

IN THE MANISTEE JP (GLENDALE) 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 CHARLIN MALZAHN DOB [REDACTED] BOOKING NO. [REDACTED]
ALIAS(ES) _____ CASE NO. PF2017146381001

A. GENERAL INFORMATION

Charges
1 Cts. 28-622.01 UNLAW FLIGHT FROM LAW ENF VEH F5

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: 2017-10-09
Arrest Location: [REDACTED]
Date: 2017-10-09 Time: 01:55

B. PROBABLE CAUSE STATEMENT

1. Please summarize and include the facts which establish probable cause for the arrest:
ON OCTOBER 9, 2017 FLAGSTAFF POLICE NOTIFIED PHOENIX POLICE OF A MISSING PERSON WHO WENT TO FLAGSTAFF TO BAIL OUT CHARLIN MALZAHN FROM COCONINO COUNTY AND HAD NOT RETURNED SINCE SHE LEFT ON OCTOBER 6TH. FLAGSTAFF POLICE ISSUED A BOLO FOR THE LISTED VEHICLE WHICH THEY BELIEVED TO BE OCCUPIED BY CHARLIN MALZAHN. FLAGSTAFF POLICE WERE ABLE TO TRACK THE VICTIMS PHONE WHICH SHOWED IT WAS IN SOUTHERN ARIZONA BETWEEN OCTOBER 6TH, WHEN CHARLIN MALZAHN WAS RELEASED FROM FLAGSTAFF, AND OCTOBER 9TH WHEN WAS CONTACTED BY PHOENIX POLICE. FLAGSTAFF POLICE HAD REASON TO BELIEVE THAT CHARLIN MALZAHN HAD COMMITTED A HOMICIDE. PHOENIX POLICE LOCATED THE VEHICLE TRAVELING NORTHBOUND ON 59TH AVE FROM CAMELBACK RD. THE VEHICLE TRAVELED NORTH ON 59TH AVE TO NORTHERN AVE THEN TURNED EAST ONTO NORTHERN AVE. OFFICERS INITIATED THEIR EMERGENCY LIGHTS AND SIRENS AT APPROXIMATELY 55TH AVE. THE VEHICLE FAILED TO YIELD AND CONTINUED EAST ON NORTHERN AVE. PHOENIX POLICE DECLARED PURSUIT ON THE VEHICLE AND FOLLOWED IT UNTIL THE DRIVER STOPPED AT THE QT LOCATED AT 8004 N 27TH AVE WHERE HE COMPLIED WITH OFFICERS COMMANDS AND WAS TAKEN INTO CUSTODY WITH OUT INCIDENT. CHARLIN MALZAHN WAS IDENTIFIED AS THE DRIVER OF THE VEHICLE AND WAS BOOKED INTO THE 4TH AVE JAIL ON ONE COUNT OF FELONY FLIGHT, A CLASS 5 FELONY.

WHILE IN CUSTODY AND BEING PROCESSED FOR THE BOOKING OF FELONY FLIGHT CHARGE FINGER PRINTS WERE NEEDED. AS OFFICERS WERE PRINTING CHARLIE MALZAHN IN THE FINGER PRINT ROOM LOCATED ON THE SECOND FLOOR OF THE POLICE HEADQUARTERS AT 620 W WASHINGTON STREET, CHARLIE MALZAHN COMMITTED AGGRAVATED ASSAULT ON TWO POLICE OFFICERBY PUTTING HIS CUFFS AROUND ONE OFFICERS HEAD AND NECK AND BY FIGHTING WITH BOTH OFFICERS CAUSING INJURIES TO BOTH OFFICERS, ONE SUS-

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

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:

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

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:

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):

TAINED A SIGNIFICANT LACERATION TO THE BACK OF HIS HEAD THAT MEASURED APPROXIMATELY 9 INCHES IN LENTH. CHARLIE MALZAHN ALSO COMITTED RESISTING ARREST BY FIGHTING WITH OFFICERS AND ATTEMPTING TO BITE THE OFFICERS WHILE THEY WERE ATTEMPTING TO GAIN CONTROL , AS WELL AS COMMITTING ESCAPE AS HE ATTEMPTED TO ESCAPE POLICE CONTROL AND TRIED TO EXIT THE FINGER PRINTING ROOM WHILE IN CUSTODY AND HANDCUFFED IN FRONT FOR FINGERPRINTING PURPOSES.

