

IN THE SAN MARCOS JP (CHANDLER) 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 FRANCISCO ALFREDO CARDENAS

DOB [REDACTED] BOOKING NO [REDACTED]

ALIAS(ES) _____ CASE NO. PF2018108277001

A. GENERAL INFORMATION

Charges

- 1 Cts. 13-3623A1 CHILD/VUL ADULT ABUSE-INTENT F4
- 1 Cts. 13-1204B AGG ASLT DV-IMPEDE BREATHING F4
- 1 Cts. 13-1303A UNLAWFUL IMPRISONMENT F4

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: 2018-02-13
Arrest Location: [REDACTED]
Date: 2018-02-13 Time: 19:20

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 Ill?

4. Defendant is currently employed

With whom DC STEAK HOUSE

How long:

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

With whom PARENTS

How long: _____ years _____ months _____ days

6. What facts indicate the defendant will flee if released?

Explain: PARENTS STATED SUBJECT WAS GOING TO FLEE TO DOUGLAS BEFORE HE WAS ARRESTED.

7. What facts does the state have to oppose an unsecured release? Explain: PRIOR CRIMINAL HISTORY, LIKELIHOOD OF FLIGHT RISK, CHILD VICTIM

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: 6YOA MALE VIC IN PHX CHILDREN'S HOSPITAL DUE TO UNKN INJURIES

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(s) and defendant reside together
2. How was the situation brought to the attention of the police?
[] Victim [X] Third Party [] Officer observed
3. [] There are previous incidents involving these same parties
4. Is defendant currently the subject of:
[] An order of protection [] Any other court order
[] Injunction against harassment

F. DOMESTIC VIOLENCE ISSUES (Check if applicable)

- Defendant's actions
[] Threats of homicide/suicide/bodily harm
[] Control/ownership/jealousy issues [] Crime occurs in public
[] Prior history of DV [] Kidnapping
[X] Frequency/intensity of DV increasing [] Depression
[] Access to or use of weapons [] Stalking behavior
[X] 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. [] Evidence of the offense was found in the defendant's possession
Explain:

- 4. Was the defendant under the influence of alcohol or drugs at the time of the offense?
[] Yes [X] 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.

ARRESTING OFFICER/SERIAL NUMBER: RENO/593
ARREST AGENCY/DUTY PHONE NUMBER: AZ0070500/480-782-4001
DATE: 2018-02-13
DEPARTMENTAL REPORT NO.: 18018605/AZ0070500
DEPARTMENTAL REPORT NO.: 1818605/AZ0070500
DEPARTMENTAL REPORT NO.:

