

IN THE WEST MCDOWELL JP (PHX WEST) COURT
STATE OF ARIZONA, COUNTY OF MARICOPA

****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 FERNANDO MAGAZ NEGRETE DOB 1985-11-27 BOOKING NO. T478934
ALIAS(ES) _____ CASE NO. PF2018137740001

A. GENERAL INFORMATION

Charges

- 1 Cts. 13-1410A MOLESTATION OF CHILD F2
- 1 Cts. 13-1404A SEXUAL ABUSE F3
- 1 Cts. 13-1204 AGGRAVATED ASSAULT F6

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: 2018-06-27
Arrest Location: PHOENIX AZ 850
Date: 2018-07-31 Time: 14:45

B. PROBABLE CAUSE STATEMENT

1. Please summarize and include the facts which establish probable cause for the arrest:
ON JULY 25, 2018, PHOENIX POLICE PATROL OFFICERS RESPONDED TO A LOCATION IN THE CITY OF PHOENIX IN REFERENCE TO A MOLESTING CALL. THE OFFICERS LEARNED THAT A 16YEAROLD FEMALE WITNESS 1 HAD DISCLOSED TO THEM THAT SHE HAD OBSERVED FERNANDO MAGAZ NEGRETE KISSING AND INAPPROPRIATELY TOUCHING A 14YEAROLD FEMALE RESIDENT VICTIM ONE DAY IN JUNE BETWEEN 2100 AND 2300 HOURS. WITNESS 1 SHARED A BEDROOM WITH THE VICTIM AND WITNESS 2. THE VICTIM, WITNESS 1, AND WITNESS 2 WERE TRANSPORTED TO THE FAMILY ADVOCACY CENTER FOR FORENSIC INTERVIEWS. DURING THE FORENSIC INTERVIEW, VICTIM 1 DISCLOSED THAT FERNANDO ENTERED THEIR BEDROOM AND KISSED VICTIM 1 ON THE LIPS. AFTER HE DID THIS, VICTIM 1 PUSHED HIM AWAY AND GOT AWAY FROM FERNANDO. VICTIM 1 SAID SHE WENT TO HER BED ANGRY. DURING THE FORENSIC INTERVIEW, WITNESS 1 DISCLOSED SEEING FERNANDO KISSING VICTIM 1 THREE OR FOUR TIMES WHILE STANDING AT THE DOORWAY OF THE BEDROOM. WITNESS 1 DISCLOSED SEEING FERNANDO COMPLETELY ENTER THE ROOM, KISS VICTIM 1, AND TOUCH VICTIM 1 BREASTS AND VAGINA. DURING THE FORENSIC INTERVIEW, WITNESS 2 DISCLOSED SEEING FERNANDO KISSING VICTIM 1 ON THE LIPS. IN THE SURVEILLANCE VIDEO INSIDE THE RESIDENCE, FERNANDO CAN BE SEEN APPROACHING VICTIM 1S BEDROOM SEVERAL TIMES THROUGHOUT THE NIGHT OF JUNE 27, 2018, BETWEEN 2101 HOURS AND 2226 HOURS. THE DOORWAY AND BEDROOM ARE OUT OF VIEW OF THE CAMERA. DETECTIVES INTERVIEWED FERNANDO AT HIS RESIDENCE. FERNANDO ADMITTED TO KISSING VICTIM 1 AND TOUCHING HER VAGINA OVER HER CLOTHING WITH HIS HAND.

C. OTHER INFORMATION (Check if applicable)

- Defendant is presently on probation, parole or any other form of release involving other charges or convictions:
Explain:
- List any prior:
Arrests?
Convictions?
F.T.A.'s?
- Is there any indication the defendant is:
 An Alcoholic? An Addict?
 Mentally disturbed? Physically Ill?
- Defendant is currently employed
With whom
How long:
5. Where does the defendant currently reside?
PHOENIX, AZ 85017
With whom
How long: _____ years _____ months _____ days
- 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)

- Firearm or other weapon was used
Type:
 Someone was injured by the defendant
 Medical attention was necessary
Nature of injuries:
- Someone was threatened by the defendant
Nature and extent of threats:
- Did the offense involve a child victim? Yes No
If yes, was DCS notified? Yes No
- If property offense, value of property taken or damaged:
 Property was recovered
- Name(s) of co-defendant(s):

E. CRIMES OF VIOLENCE

1. Relationship of defendant to victim: DEF WAS CARE WORKER AT JUVENILE FACILITY FOR REFUGEE CHILDRE

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:

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: SPANISH

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.

CHAPARRO, ANGEL A / 08692

ARRESTING OFFICER/SERIAL NUMBER

AZ0072300 / 602-262-6657

ARREST AGENCY/DUTY PHONE NUMBER

2018-07-31

DATE

201800001307131 / AZ0072300

DEPARTMENTAL REPORT NO.

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