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9/22

FILED
09/19/17 3:40pm
MICHAEL K. JEANES, Clerk
By Sean Kelly
Deputy

DR 2017110272 - Tempe Police Department
University Lakes Justice Court

0131677328

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

THE STATE OF ARIZONA,

Plaintiff,

vs.

ERICKA LAYNE HARPER,
aka Erika Layne Harper

Defendant.

CR2017-142646-001

DIRECT COMPLAINT

**COUNT 1: BURGLARY IN THE THIRD
DEGREE, A CLASS 4 FELONY (Ericka
Layne Harper)**

**COUNT 2: CRIMINAL TRESPASS IN THE
FIRST DEGREE, A CLASS 6 FELONY
(Ericka Layne Harper)**

IN CUSTODY

The complainant herein personally appears and, being duly sworn, complains on
information and belief against ERICKA LAYNE HARPER, charging that in Maricopa County,
Arizona:

DCO

COUNT 1:

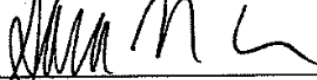
ERICKA LAYNE HARPER, on or about September 15, 2017, with intent to commit a theft or a felony therein, did enter or remain unlawfully in the fenced residential yard of Pedro [REDACTED] located at [REDACTED] Tempe, AZ, in violation of A.R.S. §§ 13-1501, 13-1506, 13-701, 13-702, and 13-801.

COUNT 2:

ERICKA LAYNE HARPER, on or about September 15, 2017, knowingly did enter or remain unlawfully in or on the residential structure of [REDACTED] located at [REDACTED] Tempe, AZ, in violation of A.R.S. §§ 13-1501, 13-1504(A)(1),(B), 13-701, 13-702, and 13-801.


/s/ Sean Kelly
Deputy County Attorney

IN CUSTODY


Complainant

Agency: Tempe Police Department

Subscribed and sworn upon information and belief this 19 day of September, 2017.

iw

**IN THE UNIVERSITY LAKES JUSTICE COURT
STATE OF ARIZONA, COUNTY OF MARICOPA
RELEASE QUESTIONNAIRE**

Information to be supplied by a prosecutor or law enforcement officer

STATE OF ARIZONA vs. ERICKA HARPER

D.O.B.: [REDACTED] CASE#: 17-110272

A. GENERAL INFORMATION

1. Charges/Class/Counts:
13-1506A1 / c4f / 1ct
13-1504A1 / c6f / 1ct
13-3415A / m / 1ct

2. Offense Location : [REDACTED]
Date: 09/15/2017 Time: 900

3. Arrest Location : [REDACTED]
Date: 09/15/2017 Time: 1914

B. CIRCUMSTANCES OF THE OFFENSE

1. Was a firearm or other weapon used? Yes No
Type of weapon:
Was anyone injured by the defendant? Yes No
Was medical attention necessary? Yes No
Nature of injuries:

2. Was anyone threatened by the defendant? Yes No
Nature and extent of threats:

3. If property offense, value of property taken or damaged: approximately \$110.00 / some property was recovered
Was the property recovered? Yes No

C. CIRCUMSTANCES OF THE ARREST

1. Did the defendant attempt to:
Avoid arrest Yes No
Resist Arrest Yes No
Explain:

2. Was the defendant armed when arrested? Yes No
Type of weapon:

3. Was evidence of the offence found in the defendant's possession?
 Yes No
Explain: the defendant was wearing the clothing that she stole from the residence.

4. Was the defendant under the influence of alcohol or drugs at the time of the offense?
 Yes No Unknown
Explain:

D. CRIMES OF VIOLENCE

1. Relationship of defendant to victim:
Do the victim and defendant reside together? Yes No
2. How was the situation brought to the attention of the police?
 Victim Third Party Officer Observed
3. Have there been any previous incidents involving these same parties?
 Yes No
Explain:

4. Is defendant currently the subject of:
 An order of protection
 Injunction against harassment
 Any other court order
Explain:

E. OTHER INFORMATION

1. Is the defendant presently on probation, parole or any other form of release involving other charges or convictions?
 Yes No
Explain:

2. List any prior arrests, convictions, and/or F.T.A.'s:
Explain: Disorderly conduct, , FTA, Burglary in the 3rd, Possession of burglary tools,

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

4. Is the defendant currently employed? Yes No
With whom
How long
Nature of employment

5. Where does the defendant currently reside? **homeless**
With whom
How long

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

7. What facts indicate the State have to oppose an unsecured release?
Explain:

F. DRUG OFFENSES

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

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

Approximate monetary value?

3. Was any money seized? Yes No

Amount:

4. Were any automatic weapons in the possession of the defendant at the time of the arrest? Yes No

Quantity and type:

G. DOMESTIC VIOLENCE ISSUES (Check if applicable)

Defendant's actions:

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

H. WARRANTS

Warrant No.
Bond Amount:
Issue Date:
Court/Agency:
County:
Charge/Code:

Warrant No.
Bond Amount:
Issue Date:
Court/Agency:
County:
Charge/Code:

Warrant No.
Bond Amount:
Issue Date:
Court/Agency:
County:
Charge/Code:

ARRESTING OFFICER: Bickster 

SERIAL NUMBER: 19986

AGENCY: Tempe Police Department

DUTY PHONE NUMBER: 480-350-8311

DATE: 9/18/2017

PROBABLE CAUSE STATEMENT

1. Please include information which establishes probable cause for the arrest:
ON 9/15/2017 AT APPROXIMATELY 0900 HOURS, ERICKA HARPER COMMITTED 1ST DEGREE TRESPASSING AND BURGLARY 3RD DEGREE AT [REDACTED] AFTER SHE UNLAWFULLY ENTERED THE BACKYARD WHICH WAS SURROUNDED BY AN UNLOCKED FENCE, REMOVED SEVERAL ITEMS AND ENTERED THE RESIDENCE THROUGH AN UNLOCKED DOOR BUT IMMEDIATELY RAN OUT AFTER THE OWNER [REDACTED] FOUND HER LOOKING THROUGH THE REFRIGERATOR.

