

\*\*\*\*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 MIGUEL ANGEL MONTOYA DOB [REDACTED] BOOKING NO [REDACTED]

ALIAS(ES) \_\_\_\_\_ CASE NO. CR2017135950001

A. GENERAL INFORMATION

Charges

- 1 Cts. 13-3407A1 DANGEROUS DRUG-POSS/USE F4
1 Cts. 13-3415A DRUG PARAPHERNALIA-POSSESS/USE F6
1 Cts. 13-1805A1 SHOPLIFTING-REMOVAL OF GOODS M1

Pursuant to A.R.S. §41-1750 ten-print fingerprints were taken of the arrested person? [X] 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 [X] No

If yes, does the defendant have a valid DNA sample on file with AZDPS? [ ] Yes [X] No

If no, Arresting Agency has taken required sample? [ ] Yes [X] No

Offense Location:
Offense Date: 2017-08-06
Arrest Location: [REDACTED]
Date: 2017-09-04 Time: 06:20

B. PROBABLE CAUSE STATEMENT

1. Please summarize and include the facts which establish probable cause for the arrest:
DEF STARTED A ARGUMENT WITH HIS NEIGHBOR AND WHEN HIS MOTHER CAME OUTSIDE AND TOLD HIM TO STOP YELLING, HE BEGAN YELLING AT HER AS HE WALKED TOWARDS HER WHILE HOLDING A KNIFE AND APPROXIMATELY 8 INCH METAL PIPE. TOLD HIM TO GET OUT OF THE HOUSE WHICH UPSET HIM MORE AND HE BEGAN SWINGING THE KNIFE AND PIPE AROUND. TRIED TO RUN PAST HIM BTU WAS EITHER PUSHED OR TRIPPED OVER A FAN IN THE GARAGE. ONCE ON THE GROUND HE STOOD NEAR HER WITH THE KNIFE STILL IN HAND. THE YELLING WOKE HIS SISTER, WHO CAME INTO THE GARAGE AND TOLD HIM TO STOP. HE THEN TURNED HIS ATTENTION TO HER YELLING AND SWINGING THE KNIFE AND PIPE. BOTH HIS SISTER AND MOM DID NOT FEEL HE WAS ATTACKING THEM WITH THE KNIFE AND PIPE. INSTEAD HE WAS USING THEM TO DEFEND HIMSELF. ONCE OUT OF THE GARAGE THE DEF MADE HIS WAY INTO THE BACKYARD WHERE HE CLIMBED ONTO THE WALL SEPARATING HIS HOUSE TO THAT OF THE HOUSE TO THE EAST. THERE HE SAT UNTIL POLICE UNITS ARRIVED ON SCENE. ONCE ON SCENE THE OFFICER TO THE FRONT OF THE HOUSE ATTEMPTED TO SPEAK TO THE DEF WHO WAS STILL HOLDING THE PIPE. THE DEF THEN JUMPED OFF THE WALL INTO HIS BACKYARD AND DROPPED THE PIPE AS HE WAS CONFRONTED BY OFFICERS. THE DEF THEN WENT TO THE NORTH SIDE OF HIS HOUSE WHERE HE JUMPED THE WALL IN-TO THE BACKYARD OF . WHERE HE USED A LADDER TO CLIMB UP ONTO THE ROOF MAKING HIS WAY TO THE NORTH SIDE OF THE ROOF BEFORE MOVING BACK TO THE MIDDLE OF THE ROOF. WHILE IN THE ROOF NUMER-OUS ATTEMPTS WERE MADE TO GET THE DEF TO CLIMB OFF THE ROOF , YET HE STILL REFUSED TO COME DOWN. SEARCH INCIDENT TO ARREST A SMALL CLEAR PLASTIC BAGGIE CONTAINING A CRYSTAL SUBSTANCE WAS FOUND IN MIGUELS BACK RIGHT POCKET. AT 0703 HOURS OFFICER STEVENS TESTED THE SUBSTANCE AND IT TESTED POSITIVE AS METH.

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 [X] No If yes, was DCS notified? [ ] Yes [X] 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 IS DEF'S MOTHER

[X] 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:

[X] Avoid arrest [ ] Resist arrest [ ] Self Surrender

Explain: SEE PC STATEMENT

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

ARREST AGENCY/DUTY PHONE NUMBER

2017-09-04 DATE

201700001370311/AZ0072300 DEPARTMENTAL REPORT NO.

201700001439238/AZ0072300 DEPARTMENTAL REPORT NO.

201700001552038/AZ0072300 DEPARTMENTAL REPORT NO.