

WILLIAM G. MONTGOMERY  
MARICOPA COUNTY ATTORNEY

CLERK OF THE  
SUPERIOR COURT  
FILED  
A. HARVEY, DEP

19 JUL 12 PM 4:16

Paul J. Vollmer  
Deputy County Attorney  
Bar ID #: 031534  
CBPE-Mesa

9th Floor

MCAO Firm #: 00032000  
Attorney for Plaintiff

7/24

DR 20191190217 - Mesa Police Department

Kyrene Justice Court

VACATE

0131788795

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
COUNTY OF MARICOPA, RCC-SOUTHEAST

THE STATE OF ARIZONA,

Plaintiff,

vs.

MARCEL BEHNERT,

Defendant.

CR2019-132114-001

DIRECT COMPLAINT

**COUNT 1: THEFT, A CLASS 2 FELONY**

**COUNT 2: ATTEMPT TO COMMIT  
TRAFFICKING IN STOLEN PROPERTY,  
SECOND DEGREE, A CLASS 4 FELONY**

**IN CUSTODY**

The complainant herein personally appears and, being duly sworn, complains on information and belief against MARCEL BEHNERT, charging that in Maricopa County, Arizona:

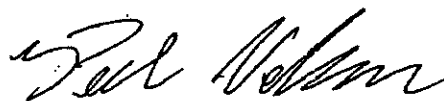
DCO

**COUNT 1:**

MARCEL BEHNERT, on or between March 1, 2019 and June 28, 2019, without lawful authority, knowingly did come into control of Mark Eric May's Super Bowl XVII ring and/or Super Bowl XXII ring and/or watches, of a value of \$25,000 or more, but less than \$100,000, which was lost, mislaid, or misdelivered under circumstances providing means of inquiry as to the true owner and appropriated the property to his own or another's use without reasonable efforts to notify the true owner, in violation of A.R.S. §§ 13-1801, 13-1802, 13-701, 13-702, and 13-801.

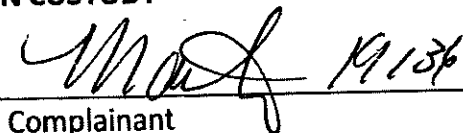
**COUNT 2:**

MARCEL BEHNERT, on or about June 29, 2019, recklessly did attempt to traffic in the property of Mark Eric May, to-wit: a Super Bowl XVII ring and/or a Super Bowl XXII ring and/or watches that had been stolen, in violation of A.R.S. §§ 13-1001, 13-2301, 13-2307, 13-701, 13-702, and 13-801.



\_\_\_\_\_  
/s/ Paul J. Vollmer  
Deputy County Attorney

**IN CUSTODY**

  
\_\_\_\_\_  
Complainant

Agency: Mesa Police Department

Subscribed and sworn upon information and belief this 12 day of July, 2019.

PJV/syw

IN THE KYRENE COURT  
STATE OF ARIZONA, COUNTY OF MARICOPA

DR#: 20191190217

RELEASE QUESTIONNAIRE

DEFENDANT'S NAME BEHNERT, MARCEL

DOB [REDACTED]

BOOKING NO. 644623

ALIAS (ES)

Arrests? BURGLARY, POSSESSION OF  
STOLEN PROP

A. GENERAL INFORMATION

Convictions? NA

Charges:

Failure to Appear (FTA)? NA

1	13-1802A1	THEFT-CONTROL PROPERTY	C2F
1	13-2307A	ATTE TRAFFICKING STOLEN PROP 2ND DEG	C3F

Protective Orders? NA

Pursuant to A.R.S. §41-1750 ten-print fingerprints were taken of the arrested person?  Yes  No

3. Is there any indication the defendant is:

- An Alcoholic?  An Addict?  
 Mentally Disturbed?  Physically Ill?

If yes, PCN =

4. Defendant is currently employed

With Whom: SHEARATON HOTEL

Pursuant to A.R.S. §13-310 one or more of the above charges requires the arresting agency to secure a DNA Sample from the arrested person?  Yes  No

How long: 3 YEARS

If yes, does the defendant have a valid DNA sample on file with AZDPS?  Yes  No

5. Where does the defendant currently reside?

If no, Arresting Agency has taken required sample?  Yes  No

With Whom: [REDACTED]

How Long: 2 years months days

Offense Location: [REDACTED]

Offense Date: 3/5/2019 Offense Time: 1253

6. What facts indicate the defendant will flee if released?

Explain: ON RELEASE FOR LAS VEGAS METRO PD UNDER LVMPD EVENT NUMBER 190700012354.

