

IN THE ARROWHEAD JP (PEORIA/LK PLSNT) 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 PIERRE MBUYI KABANDA DOB [REDACTED] BOOKING NO. [REDACTED]
ALIAS(ES) _____ CASE NO. PF2017141380001

A. GENERAL INFORMATION

Charges
1 Cts. 28-1381A1 DUI-LIQUOR/DRUGS/VAPORS/COMBO 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: STATE ROUTE 101/BELL RAOD
Offense Date: 2017-09-10
Arrest Location: STATE ROUTE 101/BELL RD
Date: 2017-09-10 Time: 03:24

B. PROBABLE CAUSE STATEMENT

1. Please summarize and include the facts which establish probable cause for the arrest:
ON 9-10-16 AT APPROXIMATELY 0317 HOURS, HIGHWAY PATROL CONTROL CENTER (HPTOC) DISPATCHED A CALL ABOUT A VEHICLE THAT WAS TRAVELING WRONG WAY. IT WAS TRAVELING SOUTHBOUND IN THE NORTHBOUND LANES OF THE STATE ROUTE 101 NEAR UNION HILLS. TROOPER [REDACTED] RESPONDED TO THE CALL AT APPROXIMATELY 0318 HOURS.

AT APPROXIMATELY 0319 HOURS [REDACTED] LOCATED THE WRONG WAY NEAR BELL ROAD. [REDACTED] ATTEMPTED TO STOP THE VEHICLE WITH FULL LIGHTS AND SIREN BY MERGING IT ONTO THE SHOULDER AND FORCING IT TO STOP. THE VEHICLE MERGED ONTO THE LEFT SHOULDER AND PROCEEDED TO STOP. [REDACTED] TURNED AROUND TO INITIATE A STOP ON THE VEHICLE. WHEN IT CONTINUED SOUTHBOUND ON STATE ROUTE 101, [REDACTED] CONTINUED TO FOLLOW THE VEHICLE WITH FULL LIGHTS AND SIREN. [REDACTED] USED THE PA SYSTEM ON HER FULLY MARKED PATROL VEHICLE ORDERING THE DRIVER TO STOP. APPROXIMATELY .25 MILE SOUTH, THE VEHICLE CAME TO A COMPLETE STOP. [REDACTED] EXITED HER VEHICLE AND PULLED THE DRIVER OUT OF HIS VEHICLE USING HIGH RISK STOP TACTICS.

THE DRIVER WAS UNABLE TO FOLLOW COMMANDS OF "KEEP YOUR HANDS IN THE AIR" AND "STAY WHERE YOU ARE". [REDACTED] ARRIVED ON SCENE AT APPROXIMATELY 0324 HOURS. AT APPROXIMATELY 0324 HOURS, THE DRIVER WAS TAKEN INTO CUSTODY. THE DRIVER WAS IDENTIFIED WITH AN AZ LICENSE AS PIERRE KABANDA [REDACTED]

SHARP COULD SMELL A STRONG ODOR OF INTOXICATING BEVERAGE COMING FROM KABANDA'S PERSON. [REDACTED] OBSERVED BLOODSHOT WATERY EYES, AND KABANDA'S INABILITY TO MAINTAIN HIS BALANCE WHILE STANDING AND WALKING AND SLURRED SPEECH WHEN KABANDA SPOKE.

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?

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: N/A

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):

KABANDA WAS UNABLE TO PERFORM THE HORIZONTAL GAZE NYSTAGMUS TEST AFTER BEING GIVEN THE DIRECTIONS SEVERAL TIMES. KABANDA WAS UNABLE TO PERFORM A PBT TEST AFTER BEING EXPLAINED THE TEST AND SHOWED HOW THE TEST WORKS SEVERAL TIMES. KABANDA ADMITTED TO DRINKING TWO BEERS.

KABANDA STATED THAT HE WAS A REFUGEE FROM CONGO AND THAT HE "MADE A MISTAKE". KABANDA ALSO STATED THAT HE WAS LOST.

[REDACTED] REQUESTING TWO TUBES OF KABANDA'S BLOOD FOR ALCOHOL AND DRUG LEVEL TESTING.

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:

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 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:

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.

<u>[REDACTED]</u> ARRESTING OFFICER/SERIAL NUMBER	<u>[REDACTED]</u> ARREST AGENCY/DUTY PHONE NUMBER	<u>2017-09-10</u> DATE
<u>2017045461/AZ0079900</u> DEPARTMENTAL REPORT NO.	<u>/</u> DEPARTMENTAL REPORT NO.	<u>/</u> DEPARTMENTAL REPORT NO.