ADDENDUM**B1. Probable Cause Statement**

ON 2/13/18, BETWEEN 0545 AND 0730 HOURS, FRANCISCO ALFREDO CARDENAS COMMITTED CHILD ABUSE-DV UPON HIS LIVE-IN GIRLFRIEND'S 6-YEAR-OLD SON (VICTIM), WHILE THEY WERE AT THEIR RESIDENCE, LOCATED AT [REDACTED] IN AN INTERVIEW WITH VICTIM'S MOTHER, AT THE CHANDLER REGIONAL MEDICAL CENTER, SHE INFORMED ME THAT SHE LEFT FOR WORK THIS MORNING (2/13/18), AT ABOUT 0545 HOURS. SINCE VICTIM HAD TO GO TO SCHOOL, SHE LEFT HIM AT HOME ALONE WITH HER LIVE-IN BOYFRIEND, FRANCISCO. SHE INDICATED THAT, AROUND 0730 HOURS, SHE RECEIVED A CALL FROM HER MOTHER WHOM WENT TO PICK VICTIM UP TO TAKE HIM TO SCHOOL. INFORMED HER VICTIM COMPLAINED ABOUT HIS EYES AND SHE SAW THERE WAS SOMETHING WRONG WITH HIS EYES. THEREFORE, SHE LEFT FROM WORK AND MET UP WITH HER MOTHER AT HER RESIDENCE. SHE INDICATED VICTIM TOLD HER THAT FRANCISCO, WHOM HE KNEW AS "FRANKIE", Poured SOAP ON HIM WHILE IN THE BATHROOM. FRANCISCO HAD RUBBED THE SOAP IN HIS FACE. THEN, VICTIM SAID FRANCISCO TOOK HIM OUT OF THE SHOWER AND PLACED HIM INSIDE THE REFRIGERATOR. VICTIM WAS INSIDE THE REFRIGERATOR FOR A SHORT TIME BEFORE FRANCISCO TOOK HIM OUT. VICTIM STATED THAT FRANCISCO GRABBED HIM "LIKE A TOP BUILDING" AND DROPPED HIM ONTO HIS BED. SHE NOTICED THAT VICTIM'S TODDLER BED WAS BROKEN. IN ADDITION, SHE NOTICED THAT THE "SAUSAGES" WERE MOVED FROM THE BOTTOM SHELF OF HER REFRIGERATOR TO THE TOP. AFTERWARDS, SHE AND HER MOTHER TOOK VICTIM TO AN URGENT CARE CENTER IN CHANDLER. HOWEVER, AFTER A WHILE, SHE TOOK VICTIM NEARBY TO THE CHANDLER REGIONAL MEDICAL CENTER (CRMC). WHILE VICTIM WAS BEING TRANSFERRED FROM THE TRIAGE AREA TO AN EMERGENCY ROOM, VICTIM ADDED THAT FRANCISCO ALSO "CHOKED HIM" AND "HIT HIM." VICTIM DID NOT PROVIDE ANY FURTHER DETAILS DUE TO MEDICAL STAFF PERSONNEL PROVIDING MEDICAL AID. SHE ADDED THAT SHE DID NOT TELL FRANCISCO ANYTHING ABOUT VICTIM'S INJURIES. SHE ONLY COMMUNICATED TO HIM TO LEAVE HER RESIDENCE. VICTIM'S FATHER WAS AT SCHOOL, AT THE ARIZONA STATE UNIVERSITY, WHEN HE RECEIVED THE FIRST CALL, AT ABOUT 1037 HOURS, FROM VICTIM'S MOTHER REQUESTING TRICARE INFORMATION FOR VICTIM. AFTER THE SECOND CALL, AT ABOUT 1137 HOURS, SHE INFORMED HIM SHE WAS AT THE HOSPITAL WITH VICTIM. AT ABOUT 1146 HOURS, HE ARRIVED AT THE HOSPITAL. WHILE AT THE CRMC, HE ASKED VICTIM WHAT HAPPENED. VICTIM TOLD HIM THAT FRANCISCO SHOWERED HIM IN THE DARK AND RUBBED SOAP IN HIS EYES. VICTIM ADDED THAT FRANCISCO THEN STUCK HIM IN THE REFRIGERATOR FOR A FEW MINUTES. VICTIM FURTHER DISCLOSED THAT FRANCISCO HAD "CHOKED ME" AND "HIT ME." NOTICED THAT VICTIM HAD A LUMP ON HIS HEAD, AND ABRASIONS ON THE SIDE OF HIS (VICTIM) BODY. VICTIM HAD MULTIPLE INJURIES ON MULTIPLE PLANES OF HIS BODY INDICATIVE OF ABUSE, INCLUDING PETECHIAL ON THE INSIDE OF HIS RIGHT EAR. VICTIM WAS SEDATED DUE TO THE PAIN HE WAS EXPERIENCING; THEREFORE, NO FORENSIC INTERVIEW WAS CONDUCTED ON VICTIM. VICTIM WAS TRANSPORTED TO THE PHOENIX CHILDREN'S HOSPITAL (PCH) AT THE REQUEST OF THE MEDICAL STAFF AT CRMC FOR FURTHER EVALUATION. DETECTIVES SERVED A WARRANT (2018001754) AND DISCOVERED THE TODDLER BED WAS COMPLETELY DAMAGED, AS WELL AS THE BEDDING IN VICTIM'S ROOM. FRANCISCO TOLD HIS MOTHER THAT NO ONE WOULD BELIEVE HIM ABOUT WHAT HAPPENED TO VICTIM DUE TO HIS PRIOR CRIMINAL RECORD. HE TOLD HIS MOTHER THAT HE DID NOT DO ANYTHING WITH VICTIM IN THE SHOWER OR IN THE REFRIGERATOR. FRANCISCO WAS LOCATED AND FOUND. AN ATTEMPT TO CONDUCT A POST-MIRANDA INTERVIEW WAS MADE WITH FRANCISCO. HE VERIFIED HE RESIDED WITH BOTH VICTIM AND HIS MOTHER, AT [REDACTED] BEFORE HE REQUESTED COUNSEL. FRANCISCO WAS BUCCAL SWABBED IN ACCORDANCE WITH THE DPS MANDATORY PROTOCOL FOR THE FOLLOWING CRIME: COUNT 1 UNDER ARS 13-3623A1 CHILD ABUSE-DV (F4) FOR CAUSING INJURY TO 6-YEAR-OLD VICTIM WHILE VICTIM WAS IN HIS CARE, BETWEEN 0545 HOURS AND 0730 HOURS, ON 2/13/18, AT [REDACTED]. COUNT 2 UNDER ARS 13-1204B AGG ASLT DV-IMPEDE BREATHING (F4) FOR IMPEDING 6-YEAR-OLD VICTIM'S BREATH WHICH WAS CORROBORATED BY THE PETECHIAL FOUND ON VICTIM'S RIGHT EAR, WHILE VICTIM WAS IN HIS CARE, BETWEEN 0545 HOURS AND 0730 HOURS, ON 2/13/18, AT [REDACTED]. COUNT 3 UNDER ARS 13-1303A UNLAWFUL IMPRISONMENT (F4) WHEN HE RESTRICTED 6-YEAR-OLD VICTIM'S MOVEMENT FROM THE SHOWER TO THE REFRIGERATOR BEFORE THROWING HIM ONTO THE BED, WHEN VICTIM WAS IN HIS CARE, BETWEEN 0545 HOURS AND 0730 HOURS, ON 2/13/18, AT [REDACTED].



