

IN THE COUNTRY MEADOWS JUSTICE COURT 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 PAUL RICHARD PORTILLO

DOB [REDACTED] BOOKING NO. T485422

ALIAS(ES) _____

CASE NO. PF2018141852001

A. GENERAL INFORMATION

Charges

1 Cts. 13-1103A1 MANSLAUGHTER-RECKLESS F3
1 Cts. 13-1204A2 AGG ASLT-DEADLY WPN/DANG INST F2
1 Cts. 13-1201A ENDANGERMENT M1
1 Cts. 28-661B FAIL TO STAY/WITH DEATH/INJURY F2

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: I-10 WB AT MILE POST 138.1
Offense Date: 2018-08-25
Arrest Location: I-10 WEST BOUND NEAR MP 138.1
Date: 2018-08-25 Time: 03:16

B. PROBABLE CAUSE STATEMENT

1. Please summarize and include the facts which establish probable cause for the arrest:
See Addendum (Page 3)

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: 3 years

5. Where does the defendant currently reside? [REDACTED]

With whom _____

How long: 4 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: VEHICLE

☒ 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): _____

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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: LEFT THE SCENE OF THE ACCIDENT

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 ☐ 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.

ARRESTING OFFICER/SERIAL NUMBER

ARREST AGENCY/DUTY PHONE NUMBER

2018-08-25

DATE

DEPARTMENTAL REPORT NO.

DEPARTMENTAL REPORT NO.

DEPARTMENTAL REPORT NO.

