

IN THE NORTH MESA JP 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 DAVID NMN GARCIA DOB [REDACTED] BOOKING NO. [REDACTED]
ALIAS(ES) _____ CASE NO. [REDACTED]

A. GENERAL INFORMATION

Charges
1 Cts. 13-1902A ROBBERY F4
1 Cts. 13-1203A1 ASSAULT-INTENT/RECKLESS/INJURE M1

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: 2018-04-06
Arrest Location: [REDACTED]
Date: 2018-04-06 Time: 14:30

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 BIG TWO TOYOTA

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: MINOR CUTS AND SCRATCHES

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?
[X] 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:
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 [REDACTED] ARREST AGENCY/DUTY PHONE NUMBER [REDACTED] DATE 2018-04-06
DEPARTMENTAL REPORT NO. 20180960019/AZ0071700 DEPARTMENTAL REPORT NO. DEPARTMENTAL REPORT NO.

ADDENDUM**B1. Probable Cause Statement**

ON 4-6-18 AT APPROXIMATELY 0444 HOURS, MESA POLICE DEPARTMENT OFFICERS WERE DISPATCHED TO [REDACTED] IN MESA ARIZONA REGARDING A FIGHT. ONCE ON SCENE THE RESPONDING OFFICERS LEARNED THAT [REDACTED] AND [REDACTED], MOTHER AND DAUGHTER, ARRIVED AT THEIR RESIDENCE BY CAR AND PARKED IN THE CARPORT. AS THEY WERE ATTEMPTING TO UNLOCK THE DOOR TO THE RESIDENCE, A SUSPECT RAN UP TO THEM FROM THE STREET. THE SUSPECT WAS WEARING DARK CLOTHING, A STOCKING MASK, AND CARRYING A CANISTER OF PEPPER SPRAY, CAPSICUM SPRAY. THE SUSPECT HELD THE CANISTER UP AND AS HE APPROACHED THE TWO VICTIMS, HE BEGAN TO SPRAY THEM BOTH IN THEIR FACES. THE SUSPECT PUNCHED [REDACTED] IN THE BACK OF HER HEAD AND WALKED PAST HER TOWARDS [REDACTED]. THE SUSPECT THEN GRABBED [REDACTED] PURSE THAT SHE HAD ON HER LEFT SHOULDER. THE SUSPECT AND [REDACTED] BEGAN TO STRUGGLE OVER THE PURSE. AS THE SUSPECT WAS STRUGGLING WITH [REDACTED], THE SUSPECT FORCED THE VICTIM DOWN TO THE GROUND WHILE STILL TRYING TO PULL THE PURSE AWAY FROM HER. AS [REDACTED] WAS STRUGGLING WITH THE SUSPECT, [REDACTED] REACHED DOWN AND PULLED THE STOCKING MASK OFF THE SUSPECTS FACE. [REDACTED] SAID, "IS THAT DAVID" AND RECOGNIZED THE SUSPECT AS ONE OF [REDACTED] FRIENDS. [REDACTED] THEN COULD SEE THE SUSPECTS FACE AND RECOGNIZED HIM AS DAVID GARCIA. [REDACTED] HAS KNOWN DAVID GARCIA FOR APPROXIMATELY 18 MONTHS. GARCIA STOOD UP AND BEGAN TO PULL ON THE PURSE. GARCIA WAS DRAGGING ON THE GROUND AS SHE STRUGGLED TO HOLD ONTO THE PURSE. GARCIA EVENTUALLY REACHED INTO THE PURSE AND REMOVED A WALLET AND A DAY PLANNER THAT CONTAINED APPROXIMATELY \$1000.00. ONCE GARCIA HAD THE WALLET AND DAY PLANNER HE RAN AWAY EAST ON 5TH STREET. [REDACTED] AND [REDACTED] HAD MINOR INJURIES FROM THE STRUGGLE. THE INJURIES WERE PHOTOGRAPHED. A PHOTO LINEUP WAS MADE THAT INCLUDED A PHOTO OF DAVID GARCIA AND FIVE OTHER RANDOMLY GENERATED PHOTOS. DAVID GARCIA'S PHOTO WAS IN POSITION

3. [REDACTED] AND [REDACTED] WERE SHOWN THE PHOTO LINEUP SEPARATELY. BOTH [REDACTED] AND [REDACTED] SELECTED GARCIA'S PHOTO AND SAID HE WAS THE PERSON INVOLVED IN THE INCIDENT. GARCIA WAS LOCATED AT HIS RESIDENCE AT [REDACTED] IN MESA AZ AND TAKEN INTO CUSTODY. GARCIA WAS TRANSPORTED TO THE MESA PD STATION LOCATED AT 130 N ROBSON AND PLACED IN AN INTERVIEW ROOM. GARCIA WAS ADVISED OF HIS MIRANDA RIGHTS AND SAID HE UNDERSTOOD. AT FIRST GARCIA DENIED BEING AT [REDACTED] RESIDENCE, BUT DID EVENTUALLY ADMIT THAT HE WAS THERE. GARCIA DENIED TAKING ANYTHING FROM [REDACTED] AND DENIED BEING INVOLVED IN ANY PHYSICAL ALTERCATION. PROBABLE CAUSE WAS ESTABLISHED TO CHARGE GARCIA WITH ARS 13-1902A ROBBERY FOR TAKING ITEMS FROM [REDACTED] BY FORCE AND ARS 13-1203A1 ASSAULT FOR STRIKING [REDACTED] AND CAUSING INJURIES TO HER. GARCIA WAS BOOKED INTO THE MESA PD JAIL.