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 [] 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: FAILED TO YIELD, LAW ENF

- 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 [X] 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: ALEX, ZACHARY M/09734
ARREST AGENCY/DUTY PHONE NUMBER: AZ0072300/602-262-6657
DATE: 2017-10-09
DEPARTMENTAL REPORT NO.: 201700001771954/AZ0072300
DEPARTMENTAL REPORT NO.: 201700001772266/AZ0072300
DEPARTMENTAL REPORT NO.:

WHILE IN CUSTODY AND BEING PROCESSED FOR THE BOOKING OF THE FELONY FLIGHT CHARGE FINGER PRINTS WERE NEEDED. AS OFFICERS WERE PRINTING CHARLIE MALZAHN IN THE FINGER PRINT ROOM LOCATED ON THE SECOND FLOOR OF POLICE HEADQUARTERS AT 620 W WASHINGTON ST, CHARLIE MALZAHN, COMMITTED AGGRAVATED ASSAULT ON TWO POLICE OFFICERS BY PUTTING HIS CUFFS AROUND ONE OFFICERS HEAD AND NECK AND BY FIGHTING WITH BOTH OFFICERS CAUSING INJURIES TO BOTH OFFICERS, ONE SUSTAINED A SIGNIFICANT LACERATION TO THE BACK OF HIS HEAD THAT MEASURED APPROXIMATELY 9 INCHES IN LENGTH. CHARLIE MALZAHN ALSO COMMITTED RESISTING ARREST BY FIGHTING WITH OFFICERS AND ATTEMPTING TO BITE THE OFFICERS WHILE THEY WERE ATTEMPTING TO GAIN CONTROL, AS WELL AS COMMITTING ESCAPE AS HE ATTEMPTED TO ESCAPE POLICE CONTROL AND TRIED TO EXIT THE FINGER PRINTING ROOM WHILE IN CUSTODY AND HANDCUFFED IN FRONT FOR FINGERPRINTING PURPOSES.



Bk#: [REDACTED]



MALZAHN, CHARLIN

Bk Dt: 10/9/2017

Sex: Male v3





SUPERIOR COURT OF ARIZONA FOR

Maricopa County

Final Release Order and Order Regarding Counsel

State of Arizona

1 Cnt ESCAPE 1ST DEG- F4
1 Cnt UNLAW FLIGHT FR F5

1 Cnt RESIST ARREST-P F6
2 Cnt Agg Aslt-Office F5

CaseNumber: **PF2017146381001**

Booking#: [REDACTED]

vs.

Charlin Malzahn

It is hereby ordered that **Charlin Malzahn shall be released** as indicated and must comply with ALL release conditions.

NEXT HEARINGS

Status Conference October 16, 2017 at 08:30 AM at South Court Tower, 175 W. Madison Street, 3rd Floor, Phoenix, AZ, 85003-2243 Courtroom: 3B **Docket: RCCT3**

Preliminary Hearing October 19, 2017 at 08:45 AM at South Court Tower, 175 W. Madison Street, 3rd Floor, Phoenix, AZ, 85003-2243 Courtroom: 3B **Docket: RCCT3**

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 **\$2,700.00**, which includes all applicable surcharges.

D has extensive criminal history (including DOC commit). D appears to be danger to community and flight risk.

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 alleged complainant or witness.
5. You are not to initiate contact with the arresting officers.
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 continue to provide the court with proof of your local address.

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.



SUPERIOR COURT OF ARIZONA FOR

Maricopa County

Final Release Order and Order Regarding Counsel

Case#: **PF2017146381001**

Booking#: [REDACTED]

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 10/9/2017 2:00:00 PM

Address: [REDACTED]

City, State, Zip: FLAGSTAFF, AZ,

Signature: [REDACTED]

Utiki Spurling Laing
Judge / Commissioner

Charlin Malzahn
Defendant