Arrest Location: [REDACTED]

Arrest Date: 07/09/2019 Arrest Time: 1145

7. What facts does the State have to oppose an unsecured release?

Explain: ON RELEASE FOR LAS VEGAS METRO PD UNDER LVMPD EVENT NUMBER 190700012354.

B. PROBABLE CAUSE STATEMENT

1. Summarize and include the facts which establish probable cause for the arrest for the crimes charged:

SEE ATTACHED DOCUMENTATION. (1A) NARRATIVE EXCEEDS DIGITAL CHARACTER LENGTH ALLOWED.

Form IVA

MVD PHOTO

D. CIRCUMSTANCES OF THE OFFENSE

(Check if applicable)

1.  Firearm or other weapon was used  
Type:  
 Someone was injured by the defendant

C. OTHER INFORMATION

1. Defendant is presently on probation, parole, or any other form of release involving other charges or convictions.

Explain: ON RELEASE FROM LAS VEGAS METRO FOR BURGLARY AND POSSESSION OF STOLEN PROPERTY

Medical attention was necessary

Nature of injuries:

2. List any prior:

2. Someone was threatened by the defendant

Nature of threats:

DEFENDANT'S NAME BEHNERT, MARCEL

DOB [REDACTED]

BOOKING NO. 644623

3. If property offense value of property taken/damaged:

Value: \$90K

Property was recovered

4. Names of co-defendant(s), if any:

Name DOB

Explain: WARRANT ON HOME YIELDED THREE STOLEN WATCHES AFTER ARREST

4. Was the defendant under the influence of alcohol or drugs at the time of the offense?

Yes  No  Unk

**E. CRIME(S) AGAINST PERSONS**

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 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:

**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:

**F. DOMESTIC VIOLENCE DEFENDANT ISS**

Defendant's actions::

Threats of homicide/suicide/body harm

Control/ownership/jealousy issue  Crime occurs in public

Prior history of Domestic Violence  Kidnapping

Frequency/intensity of DV increasing  Depression

Access to or use of weapon  Stalking behavior

Violence against children, vulnerable adults or animals

Multiple violations of court orders

**G. CIRCUMSTANCES OF THE ARREST (Check if applica**

1. Did 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

DEFENDANT'S NAME BEHNERT, MARCEL

DOB [REDACTED]

BOOKING NO. 644623

\*\* 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 No.

Arresting Agency / Duty Phone Number.

Date

swy 19477

MESA POLICE DEPARTMENT / 480-644-2211

07/09/2019

Departmental Report No.

Departmental Report No.

Departmental Report No.


20191190217

Approving Supervisor Name WHIPPLE

ID# 15895

Supervisor Comments (if applicable):



Pursuant to AO 2003-046, the oath has been administered pursuant to the law and required procedures. 

NARRATIVE FOR DR 20191190217

On 04/29/2019 a police call for service was generated for a possible residential burglary that was initially believed to occur within the victim's home in Mesa. The victim is a retired NFL football player that is a two time Super Bowl Champion with the Washington Redskins. The victim attended a charity event in Scottsdale at the end of February 2019 where he was last wearing his Super Bowl rings. The victim is a VIP member of the Sheraton/Marriot hotel chain, and stayed at the Sheraton hotel located at [REDACTED], Tempe just after the charity event on 02/22 through 02/24/2019. The victim returned home in Mesa after the hotel stay and began preparing for another charity event in April 2019. During this time the victim noticed that his in home safe was open and his Super Bowl rings and several brand name watches were missing from the safe that he typically only takes out and wears for special events. The victim initially called the Sheraton hotel and asked if any of his property was located in the room he was previously in or had been turned in to the lost and found. The front desk clerk at the hotel stated that there were no items documented in the logbook for the lost and found, and the hotel did not have his property. After hearing that the hotel the victim contacted police to report the items as stolen.

On 07/02/2019 I was notified that the victim received a phone call from an anonymous high end sports memorabilia collector that was questioning the victim if he was in fact trying to sell his Super Bowl rings or not. The victim informed the caller that they were listed as stolen and provided this case number.

On 07/03/2019 I received a phone call from Gold and Silver Pawn in Las Vegas Nevada where the television show Pawn Stars is filmed by the History Channel. The management at the Las Vegas pawn shop informed me that the defendant arrived at the store in Nevada on 07/02/2019 and wanted to sell the Super Bowl rings for \$12K. The defendant was identified by name, address and phone number which he disclosed to the pawn shop in Las Vegas as well as in store video surveillance of his contact and attempted sale of the rings. The rings are very distinguishable and unique as they bear the NFL team name, year of the championship, player last name and jersey number on them. It was later determined that the anonymous caller that contacted the victim was in fact the "ring expert" for the Pawn Stars show, and was able to verify that the rings provided by the defendant were legitimate original Super Bowl rings.