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

State of Arizona

1 Cnt UNLAWFUL IMPRIS F4

1 Cnt CHILD/VUL ADULT F4

CaseNumber: **PF2018108277001**

1 Cnt AGG ASLT DV-IMP F4

Booking#: XXXXXXXXXX

vs.

Francisco Alfredo Cardenas

It is hereby ordered that **Francisco Alfredo Cardenas shall be released** as indicated and must comply with ALL release conditions.

NEXT HEARINGS

Status Conference February 21, 2018 at 08:30 AM at South Court Tower, 175 W. Madison Street, 3rd Floor, Phoenix, AZ, 85003-2243 Courtroom: 3D **Docket: RCCT2**

Preliminary Hearing February 23, 2018 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 **\$35,000.00**, which includes all applicable surcharges.

D scores MAX on PSA tool (Impeding Breathing and Violence).

If the bond is posted the defendant is subject to the supervision restrictions and conditions of the Pretrial Services Agency set forth below.

PSA Supervision

Electronic Monitoring

Before Release: Mandatory Install

Defendant shall NOT BE released from Jail until Electronic Monitoring Equipment has been Installed. Curfew Times to be determined by PSA

With Curfew Restrictions -

You May Not Leave Your Home Except During The Hours Set or Approved by Your Pretrial Officer.

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 have any physical contact with any alleged victim.
4. You are not to initiate contact with the arresting officers.
5. You are not to have any contact with minors. Except under the following conditions: NONE
6. You are not to possess any weapons.
7. You are not to possess any drugs without a valid prescription.
8. You are not to drive a motor vehicle without a valid driver's license.
9. You must find an alternative residence and provide proof of that residence within hours to Pretrial Services Agency.



SUPERIOR COURT OF ARIZONA FOR

Maricopa County

Final Release Order and Order Regarding Counsel

Case#: **PF2018108277001**

Booking#: **[REDACTED]**

10. You must obey all of the terms, conditions and requirements of any Order of Protection issued, or to be issued, and served upon you.
11. You must obey all of the terms, conditions and requirements of any Order Against Harassment issued, or to be issued, and served upon you.

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 imposable 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.

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**

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 2/14/2018 8:00:00 AM

Address: **[REDACTED]**

City, State, Zip: **[REDACTED]**

Signature: _____

Utiki Spurling Laing
Judge / Commissioner

Francisco Alfredo Cardenas
Defendant