[REDACTED] TOOK PICTURES OF ERICKA AS SHE WAS WALKING AWAY FROM THE RESIDENCE. ERICKA WAS WEARING A PINK AND GREY STRIPPED SHIRT, GREENISH-BLUE PANTS, STRIPPED GREEN AND NAVY BLUE SOCKS WHICH ALL BELONGED TO [REDACTED] WIFE, [REDACTED]

THE PICTURES THAT [REDACTED] TOOK WERE SENT OUT TO TEMPE POLICE PATROL OFFICERS.

AT 1844 HOURS, OFFICER FERNANDEZ STOPPED ERICKA AT 817 W 5TH FOR J-WALKING. ERICKA WAS WEARING THE SAME CLOTHING THAT SHE WAS WEARING IN THE PICTURE TAKEN BY [REDACTED] WHICH I SENT OUT TO TEMPE PATROL OFFICERS.

UNDER MIRANDA RIGHTS, ERICKA AGREED TO SPEAK WITH ME. ERICKA STATED SHE FOUND A BACKPACK IN THE BACKYARD, FILLED IT WITH CLOTHING AND FOUND AN UMBRELLA. AFTER GATHERING THOSE ITEMS ERICKA STATED SHE ENTERED THE RESIDENCE THROUGH A DOOR THAT WAS UNLOCKED AND DRANK A GLASS OF WATER.

ERICKA STATED "A MAN" WHO WAS IDENTIFIED AS [REDACTED] ASKED WHAT SHE WAS DOING INSIDE OF HIS HOME AND THAT IS WHEN ERICKA LEFT THE RESIDENCE THROUGH THE BACK GATE.

ERICKA STATED HER INTENT WAS NOT TO STEAL ITEMS FROM THE RESIDENCE BUT YET TO RETRIEVE A GLASS OF WATER BECAUSE SHE WAS THIRSTY.

ERICKA STATED SHE IMMEDIATELY CHANGED INTO [REDACTED]'S CLOTHES BECAUSE SHE HAD URINE ALL OVER HER CLOTHES. ERICKA KNEW IT WAS WRONG TO ENTER SOMEONE ELSE'S YARD AND RESIDENCE AS SHE STATED SHE HAD BEEN ARRESTED FROM CRIMES SIMILAR BEFORE.

DUE TO ERICKA ADMITTING TO THE BURGLARY AND TRESPASSING, AND HER MATCHING THE PICTURES TAKEN BY [REDACTED] SHE WAS PLACED UNDER ARREST AT 1914 HOURS.

DURING SEARCH INCIDENT TO ARREST, I LOCATED A SYRINGE IN ERICKA'S RIGHT SOCK WHICH SHE ADMITTED TO HAVING BEFORE I SEARCHED HER. ERICKA STATED THAT THE SYRINGE WAS FOR HEROIN WHICH SHE WAS IN PROCESS OF FINDING.

During my training at the Mesa Police Academy and 3 and a half years of experience as a Tempe Police officer. I was exposed to various forms of Dangerous Drugs, Narcotic Drugs and Marijuana in burnt, burning and leaf form. I was also exposed to the different smells of the Dangerous Drug, Narcotic Drugs and Marijuana as well as the different types of paraphernalia used to smoke/ingest the drug.

ERICKA WAS TRANSPORTED TO TEMPE CITY JAIL WHERE SHE WAS BOOKED FOR BURGLARY 3RD, TRESPASS 1ST AND POSSESSION OF DRUG PARAPHERNALIA.

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

STATE OF ARIZONA, COUNTY OF MARICOPA
RELEASE QUESTIONNAIRE SUPPLEMENTAL - PROP 100 QUESTIONS

DEFENDANT'S NAME: ERICKA HARPER

DOB: [REDACTED]

BOOKING NO.:

ALIASES:

CASE#: 17-110272

1. Is the alleged offense a class 1, 2, 3, or 4 felony or a violation of A.R.S. 28-1383?

Yes No Unknown

[If yes, as to guilt, proof is evident or presumption is great for the following reasons. Explain in detail (e.g., arresting officer or other law enforcement officers witnessed offense, physical evidence directly connects defendant to offense, multiple eye-witnesses, defendant admissions, victim statements, nature of injuries, incriminating photographic, audio, visual, or computer evidence, defendant attempted to flee or resist arrest)].

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2. Has the person entered or remained in the United States illegally?

Yes No Unknown

[If yes, probable cause is established for the following reasons. Explain in detail (e.g., admission of the person, statements of co-defendants at the time of arrest, verification of illegal presence, information provided at the issuance of a warrant in conjunction with a direct complaint or grand jury proceeding establishes illegal presence)].

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

Bicksler / 19986

Tempe Police Department / 480-350-

9/18/2017

8311

ARRESTING OFFICER / SERIAL NUMBER

ARREST AGENCY / DUTY PHONE NUMBER

DATE