. I understand the standard conditions, all other conditions, and the consequences of violating this release order. I agree to comply fully with each of the conditions imposed on my release and to notify the court promptly in the event I change my place of residence.

Date 7/12/2017 11:00:00 AM

Address: 6374 WEST FIREBIRD DRIVE

City, State, Zip: GLENDALE, AZ, 85308

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**Jane McLaughlin**

Judge / Commissioner

Signature:

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**Heath Allen Mcconkey**

Defendant