ADDENDUM**B1. Probable Cause Statement**

ON AUGUST 25, 2018, AT APPROXIMATELY 0209 HOURS, I RESPONDED TO A CALL FOR SERVICE ON I-10 WEST BOUND NEAR 67TH AVENUE FOR A THREE VEHICLE COLLISION. WITNESSES ON SCENE ADVISED A WHITE TOYOTA SPORTS UTILITY VEHICLE (SUV) HAD BEEN STRUCK AND ROLLED OVER. THEY ADVISED THERE WAS A PERSON TRAPPED UNDERNEATH THE VEHICLE. WHEN I ARRIVED ON SCENE THERE WERE MULTIPLE POLICE UNITS, FIRE AND WITNESSES. I OBSERVED A SILVER TOYOTA SUV LAYING ON ITS DRIVER'S SIDE BLOCKING THE NUMBER FOUR LANE. THE REAR END OF THE TOYOTA HAD EXTENSIVE DAMAGE. I OBSERVED A WHITE FEMALE LAYING ON THE GROUND WITH THE TOYOTA ON TOP OF HER FROM HER CHEST DOWN. A WHITE FORD SUV WITH SEVERE FRONT END DAMAGE WAS FACING WRONG WAY AGAINST THE CENTER MEDIAN WALL. IT WAS APPROXIMATELY 50 YARDS AHEAD OF THE ROLLED OVER VEHICLE. A BEIGE CHRYSLER 300 WITH EXTENSIVE REAR END DAMAGE WAS BLOCKING THE NUMBER FOUR LANE APPROXIMATELY 200 YARDS AHEAD OF THE COLLISION SCENE. PHOENIX FIRE WAS ON SCENE GIVING FIRST AID TO MULTIPLE CHILDREN THAT WERE IN THE ROLLED TOYOTA. ONE CHILD WAS EJECTED BUT WAS ALERT AND WALKING. HE WAS TRANSPORTED TO PHOENIX CHILDREN'S HOSPITAL. TWO INFANTS WERE LOCATED INSIDE THE VEHICLE IN THEIR CAR SEATS. ONE CHILD WAS LOCATED UPSIDE DOWN IN THE FRONT PASSENGER SEAT STILL STRAPPED IN THE CAR SEAT. ANOTHER CHILD WAS LOCATED IN THE REAR IN A CAR SEAT ON ITS SIDE. THE TWO INFANTS WERE ALSO TRANSPORTED TO PHOENIX CHILDREN'S HOSPITAL. PHOENIX FIRE CONFIRMED THE DEATH OF THE DRIVER OF THE TOYOTA SUV AT 0230 HOURS. I SPOKE TO [REDACTED] WHO WAS IN THE FRONT PASSENGER SEAT OF THE TOYOTA. [REDACTED] WAS VISIBLY UPSET AND CRYING. SHE STATED THEY HAD JUST GOT-ON TO I-10 WESTBOUND AT 51ST AVENUE. SHE STATED THEY WERE TRAVELING IN THE NUMBER FOUR LANE WHEN THEY OBSERVED A VEHICLE (CHRYSLER 300) STOPPED WITH ITS HAZARD LIGHTS ON. [REDACTED] ADVISED THEY STOPPED SAFELY BEHIND THE BLOCKING VEHICLE. SHE STATED SHE HEARD A LOUD CRASH AND FELT THE CAR GET HIT. [REDACTED] STATED THE IMPACT KNOCKED THEM INTO THE CHRYSLER 300. [REDACTED] WAS SCREAMING OVER AND OVER ABOUT CHILDREN IN THE VEHICLE. I SPOKE TO ANOTHER WITNESS ON SCENE, WHO OBSERVED A HISPANIC MALE GO IN AND OUT OF THE WHITE FORD SUV. THE WITNESS ADVISED THE DRIVER ATTEMPTED TO OPEN THE WITNESS'S CAR DOOR AND ASKED FOR A RIDE. THE WITNESS STATED HE TOLD THE HISPANIC MALE HE COULD NOT LEAVE THE SCENE. THE WITNESS ADVISED THE DRIVER WALKED AWAY FROM THE SCENE. I MADE CONTACT WITH ALL WITNESSES ON SCENE AND HAD THEM WRITE STATEMENT FORMS. I APPROACHED TROOPER HARVEY, WHO ADVISED HE HAD THE DRIVER (PAUL PORTILLO) AND PASSENGER ([REDACTED]) OF THE CHRYSLER 300. TROOPER HARVEY ADVISED HE LOCATED THE SUBJECTS WALKING AWAY FROM THE SCENE. I SPOKE TO P. PORTILLO WHO ADVISED HE WAS DRIVING THE CHRYSLER. I ASKED HIM WHY HE WAS STOPPED IN THE ROADWAY. HE STATED THE VEHICLE RAN OUT OF FUEL. WHILE SPEAKING TO P. PORTILLO, I OBSERVED HE HAD RED BLOOD SHOT EYES AND DETECTED STRONG ODOR OF AN ALCOHOLIC BEVERAGE ON HIS PERSON. I ASKED HIM TO STEP OUT OF THE VEHICLE. I ASKED HIM IF HE KNEW HE WAS RUNNING LOW ON FUEL AND HE STATED YES. HE ADVISED HE WAS TRYING TO MAKE IT TO THE EXIT. P. PORTILLO STATED THAT HE WAS NOT STOPPED IN THE ROADWAY. HE ADVISED HIS CAR WAS COASTING. I ASKED HIM IF THE VEHICLE HAD SHUT OFF AND HE STATED YES. P. PORTILLO AGAIN STATED HE WAS COASTING OFF THE MOMENTUM. HE STATED HE WAS IN THE NUMBER FOUR LANE, GOING APPROXIMATELY 10 MPH WHEN HE GOT STRUCK FROM BEHIND. I ASKED HIM WHERE HE WAS COMING FROM AND HE STATED FROM A TOURNAMENT. I ASKED WHAT KIND OF TOURNAMENT AND HE STATED IT WAS A CARD GAME. I ASKED HIM WHERE IT WAS LOCATED AND HE ADVISED 24TH STREET. I ASKED HIM HOW MUCH HE HAD TO DRINK TO-NIGHT. P. PORTILLO STATED HE HAD ONE DRINK AT APPROXIMATELY 08:30PM. I ASKED HIM WHAT HE HAD TO DRINK AND HE STATED A JACK AND COKE. I ASKED HIM HOW BIG THE DRINK WAS AND HE STATED NORMAL SIZE, BUT SPREAD HIS HANDS APART APPROXIMATELY ONE FOOT IN AN ATTEMPT TO SHOW ME HOW BIG THE GLASS WAS. I ASKED HIM IF HE KNEW WHAT TIME IT WAS AND HE STATED MIDNIGHT. THE ACTUAL TIME WAS 03:01AM. I ASKED P. PORTILLO IF HE WOULD CONSENT TO SOME TEST TO MAKE SURE IT WAS SAFE FOR HIM TO DRIVE. HE STATED YES. FIELD SOBRIETY TESTS: HORIZONTAL GAZE NYSTAGMUS: SIX CLUES OBSERVED. EYES TRACKED EQUALLY AND HAD EQUAL PUPIL SIZE. THERE WERE NO SIGNS OF RESTING NYSTAGMUS. P. PORTILLO ADVISED HE WAS NOT TAKING ANY MEDICATION. LACK OF SMOOTH PURSUIT WAS OBSERVED IN BOTH EYES. DISTINCT AND SUSTAINED NYSTAGMUS AT MAXIMUM DEVIATION WAS OBSERVED IN BOTH EYES. ONSET OF NYSTAGMUS PRIOR TO 45 DE-

