

IN THE MANISTEE JP (GLENDALE) COURT
STATE OF ARIZONA, COUNTY OF MARICOPA

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****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 RICHARD LOUIS HAMILTON

DOB [REDACTED] BOOKING NO. [REDACTED]

ALIAS(ES)

CASE NO. PF2018119720001

A. GENERAL INFORMATION

Charges

1 Cts. 13-1102A NEGLIGENT HOMICIDE 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: 2018-04-19

Arrest Location: W AUGUSTA AVE PHOENIX AZ 85051

Date: 2018-04-19 Time: 17:51

B. PROBABLE CAUSE STATEMENT

1. Please summarize and include the facts which establish probable cause for the arrest:
ON 04/19/2018 AT 1751 HOURS, THE DEFENDANT RICHARD HAMILTON WAS DRIVING A FORD F250 PICK UP TRUCK IN HIS YARD AT [REDACTED] WHEN HE RAN OVER HIS SON, WHO IS APPROXIMATELY 21 MONTHS OLD. WAS TREATED AT THE SCENE AND THEN TRANSPORTED TO A LOCAL HOSPITAL WHERE HE WAS LATER PRONOUNCED DECEASED AT 2000 HOURS. AN INDEPENDENT WITNESS, WHO IS A NEIGHBOR, OBSERVED THE DEFENDANT DRIVING AT THE TIME OF THE COLLISION AND STATED THE FATHER HAD BEEN PLAYING WITH THE CHILD IN THE YARD PRIOR TO THE COLLISION. THE DEFENDANT ALSO ADMITTED TO DRIVING THE TRUCK. THE DEFENDANT WOULD ONLY ADMIT TO OFFICER BULIQUI 10141 TO DRINKING A HALF OF A PINT OF VODKA THE PREVIOUS NIGHT BETWEEN 330 PM TO 1130 PM. THE DEFENDANT HAD BLOODSHOT WATERY EYES AND A MODERATE ODOR OF ALCOHOL COMING FROM HIM. THE DEFENDANT RE-FUSED ALL FIELD SOBRIETY TESTS AND REFUSED TO SUBMIT TO A BLOOD TEST. SEARCH WARRANT SW2018042474 WAS OBTAINED BY OFFICER LOPEZ 6174, AND TWO BLOOD DRAWS OF TWO TUBES OF BLOOD WERE TAKEN FROM THE DEFENDANT ONE HOUR APART, TAKEN BY A QUALIFIED PHLEBOTOMIST. SEARCH WARRANT SW2018004171 WAS OBTAINED BY DET. REED 8859. AND SERVED AT THE RESIDENCE OF [REDACTED] THIS SEARCH ALSO INCLUDED THE TWO FORD PICKUP TRUCKS DRIVEN BY THE DEFENDANT PRIOR TO AND AT THE TIME OF THE COLLISION. UPON SEARCHING THE AREA OF THE COLLISION, A BROKEN BEER BOTTLE WAS LOCATED APPROXIMATELY 8 FEET TO THE REAR OF THE F250, IN THE PATH THE TRUCK WOULD HAVE DRIVEN. THERE WAS A LIQUID ON THE DRIVER SIDE REAR TIRE THAT IS BELIEVED TO BE SOME OF THE CONTENTS OF THE BEER BOTTLE. GLASS FRAGMENTS FROM THE BEER BOTTLE WERE LOCATED IN THE GRASS NEAR THE BOTTLE, AND THERE WERE ALSO FRAGMENTS LOCATED IN A TRASH CAN APPROXIMATELY 30 FEET FROM THE AREA OF THE COLLISION. IT APPEARED SOMEONE TRIED TO CLEAN UP THE BROKEN BEER BOTTLE

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? WEST AUGUSTA AVENUE PHOENIX, AZ 85051

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: VICTIM SUFFERED FATAL INJURY

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):

DEFENDANT'S NAME RICHARD LOUIS HAMILTON

DOB [REDACTED] BOOKING NO. [REDACTED]

CASE NO. PF2018119720001

FRAGMENTS AFTERWARDS.

E. CRIMES OF VIOLENCE

1. Relationship of defendant to victim: FATHER

☐ 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 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 ☐ 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.

LOPEZ, JOSHUA A/06174
ARRESTING OFFICER/SERIAL NUMBERAZ0072300/602-262-6657
ARREST AGENCY/DUTY PHONE NUMBER2018-04-19
DATE201800000688110/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 NEGLIGENCE HOMIC F4

CaseNumber: **PF2018119720001**

vs.

Booking#: [REDACTED]

Richard Louis Hamilton

It is hereby ordered that **Richard Louis Hamilton** shall be released as indicated and must comply with ALL release conditions.

NEXT HEARINGS

Status Conference April 26, 2018 at 08:30 AM at South Court Tower, 175 W. Madison Street, 3rd Floor, Phoenix, AZ, 85003-2243 Courtroom: 3A **Docket: RCCT1**

Preliminary Hearing April 30, 2018 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:

Secured Appearance Bond

The defendant will deposit with the Clerk of the above Court the total sum of **\$50,000.00**, which includes all applicable surcharges.

[Dangerousness (history of similar offenses as that alleged).]

RELEASE CONDITIONS

1. You are not to initiate contact with the arresting officers.
2. You are not to possess any weapons.
3. You are not to possess any drugs without a valid prescription.
4. You are not to possess or consume any alcohol.
5. You must continue to provide the court with proof of your local address.
6. You may not drive any motor vehicle for any reason.
7. You must submit to DNA testing at the police department that arrested you within five (5) days of release from custody. You must bring proof of your DNA Testing to your next hearing. If you do not submit to testing your release will be revoked.

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 imposed 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#: **PF2018119720001**

Booking#: [REDACTED]

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 4/20/2018 2:00:00 PM

Address: [REDACTED]

City, State, Zip: [REDACTED]

Jane McLaughlin

Judge / Commissioner

Signature:

Richard Louis Hamilton

Defendant