

IN THE MOON VALLEY JP (NORTHWEST PHX) COURT
STATE OF ARIZONA, COUNTY OF MARICOPA

PAGE 1 OF 2

****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 KANSAS ERIC LAVARNIA DOB [REDACTED] BOOKING NO. T350338
ALIAS(ES) _____ CASE NO. PF2017113061002

A. GENERAL INFORMATION

Charges

1 Cts. 13-3102A4 POSS WPN BY PROHIB PERSON 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: 2017-03-20

Arrest Location: 3400 W ROSEWOOD AVE PHOENIX AZ 85029

Date: 2017-03-20 Time: 22:00

B. PROBABLE CAUSE STATEMENT

1. Please summarize and include the facts which establish probable cause for the arrest:
- ON 032017 AT APPROXIMATELY 1450 HOURS, KANSAS LAVARNIA'S NINE YEAR OLD SON WAS SHOT IN THE HEAD WITH A 9MM HANDGUN AT THE LAVARNIA HOME AT [REDACTED]. THE GUN USED IN THIS SHOOTING WAS A GUN KNOWN BY KANSAS LAVARNIA TO BE IN HIS HOME. KANSAS LAVARNIA IS A CONVICTED FELON IN THE STATE OF ARIZONA PER MARICOPA COUNTY CASE NUMBERS 2009154654 AND CR 2009154767 FOR WHICH LAVARNIA WAS SENTENCED TO 1 YEAR IN THE DEPARTMENT OF CORRECTIONS. LAVARNIA WAS ALSO CONVICTED IN CASE NUMBER CR2009 165128 FOR WHICH HE WAS SENTENCED TO 3 YEARS INCARCERATION IN ARIZONA DOC. HIS RIGHTS HAVE NOT BEEN RESTORED IN ANY OF THESE CASES. AS SUCH, KANSAS LAVARNIA IS PROHIBITED FROM POSSESSING A FIREARM, TO INCLUDE CONSTRUCTIVELY POSSESSING THEM IN HIS HOME.

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? AS LISTED IN PC STATEMENT

Convictions? AS LISTED IN PC STATEMENT

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]
[REDACTED] PHOENIX, AZ 85029

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: 9MM HANGUN

☐ 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:

☐ 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.

MOFFITT, KEITH A/05384

ARRESTING OFFICER/SERIAL NUMBER

AZ0072300/602-262-6657

ARREST AGENCY/DUTY PHONE NUMBER

2017-03-20

DATE

201700000484313/AZ0072300

DEPARTMENTAL REPORT NO.

DEPARTMENTAL REPORT NO.

DEPARTMENTAL REPORT NO.