

IN THE MARYVALE JUSTICE COURT COURT
STATE OF ARIZONA, COUNTY OF MARICOPA

PAGE 1 OF 3

****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 ARTURO EMMANUEL PALAFOX DOB [REDACTED] BOOKING NO. [REDACTED]
ALIAS(ES) CASE NO. PF2018113889001

A. GENERAL INFORMATION

Charges

15 Cts. 13-1406 SEXUAL ASSAULT F2
6 Cts. 13-1404A SEXUAL ABUSE F4
1 Cts. 13-1204A4 AGG ASLT-VICTIM BOUND/RESTR F6
2 Cts. 13-3019A1 UNLAWFUL VIEW/TAPE/RECORD PERS F6
1 Cts. 13-1304A3 KIDNAP-DEATH/INJ/SEX/AID FEL 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:

Offense Date: 2018-03-16

Arrest Location: [REDACTED]

Date: 2018-03-17 Time: 01:00

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 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: DEF FACING FELONY CHARGES

7. What facts does the state have to oppose an unsecured release? Explain: DEF FACING FELONY CHARGES/VIOLENT CRIME

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: VIC WAS VERY INTOXICATED

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 ☐ Third Party ☐ Officer observed3. ☐ 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 SurrenderExplain: DEF LEFT SCENE2. ☐ 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 ☒ 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 ☐ UnknownIf 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:

****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.

JOHNSON, MATTHEW D/08919

ARRESTING OFFICER/SERIAL NUMBER

AZ0072300/602-262-6657

ARREST AGENCY/DUTY PHONE NUMBER

2018-03-17

DATE

201800000467379/AZ0072300

DEPARTMENTAL REPORT NO.

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ADDENDUM**B1. Probable Cause Statement**

