

****DRAFT****

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 BRANDON SMITH DOB [REDACTED] BOOKING NO. [REDACTED]

ALIAS(ES) _____ CASE NO. _____

A. GENERAL INFORMATION

Charges

1 Cts. 13-1105A1 MURDER 1ST DEG-PREMEDITATED F1

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: [REDACTED]

Offense Date: 2018-07-29

Arrest Location: [REDACTED]

Date: 2018-07-29 Time: 03:59

B. PROBABLE CAUSE STATEMENT

1. Please summarize and include the facts which establish probable cause for the arrest:

ON 07/29/2018 AT 0338 HOURS, THE CHANDLER POLICE DEPARTMENT RECEIVED AN EMERGENCY CALL FOR SERVICE FROM AN OCCUPANT OF 375 NORTH FEDERAL STREET APT 325. THE CALLER INDICATED THAT HIS EIGHTY-NINE-YEAR-OLD GRANDMOTHER WAS NOT BREATHING AND THAT IT APPEARED SOMEONE HAD BEATEN HER UP AND SLICED HER THROAT. EMERGENCY PERSONNEL ARRIVED ON SCENE AND DISCOVERED HELEN SMITH WAS DECEASED. SHE HAD SUSTAINED A LACERATION TO HER NECK AND TRAUMA TO HER FACE. PRIOR TO POLICE ARRIVAL, THE DEFENDANT FLED THE SCENE. HE WAS EVENTUALLY LOCATED BY RESPONDING POLICE OFFICERS AND DETAINED.

IN A POST MIRANDA INTERVIEW, THE DEFENDANT ADMITTED THAT HE WAS FRUSTRATED WITH BEING THE ONLY ONE IN THE FAMILY WHO CARED FOR THEIR ELDERLY GRANDMOTHER WHO SUFFERED FROM DEMENTIA. WHEN THE VICTIM URINATED IN HER CLOTHING, THE DEFENDANT BECAME ANGRY AND TOOK THE VICTIM TO THE SHOWER. THE DEFENDANT INDICATED THAT HE SLAPPED HIS GRANDMOTHER IN THE FACE AND SHE FELL INTO THE TUB FALLING UNCONSCIOUS. THE DEFENDANT THEN INDICATED THAT HE DID NOT WANT HIS GRANDMOTHER TO LIVE LIKE THIS ANYMORE AND HE DECIDED TO END HER LIFE. THE DEFENDANT WENT TO THE KITCHEN AND OBTAINED A KNIFE. HE THEN RETURNED TO THE BATHROOM AND CUT HIS GRANDMOTHER'S THROAT WHILE SHE WAS IN THE TUB. BASED ON THE ABOVE FACTS, IT IS RECOMMENDED THAT THE DEFENDANT BE CHARGED WITH FIRST DEGREE MURDER AS HIS ACTIONS WERE PREMEDITATED.

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: CURRENTLY ON PROBATION IN MARICOPA COUNTY
FOR AGGRAVATED ASSAULT

2. List any prior:
Arrests? AGG ASSAULT AND TRESPASSING

Convictions? AGG ASSAULT AND TRESPASSING

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: 0 years 0 months 0 days

5. Where does the defendant currently reside? [REDACTED]
- With whom FAMILY
- How long: 3 years 0 months 0 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: DEFENDANT MURDERED HER GRANDMOTHER AFTER SHE FELL IN THE TUB AND INJURED HERSELF. ON PROBATION FOR AGG ASSAULT

D. CIRCUMSTANCES OF THE OFFENSE(Check if applicable)

1. ☒ Firearm or other weapon was used
Type: KNIFE OR OTHER CUTTING INSTRUMENT USED TO SLASH VICTIM'S THROAT
- ☒ 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

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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: DEFENDANT IS THE GRANDCHILD OF THE VICTIM

☒ Victim(s) and defendant reside together

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

☐ 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:

☒ Avoid arrest ☐ Resist arrest ☐ Self Surrender

Explain: FLED THE SCENE PRIOR TO POLICE ARRIVAL

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 ☐ 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 ☒ 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.

KAMINSKY/326
ARRESTING OFFICER/SERIAL NUMBER

A20070500/
ARREST AGENCY/DUTY PHONE NUMBER

2018-07-29
DATE

DEPARTMENTAL REPORT NO.

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