A Mesa Police CIU Detective coordinated with Las Vegas Metro Police Department plain clothes Detectives and set up a sale time for the rings on 07/03/2019 where the defendant was expected to get a cash payout of \$10K from the pawn shop. The defendant arrived on schedule and was taken into custody by LVMPD without incident. The two Super Bowl rings were located on the defendant's person at time of arrest and verified to belong to the victim in this case. The defendant was interviewed under Miranda in Las Vegas and admitted to taking the rings from the Sheraton hotel in Tempe after they were found within an in room safe. The defendant is the Lead Engineer for the property that the victim stayed at after the charity event. The defendant claimed that the lost and found property was his according to company hotel policy because an owner had not come forward within 90 days, so the property defaulted to himself. The defendant also stated that he took several watches that were within the safe with the rings, but left the watches at his listed home address in Arizona. Prior to the defendant arriving at the Las Vegas pawn shop he stated that he attempted to sell the rings in Arizona, but was not happy with the price they offered, and believed the rings were worth more. The defendant was booked by

LVMPD for Burglary and Knowingly Possessing Stolen Property. The defendant posted bail and returned back to Arizona on 07/05/2019.

On 07/08/2019 I made contact with the property management company responsible for the Sheraton hotel that the defendant is employed at. I spoke with the Director of Human Resources as well as the Company President/Owner. I was able to compile numerous written statements of other employees and management personnel on the property that were present during the event. It was determined that the victim did stay in a room on the property from 02/22 to 02/24/2019. After checking out the victim left the in room safe locked and his property was within it. Several other guests rented out the room after the victim but did not attempt to use the safe. On 03/05/2019 a guest rented the room and attempted to open the safe without success. The guest called the front desk who in turn sent an engineer to the room with a "master combo" to open and reset the safe for the guest to use. Once the safe was opened the engineer observed several brand name watches and two large rings still in the safe that were contained within a leather bag. The engineer provided a statement that he contacted his supervisor immediately with was the defendant, and was instructed to bring the items to the defendant directly. The defendant took a photograph of the Super Bowl rings and three watches on his personal cell phone, and requested that he put the high value property in his personal office where he claimed to have a safe. This "safe" was determined to be a standard file cabinet with a small lock on one of the drawers. Once the defendant took control of these items they were never logged into the lost and found ledger at all, any no documentation was left anywhere on the property as to the whereabouts of this property.

The defendant was contacted and arrested on 07/09/2019 at the Sheraton hotel at [REDACTED] in Tempe where he was working. The defendant was read his Miranda Warnings on scene and told detectives that the watches from the safe were located at his home still under a television in Tempe. On 07/09/2019 Search Warrant 2019-008433 was executed at the defendant's residence and three Michael Kohrs watches matching the description and photograph of the stolen items were located as well as the leather bag that contained the items. The defendant was interviewed and confirmed that he did attempt to sell the rings and watches at the Pawn 1<sup>st</sup> location at [REDACTED] for a down payment on a home that his girlfriend was purchasing with him on 06/29/2019. The defendant stated that he did not sell the property at this time because he received a phone call from his girlfriend while at the pawn shop stating that she had money lent to them and they no longer needed immediate cash.

The defendant confirmed that he did not log the property with the hotel, did not follow policy, and concealed the high valued items in his own office and made no attempt to contact or locate the rightful owner of the property. The defendant had no authority to sell the items, or to take the property from the hotel grounds to his personal home. It should be noted that the defendant stated in his interview that he had no luck in finding the owner of the property, and if he did, would be willing to hand deliver the property to the victim. During the search warrant on the defendant's home, documentation was recovered that contained the victim's name, phone number, and room number of the hotel room that he stayed in at the Sheraton. The owner of the property management company for the Sheraton location stated that it was extremely easy for her to locate the same victim information, given the room number the property was found in, along with the name engraved on the rings themselves. The victim confirmed that no attempt to return his rings was ever received from the defendant or anyone whatsoever throughout the duration of this case.

Based on the concealment and removal of property from the hotel property to his home and subsequent pawn shops in the value of around \$90K, probable cause exists to charge Theft over \$25K value (C2F). Based on the transport and attempted sale of stolen property for a home down payment as referenced by the defendant, as well as video from the Tempe pawn shop, probable cause exists to charge the attempted Trafficking of Stolen Property.

