

SUPREME COURT OF ARIZONA

In the Matter of) Arizona Supreme Court
) No. R-13-0034
TUCSON CITY COURT LOCAL)
RULES OF PRACTICE AND PROCEDURE)
IN CITY COURT CRIMINAL)
PROCEEDINGS)
)
)
)
_____) **FILED 06/12/2013**

O R D E R

The Honorable Antonio Riojas, Presiding Magistrate, Tucson City Court, has submitted a request that this Court approve, pursuant to Rule 36, Arizona Rules of Criminal Procedure, the addition of a form of Release Questionnaire to the Tucson City Court Local Rules of Practice and Procedure. The proposed form being consistent with the Arizona Rules of Criminal Procedure, and good cause appearing,

IT IS ORDERED approving the addition of the Release Questionnaire to the Tucson City Court Local Rules of Practice and Procedure, as set forth in the attachment hereto, effective July 1, 2013.

DATED this _____ day of June, 2013.

Rebecca White Berch
Chief Justice

TO:
Antonio F Riojas Jr

ATTACHMENT

In the Tucson City Court, State of Arizona, County of Pima
Release Questionnaire/Law Enforcement

State of Arizona vs. _____ DOB _____ TPD Case Number: _____
Charges: _____ Offense Date and Time _____
Offense Location: _____

Probable Cause Statement: See E-Citation or Police Report

VICTIM INFORMATION **VICTIM ADDRESS AND PHONE ARE CONFIDENTIAL PURSUANT TO ARS 13-4434**_

1. Victim Name: _____ Relationship to defendant: _____ Minor?
Victim Address: _____ Victim Phone Number: _____

Victim and defendant reside together Intimate partners (or Ex)/ child in common Related to each other Roommates
Does victim want contact? Yes No Is defendant welcome to return to the incident location? Yes No

2. Victim Name: _____ Relationship to defendant: _____ Minor?
Victim Address: _____ Victim Phone Number: _____

Victim and defendant reside together Intimate partners (or Ex)/ child in common Related to each other Roommates
Does victim want contact? Yes No Is defendant welcome to return to the incident location? Yes No

DOMESTIC VIOLENCE ISSUES

Victim expressed an opinion on defendant's release: _____ Victim has safety concerns

Defendant Behavior:

- Access to or use of weapons? Stalking behavior?
- Coercive control, possessiveness, or jealousy Issues? Strangulation or attempted strangulation?
- Frequency/intensity of domestic violence Increasing? Prior domestic violence arrests?
- Threats of homicide/suicide/bodily harm? Recent separation between defendant and victim?
- Kidnapping or unlawful Imprisonment? Alcohol or substance abuse issues?
- Prior Orders of Protection between parties? Children present during incident?

CIRCUMSTANCES OF THE OFFENSE

Defendant used firearm or other weapon. Type of weapon: _____
 Defendant threatened or injured someone: _____
Property was taken or damaged: _____
Defendant was under the influence of alcohol and/or drugs.

CIRCUMSTANCES OF THE ARREST

Defendant attempted to avoid or resist arrest: _____
 Defendant was armed when arrested. Type of weapon: _____
Defendant made threats against potential witnesses or parties: _____
Evidence of offense was found in defendant's possession. Type: _____
 Defendant admitted involvement in the offense.

OTHER DEFENDANT INFORMATION

Defendant is presently on probation, parole or other form of release: _____
 Any other Information that Indicates defendant may flee if released: _____
Is There Any Indication Of:
Alcohol abuse/substance abuse: _____
 Mental health issues. Provider/Caseworker: _____
 Defendant is serving or has served In the United States Military.
The State opposes an unsecured release at this time, based on the Information available.

I Certify That The Information Presented Is True To The Best Of My Knowledge And Belief.

Officer/PR Number: _____ Agency: _____
Duty Phone Number: _____ Date: _____