

12/18

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BY *J. Spaligatti* DEP.  
FILED

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17 DEC 13 PM 5:02

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Attorney for Plaintiff

DR 201700002174730 - Phoenix Police Department  
Encanto Justice Court  
**VACATE**  
0131690253

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
COUNTY OF MARICOPA, RCC-DOWNTOWN

THE STATE OF ARIZONA,  
Plaintiff,

vs.

SERINA AMBER HERNANDEZ,  
  
Defendant.

CR2017-157123-001

DIRECT COMPLAINT

**COUNT 1: CHILD ABUSE, A CLASS 2  
FELONY Dangerous Crime Against  
Children, Domestic Violence (Serina  
Amber Hernandez)**

**IN CUSTODY**

The complainant herein personally appears and, being duly sworn, complains on information and belief against SERINA AMBER HERNANDEZ, charging that in Maricopa County, Arizona:

DCO

COUNT 1:

SERINA AMBER HERNANDEZ, on or about December 9, 2017, under circumstances likely to produce death or serious physical injury, and while having the care or custody of Victim A, a child under fifteen years of age, intentionally or knowingly did cause or permit Victim A's person or health to be injured or did cause or permit Victim A, to be placed in a situation where her's person or health was endangered, in violation of A.R.S. §§ 13-3623(A)(C)(F), 13-705, 13-701, 13-702, 13-3601, and 13-801.

[REDACTED]

/s/ Marischa Gilla  
Deputy County Attorney

[REDACTED]

Agency: Phoenix Police Department

Complainant

Subscribed and sworn upon information and belief this 13 day of December, 2017.

MG.pn

\*\*\*\*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 SERINA AMBER HERNANDEZ DOB [REDACTED] BOOKING NO. T419803

ALIAS(ES) \_\_\_\_\_ CASE NO. PF2017157123001

A. GENERAL INFORMATION

Charges

1 Cts. 13-3623A CHILD/VUL ADULT-PHYSICAL ABUSE F2

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:

Offense Date: 2017-12-09

Arrest Location: [REDACTED]

Date: 2017-12-11 Time: 13:30

B. PROBABLE CAUSE STATEMENT

1. Please summarize and include the facts which establish probable cause for the arrest:

SERINA HERNANDEZ TREATED HER SICK DAUGHTER, 8 YEAR OLD FEMALE VICTIM, BY GIVING HER HALF TEASPOON OF CHILDRENS COUGH MEDICINE AND WATER BOTTLE CAP HALF FILLED WITH METHADONE ON SATURDAY MORNING AFTER 8 YEAR OLD FEMALE VICTIM COMPLAINED OF BACK AND STOMACH PAIN. SERINA DESCRIBED 8 YEAR OLD FEMALE VICTIM SLEEPING IN ALL DAY SUNDAY AND DID NOT EAT OR DRINK. SERINA LAST SAW 8 YEAR OLD FEMALE VICTIM AT 1100 HOURS. AT 0100 HOURS SERINA CHECKED ON 8 YEAR OLD FEMALE VICTIM AND OBSERVED HER DAUGHTER, BLUE, NOT BREATHING AND FOAMING AT THE MOUTH. PHOENIX FIRE DEPARTMENT ARRIVED ON SCENE AND SERINA ADMITTED TO THE FIRST RESPONDERS OF GIVING HER DAUGHTER METHADONE. 8 YEAR OLD FEMALE VICTIM WAS TRANSPORTED TO THE PHOENIX CHILDRENS HOSPITAL WHERE SHE WAS GIVEN A URINE ANALYSIS AND TESTED POSITIVE FOR METHADONE. SERINA SPOKE TO PCE SOCIAL WORKER AND ADMITTED TO GIVING 8 YEAR OLD FEMALE VICTIM COUGH MEDICINE AND METHADONE. 8 YEAR OLD FEMALE VICTIM WAS FOUND TO BE CRITICALLY ILL AND ON LIFE SUPPORT DUE TO THE INABILITY TO BREATHE ON HER OWN. SERINA WAS TAKEN INTO CUSTODY AND TRANSPORTED TO PHOENIX POLICE HEADQUARTERS WHERE SHE WAS MIRANDIZED AND ADMITTED TO GIVING 8 YEAR OLD FEMALE VICTIM COUGH MEDICINE AND METHADONE. SERINA UNDERSTOOD NOT TO GIVE 8 YEAR OLD FEMALE VICTIM METHADONE AFTER BEING NOTIFIED BY HER DOCTOR.

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: NO

2. List any prior:  
Arrests? ASSAULT

Convictions?

F.T.A.'s? FTA CURR WARRANT

3. Is there any indication the defendant is:  
 An Alcoholic?  An Addict?  
 Mentally disturbed?  Physically ill?

4.  Defendant is currently employed  
With whom

How long:

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

With whom

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

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

7. What facts does the state have to oppose an unsecured release? Explain:DCAC

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: 8 Y.O. CHILD CRIT ILL

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):

DEFENDANT'S NAME SERINA AMBER HERNANDEZ

DOB [REDACTED] BOOKING NO. T419803

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**E. CRIMES OF VIOLENCE**

1. Relationship of defendant to victim: MOTHER

Victim(s) and defendant reside together

2. How was the situation brought to the attention of the police?  
 Victim  Third Party  Officer observed

3.  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
- 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:

2.  Defendant was armed when arrested  
Type:

Pursuant to AO 2003-046, the oath has been administered pursuant to the law and required procedures.

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

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  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  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  No  Unknown

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

Yes  No

If so, what language:

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

ARMENDARIZ, MARCO/08571  
ARRESTING OFFICER/SERIAL NUMBER

AZ0072300/602-262-6657  
ARREST AGENCY/DUTY PHONE NUMBER

2017-12-11  
DATE

201301219282000/AZ0072300  
DEPARTMENTAL REPORT NO.

201700002174730/AZ0072300  
DEPARTMENTAL REPORT NO.

DEPARTMENTAL REPORT NO.

## **IMPORTANT NOTICE**

### **RDOC**

PURSUANT TO RULE 2.3(b) OF THE ARIZONA RULES OF CRIMINAL PROCEDURE, THE DEFENDANT IS CHARGED WITH ANY OFFENSE LISTED IN A.R.S TITLE 13, CHAPTERS 14, 32, 35 OR 35.1 OR IN WHICH THE VICTIM WAS A JUVENILE AT THE TIME OF THE OFFENSE. THIS CASE IS SUBJECT TO THE PROVISIONS OF SUPREME COURT RULE 123(G)(1)(C)(ii)(H)