ADDENDUM (cont'd)

GREES WAS OBSERVED IN BOTH EYES. WALK AND TURN: SEVEN CLUES WERE OBSERVED. HE BROKE THE INSTRUCTION STANCE TWICE. HE STEPPED OFF THE LINE (FIRST NINE STEPS 3 RIGHT, 6 RIGHT, 7 LEFT, 8 RIGHT, AND 9 LEFT/SECOND NINE STEPS 3 RIGHT, 4 LEFT, FIVE LEFT), HE MISSED HEEL TO TOE (FIRST NINE STEPS 2, 4 AND 7/SECOND NINE STEPS 2, 4 AND 8), HE RAISED HIS ARMS FOR THE ENTIRE TEST, TOOK WRONG NUMBER OF STEPS ON THE FIRST SET OF NINE (11), STOPPED WHILE WALKING AFTER THE FIRST NINE AND ASKED WHAT TO DO AND MADE AN IMPROPER TURN BY PIVOTING ON ONE FOOT AND SPINNING AROUND. ONE LEG STAND: THREE CLUES WERE OBSERVED. HE SWAYED WHILE BALANCING, HOPPED AND USED HIS ARMS FOR BALANCE. P. PORTILLO WOULD START TO LEAN AS IF HE WAS GOING TO FALL BUT WOULD SLIDE HIS FOOT BACK AND FORTH HOPPING TO KEEP HIS BALANCE. I ASKED P. PORTILLO IF HE WOULD CONSENT TO A ROADSIDE BREATH TEST AND HE STATED YES. THE RESULTS WERE A BAC OF .107. I PLACED HIM UNDER ARREST FOR DUI AND READ HIM MIRANDA RIGHTS. HE ADVISED HE UNDERSTOOD. I PLACED HIM IN THE BACK OF MY PATROL VEHICLE. I ADVISED HIM OF ADMIN PER SE AND HE CONSENTED. I SPOKE TO HIS WIFE (). I ASKED HER WHAT HAPPENED AND SHE STATED THEY WERE DRIVING HOME AND RAN OUT OF FUEL. I ASKED HER IF THEY WERE AT A COMPLETE STOP ON THE HIGHWAY AND SHE STATED YES. I HAD HER COMPLETE A WITNESS STATEMENT FORM ON SCENE. I TRANSPORTED P. PORTILLO TO METRO BOOKING TO BE PROCESSED AND INTER-VIEWED BY VEHICULAR CRIMES DETECTIVES, DETECTIVE COLLINS AND DETECTIVE BET-WARDA. WHILE SPEAKING TO DETECTIVES, PORTILLO ADMITTED TO DRINKING FOUR "HEN-NESSY AND COKES," IN A THREE-HOUR SPAN. PORTILLO SAID HE WAS AT COBRA BAR IN DOWNTOWN PHOENIX AND LEFT TO GET SOMETHING TO EAT THEN GO HOME. PORTILLO SAID HE WAS DRIVING BECAUSE HIS WIFE DOES NOT HAVE A DRIVER'S LICENSE. PORTILLO SAID WHILE DRIVING EASTBOUND ON INTERSTATE 10, HIS GAS LIGHT INDICATOR CAME ON AND HIS VEHICLE BECAME DISABLED BUT WAS STILL MOVING AT A SLOW PACE AROUND 67TH AV-ENUE AND INTERSTATE 10. AT THIS TIME, PORTILLO SAID HE FELT A SINGLE IMPACT TO THE REAR OF HIS VEHICLE. PORTILLO SAID HE EXITED THE VEHICLE OUT OF THE DRIVER SIDE AND HAD HIS WIFE YELLING AT HIM. PORTILLO SAID HE AND HIS WIFE BEGAN TO WALK UP THE OFF RAMP FOR 67TH AVENUE BECAUSE THEY WERE WORRIED ABOUT THEIR SAFETY. PORTILLO LATER ADMITTED TO LEAVING THE SCENE BE



