

IN THE WEST MCDOWELL JP (PHX WEST) 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 SCOTT T MARLEY

DOB [REDACTED] BOOKING NO. T379860

ALIAS(ES)

CASE NO. PF2017131306001

A. GENERAL INFORMATION

Charges

2 Cts. 28-1383A3 AGG DUI-PASSENGER UNDER 15 F6
1 Cts. 28-1383A1 AGG DUI-LIC SUSP/REV FOR DUI 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: 2017-07-06
Arrest Location: 5849 N 35TH AVE PHOENIX AZ 85017
Date: 2017-07-06 Time: 19:45

B. PROBABLE CAUSE STATEMENT

1. Please summarize and include the facts which establish probable cause for the arrest:
ON 7/6/17 AT APPROXIMATELY 1908 HOURS SCOTT MARLEY COMMITTED AGGRAVATED DUI WHEN USED HEROIN AND DROVE FROM 4245 W BETHANY HOME RD TO THE CIRCLE K LOCATED ON 5849 N 35TH AVE WITH TWO CHILDREN, AGES FIVE AND ONE, IN THE BACKSEAT. AT 1908 HOURS OFFICERS RESPONDED TO A EMERGENCY CALL OF A VEHICLE THAT WAS PARKED IN FRONT OF THE GAS STATION LOCATED AT 4245 W BETHANY HOME RD FOR A DRIVER PASSED OUT WITH A NEEDLE IN HIS ARM AND TWO CHILDREN IN THE BACKSEAT. OFFICERS MADE CONTACT WITH THE VEHICLE AT 5849 N 35TH AVE AT THE CIRCLE K AFTER OBSERVING A WIDE RIGHT TURN FROM THE CURB LANE ON 35TH AVE INTO THE NUMBER TWO LANE ONTO W BETHANY HOME RD. UPON CONTACT WITH THE DRIVER, OFFICERS WITNESSED A NEEDLE BETWEEN THE DRIVER SEAT AND THE DRIVER DOOR. THE DRIVER WAS ASKED TO STEP OUT OF THE VEHICLE AND WAS DETAINED BECAUSE HE HAD NO VALID LICENSE OR ID ON HIM. OFFICERS PERFORMED A RECORDS CHECK AND CONFIRMED THE DRIVERS IDENTITY TO BE SCOTT MARLEY THROUGH HIS MVD PHOTO. OFFICERS PERFORMED FIELD SOBRIETY TESTS TO INCLUDE AN HGN TEST WHICH REVEALED NO QUES, THE ONE LEG STAND TEST, WALK AND TURN TEST, AND MODIFIED RHOMBERG TEST. SCOTT FAILED THE WALK AND TURN TEST AND MODIFIED RHOMBERG WITH TWO OF NECESSARY SIGNS. SCOTT SHOWED SIGNS OF BEING VERY LETHARGIC, INABILITY TO BALANCE, SLOW SLURRED SPEECH, PINPOINT PUPILS, AND BLOOD SHOT WATERY EYES. SCOTT MADE ADMIS- SIONS STATING THAT HE USED HEROIN EARLIER THAT MORN- ING BUT THAT WAS ALL. WHILE INSIDE THE DUI VAN AND BEING ADVISED OF HIS RIGHTS, SCOTT STATED HE INJEC- TED 1/2 GRAM OF HEROIN AT 1800 HOURS.

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):

E. CRIMES OF VIOLENCE

1. Relationship of defendant to victim: FATHER

[X] Victim(s) and defendant reside together

2. How was the situation brought to the attention of the police?

[] Victim [X] 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:

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? HEROIN

[] Drug field test completed

[X] 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?

[X] Yes [] 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.

RODRIGUEZ, REBECCA L/10077 ARRESTING OFFICER/SERIAL NUMBER

AZ0072300/602-262-6657 ARREST AGENCY/DUTY PHONE NUMBER

2017-07-06 DATE

201700001176014/AZ0072300 DEPARTMENTAL REPORT NO.

/ DEPARTMENTAL REPORT NO.

/ DEPARTMENTAL REPORT NO.



**SUPERIOR COURT OF ARIZONA FOR
Maricopa County
Final Release Order and Order Regarding Counsel**

State of Arizona

1 Cnt AGG DUI-LIC SUS F4

2 Cnt AGG DUI-PASSENG F6

CaseNumber: **PF2017131306001**

vs.

Booking#: **T379860**

Scott T Marley

It is hereby ordered that **Scott T Marley shall be released** as indicated and must comply with ALL release conditions.

NEXT HEARINGS

Status Conference July 20, 2017 at 08:30 AM at South Court Tower, 175 W. Madison Street, 3rd Floor, Phoenix, AZ, 85003-2243 Courtroom: 3A **Docket: RCCT1**

Preliminary Hearing July 27, 2017 at 08:45 AM at South Court Tower, 175 W. Madison Street, 3rd Floor, Phoenix, AZ, 85003-2243 Courtroom: 3A **Docket: RCCT1**

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:

Own Recognizance

The defendant is released without any condition of an undertaking relating to, or deposit of security, and promises to appear in Court as required.

RELEASE CONDITIONS

1. You are not to initiate contact with the arresting officers.
2. You are not to possess any drugs without a valid prescription.
3. You are not to possess or consume any alcohol.
4. You are not to drive a motor vehicle without a valid driver's license.
5. You are not to drive a motor vehicle with anyone under 18 years old in the vehicle.
6. 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 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.

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**



SUPERIOR COURT OF ARIZONA FOR

Maricopa County

Final Release Order and Order Regarding Counsel

Case#: **PF2017131306001**

Booking#: **T379860**

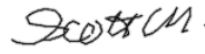
ACKNOWLEDGEMENT BY DEFENDANT

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 7/7/2017 2:00:00 PM

Address: HOMELESS

City, State, Zip: PHOENIX, AZ,

Signature: 

Lisa M Roberts
Judge / Commissioner

Scott T Marley
Defendant