ON 03/16/2018, THE VICTIM, A NINETEENYEAROLD FEMALE, WAS AT THE DARKSIDE TATTOO SHOP IN PHOENIX ARIZONA. THE DEFENDANT, ARTURO PALAFOX, OFFERED HER A FREE TATTOO ON HER THIGH. THE VICTIM AND ARTURO WERE ALONE IN THE SHOP WHEN THE VICTIM WAS GETTING HER TATTOO. THE VICTIM WAS WEARING A THONG BODY SUIT WITH THONG UNDERWEAR UNDERNEATH. SHE AND ARTURO HAD PREVIOUSLY GONE TO THE STORE TO GET A BOTTLE OF CROWN ROYAL, WHICH THEY WERE BOTH DRINKING. THE VICTIM HAD APPROXIMATELY THREE DRINKS AND WAS ON THE PHONE WITH HER FRIEND DURING MOST OF THE TATTOO. DURING THE TATTOO PROCESS, ARTURO [REDACTED] THE VICTIM STATED ARTURO ALSO [REDACTED] THE VICTIM ATTEMPTED TO ROLL AWAY [REDACTED] THE VICTIM WAS ABLE TO SEND A LOCATION TO HER SISTER VIA TEXT MESSAGE. THE VICTIM STOOD UP TO USE THE RESTROOM AND LEFT HER CUP ON THE COUNTER. WHEN SHE RETURNED, THE VICTIM SAW A GREEN POWDER ON THE INSIDE OF HER CUP AND GAVE AN ODD LOOK TO ARTURO. ARTURO SWITCHED THE CUPS AND THE VICTIM CONTINUED TO DRINK. THE VICTIM STATED SHE WAS VERY TIPSY AT THIS POINT AND SENT HER SISTER ANOTHER MESSAGE TELLING HER THAT HE ARTURO WAS TRYING TO DRUG HER. THE VICTIM DOES NOT REMEMBER MUCH OF WHAT HAPPENED AFTER SHE DRANK THE LIQUID. THE VICTIM REMEMBERED BEING IN THE FRONT LOBBY AREA OF THE TATTOO SHOP, SEATED ON A COUCH. SHE STATED ARTURO WAS [REDACTED] HE TOLD HIM SHE DID NOT WANT THAT, HOWEVER HE THE VICTIMS SISTER PULLED UP IN A VEHICLE AND ARTURO ASKED THE VICTIM IF SHE CALLED ANYONE. THE VICTIM WAS ABLE TO GET UP AND GO BACK TO GET HER CLOTHING. THE SISTER/WITNESS WAS POUNDING ON THE FRONT DOOR. ARTURO WALKED THE VICTIM TO THE FRONT DOOR WHERE THE SISTER WAS LOCATED. THE VICTIM FELL FORWARD ON HER FACE BECAUSE SHE WAS TOO INTOXICATED. THE VICTIM FOLLOWED HER SISTER, DROPPED HER UNDERWEAR IN THE PARKING LOT AND TOLD HER SISTER SHE HAD BEEN RAPED. THE VICTIM ALSO VOMITED IN THE SISTERS VEHICLE. THE SISTER CALLED THE POLICE AND TOLD THEM ARTURO WAS LEAVING. THE PHOENIX POLICE AIR UNIT WAS ABLE TO STOP ARTURO AND DETAIN HIM. THE SISTER POSITIVELY IDENTIFIED ARTURO. THE VICTIM WAS TRANSPORTED TO THE HOSPITAL BECAUSE OF HER INTOXICATION LEVEL. A SEARCH WARRANT WAS AUTHORED FOR ARTURO, HIS VEHICLE AND THE TATTOO SHOP. THERE WAS VIDEO SURVEILLANCE IN THE SHOP, WHICH WAS INCLUDED IN THE WARRANT. THE VIDEO SHOWED ARTURO [REDACTED] DESPITE THERE BEING NO TATTOO IN THAT AREA. THE VICTIM WAS SEEN MOVING HER BODY AWAY WHILE ARTURO WAS TOUCHING HER. THE VICTIM GETS UP AND GOES TO BATHROOM, AT WHICH TIME ARTURO GRABS HER CUP AND TAKES IT OFF CAMERA. HE IS THEN SEEN STIRRING THE DRINK AND PLACING BACK DOWN WHERE IT WAS. THE VIDEO CORROBORATES WHAT THE VICTIM SAID ABOUT SWITCHING CUPS. THE VICTIMS DEMEANOR CHANGES OVER THE NEXT FEW MINUTES WHILE [REDACTED] HE ALSO IS SEEN USING HIS PHONE TO TAKE A PICTURE [REDACTED] THE VICTIM IS SO INTOXICATED SHE CAN BARELY STAND UP AND IS HELPED BY ARTURO. AFTER REVIEWING SEGMENTS OF THE VIDEO, ARTURO [REDACTED] [REDACTED] [REDACTED] AFTER THE SISTER ARRIVED, THE VICTIM GOT HER CLOTHING AND TRIED TO EXIT THE SMALL ROOM. ARTURO PHYSICALLY STOPPED THE VICTIM FROM LEAVING THE ROOM, KNOWING HER SISTER WAS OUTSIDE. ARTURO HELPED THE VICTIM OUT TO THE LOBBY. THE CAMERAS COULD NOT SEE [REDACTED] ON THE COUCH IN THE FRONT. THAT CAMERA WAS ABLE TO PICK UP THE VICTIM WALKING BACK TO GET HER CLOTHES AND THE SUSPECT WALKING TO THE ROOM WHILE FULLY NUDE. THE SISTER IS ALSO SEEN BANGING ON THE FRONT DOOR. THE SEARCH WARRANT ALSO REVEALED A SMALL CLEAR BAGGIE WITH A GREEN POWDER SUBSTANCE IN ONE OF THE TRASH CANS. THE VICTIMS SANDAL WAS LEFT IN THE ROOM ALSO. A CROWN ROYAL BAG WAS FOUND WITH SEVERAL UNOPENED CONDOMS INSIDE. THE BOTTLE OF CROWN ROYAL WAS FOUND IN ARTUROS VEHICLE. ARTURO WAS READ MIRANDA AND DECLINED TO BE INTERVIEWED. THE VICTIM SUBMITTED TO A SEXUAL ASSAULT EXAM AND DESIRES PROSECUTION. SHE ALSO STATED AT NO TIME DID SHE DESIRE SEXUAL CONTACT WITH ARTURO AND DID NOT MAKE ANY DEALS WITH HIM TATTOO IN EXCHANGE FOR SEX.



SUPERIOR COURT OF ARIZONA FOR

Maricopa County

Final Release Order and Order Regarding Counsel

State of Arizona

1 Cnt KIDNAP-DEATH/IN F4

15 Cnt SEXUAL ASSAULT F2

vs.

1 Cnt Agg Aslt-Victim F6

6 Cnt SEXUAL ABUSE F4

2 Cnt UNLAWFUL VIEW/T F6

CaseNumber: **PF2018113889001**

Booking#: [REDACTED]

Arturo Emmanuel Palafox

It is hereby ordered that **Arturo Emmanuel Palafox shall NOT be released** as indicated and must comply with ALL release conditions.

NEXT HEARINGS

Status Conference March 23, 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 March 27, 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

Not Bailable As A Matter of Right

The Defendant is Not-Bailable as a matter of Right and shall NOT be released from custody in this Cause Number until further order of the Court. The defendant is Not-Bailable for the following reason:

Sexual Assault

The Court has determined that you are not eligible for release. To challenge this determination at any time during your case, a written motion must be filed with the Clerk of the Court and a copy of the motion must be delivered to the Central Court Building Criminal Information Desk, 201 W Jefferson (second floor), Phoenix, Arizona.

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 possess any drugs without a valid prescription.
6. You are not to drive a motor vehicle without a valid driver's license.
7. You must continue to provide the court with proof of your local address.
8. 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 impossible 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#: **PF2018113889001**

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 3/17/2018 11:00:00 PM

Address: [REDACTED]

City, State, Zip: [REDACTED]

Kenneth Skiff

Judge / Commissioner

Signature: [REDACTED]

Arturo Emmanuel Palafox

Defendant