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

State of Arizona	1 Cnt MANSLAUGHTER-RE F2 (No PC) 1 Cnt AGG ASLT-DEADLY F3 (No PC)	1 Cnt ENDANGERMENT M1 1 Cnt FAIL TO STAY/WI F2 (No PC)	CaseNumber: PF2018141852001 Booking#: T485422
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vs.

Paul Richard Portillo

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

NEXT HEARINGS

Status Conference September 07, 2018 at 08:30 AM at South Court Tower, 175 W. Madison Street, 3rd Floor, Phoenix, AZ, 85003-2243 Courtroom: 3D **Docket: RCCT2**

Preliminary Hearing September 14, 2018 at 08:45 AM at South Court Tower, 175 W. Madison Street, 3rd Floor, Phoenix, AZ, 85003-2243 Courtroom: 3D **Docket: RCCT2**

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:

Supervised Release

The defendant is released on their own recognizance, subject to the supervision restrictions and conditions of the Pretrial Services Division of the Maricopa County Adult Probation Department.

Pretrial Supervision

The defendant shall contact the Pretrial Services Division during regular business hours (8am to 5pm, excluding weekends and holidays) at either location, whichever is the most convenient for the defendant, unless otherwise directed in writing by Pretrial Services Division staff.

PSA Supervision
Alcohol Testing and Monitoring

Pretrial Services Division
Downtown Justice Center (DJC)
620 W. Jackson Street, Suite 3087
Phoenix, Arizona 85003
602.506.8500

Pretrial Services Division
Southeast Facility (SEF)
222 E. Javelina Avenue, Suite 1400
Mesa, Arizona 85210
602.506.3455

Pretrial Services Division
South Court Tower (SCT)
175 W. Madison Street, Suite 2306
Phoenix, AZ 85003
602.506.8500

RELEASE CONDITIONS

1. You are not to return to the scene of the alleged crime.
2. You are not to initiate contact with the alleged victim or victims.
3. You are not to have any physical contact with any alleged victim.
4. You are not to initiate contact with the alleged complainant or witness.
5. You are not to initiate contact with the arresting officers.
6. You are not to possess any drugs without a valid prescription.
7. You are not to possess or consume any alcohol.
8. You are not to drive a motor vehicle without a valid driver's license.
9. You must continue to provide the court with proof of your local address.



SUPERIOR COURT OF ARIZONA FOR

Maricopa County

Final Release Order and Order Regarding Counsel

Case#: **PF2018141852001**

Booking#: **T485422**

10. 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.
11. You must return to the police department that arrested you and have them 10-Print fingerprint you. If you are released from custody you must complete this before your next hearing. You must bring proof of your fingerprinting to your next hearing or your release may 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 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**

The following attorney, after filing a Notice of Appearance, appeared today on behalf of the defendant:

Attorney Name: **Susser M Adam**

Firm:

Bar#: **023491**

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 **8/25/2018 8:00:00 PM**

City, State, Zip: **PHOENIX, AZ, 85017**

Signature:

Michelle Carson
Judge / Commissioner

Paul Richard Portillo
Defendant