NFI



IN THE

KYRENE JP (TMP WEST)

COURT

STATE OF ARIZONA, COUNTY OF MARICOPA

Clerk of the Superior Court
\*\*\* Electronically Filed \*\*\*
K. Curtner, Deputy
7/12/2019 4:17:00 PM
Filing ID 10654938 1 OF 2

RELEASE QUESTIONNAIRE

\*\*\*\*FINAL\*\*\*\*

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 MARCEL BEHNERT DOB [REDACTED] BOOKING NO. T565313
ALIAS(ES) CASE NO. PF2019132114001

A. GENERAL INFORMATION

Charges
1 Cts. 13-1802A1 THEFT-CONTROL PROPERTY F2
1 Cts. 13-2307A Att. TRAFFICK STOLEN PROP 2ND DEG F3

Pursuant to A.R.S. §41-1750 ten-print fingerprints were taken of the arrested person? [X] 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 [X] 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: 2019-03-05
Arrest Location: [REDACTED]
Date: 2019-07-09 Time: 11:45

B. PROBABLE CAUSE STATEMENT

1. Please summarize and include the facts which establish probable cause for the arrest:
SEE ATTACHED DOCUMENTATION. (1A) NARRATIVE EXCEEDS DIGITAL CHARACTER LENGTH ALLOWED.

C. OTHER INFORMATION (Check if applicable)

1. [X] Defendant is presently on probation, parole or any other form of release involving other charges or convictions: Explain: ON RELEASE FROM LAS VEGAS METRO FOR BURGARY AND POSESSION OF STOLEN PROPERTY

2. List any prior: Arrests? BURGLARY, POSESSION OF STOLEN PROP

Convictions?

F.T.A.'s?

3. Is there any indication the defendant is:
[ ] An Alcoholic? [ ] An Addict?
[ ] Mentally disturbed? [ ] Physically Ill?

4. [X] Defendant is currently employed
With whom SHERATON RESORT

How long: 3 years
5. Where does the defendant currently reside? 316 EAST [REDACTED]
With whom [REDACTED]
How long: years months days

6. What facts indicate the defendant will flee if released? Explain: ON RELEASE FOR LAS VEGAS METRO PD UNDER LVMPD EVENT NUMBER 190700012394

7. What facts does the state have to oppose an unsecured release? Explain: ON RELEASE FOR LAS VEGAS METRO PD UNDER LVMPD EVENT NUMBER 190700012394

D. CIRCUMSTANCES OF THE OFFENSE(Check if applicable)

1. [ ] Firearm or other weapon was used
Type:

[ ] 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 [X] No
If yes, was DCS notified? [ ] Yes [X] No

4. If property offense, value of property taken or damaged: \$90K

[X] Property was recovered

5. Name(s) of co-defendant(s):

DEFENDANT'S NAME MARCEL BEHNERT

DOB 1976-04-03 BOOKING NO. T565313

CASE NO. PF2019132114001

Page 2 of 2

**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 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:

N/A

2.  Defendant was armed when arrested  
Type:

3.  Evidence of the offense was found in the defendant's possession

Explain: WARRANT ON HOME YIELDED THREE STOLEN WATCHES AFTER ARREST

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.

SWY/19477  
ARRESTING OFFICER/SERIAL NUMBER

AZ0071700/480-644-2211  
ARREST AGENCY/DUTY PHONE NUMBER

2019-07-09  
DATE

20191190217/AZ0071700  
DEPARTMENTAL REPORT NO.

DEPARTMENTAL REPORT NO.

DEPARTMENTAL REPORT NO.

## Pretrial Services-Court Report

<b>State of Arizona vs MARCEL BEHNERT</b>		<b>Reviewed By:</b> ██████████	
Superior Court of Arizona, at 3:06 AM on 07/10/2019		<b>Booking #:</b>	T565313
<b>IA Type:</b>	Superior Court New Case	<b>DOB:</b>	04/03/1976
<b>Interview Type:</b>	Full	<b>Gender:</b>	Male
<b>State of Residence:</b>	Arizona	<b>Ethnicity:</b>	Anglo
<b>Country Of Residence:</b>	United States	<b>Arrest Date:</b>	07/09/2019

Charge(s):	Discription:	Class Felony:
<b>Statute:</b> 13-1802A1	THEFT-CONTROL PROPERTY	F2
13-2307A	TRAFFICK STOLEN PROP 2ND DEG	F3

**New Violent Criminal Activity Flag:** NO

**Failure to Appear Score**

	2	3	4	5	6
--	---	---	---	---	---

**New Criminal Activity Score**

	2	3	4	5	6
--	---	---	---	---	---

### Public Safety Assessment-Court

Risk Factors	Responses
1. Age at Arrest	23 or older
2. Current Violent Offense	No
a. Current Violent Offense and Under 21	
3. Pending Charge at the Time of the Offense	No
4. Prior Misdemeanor Conviction	No
5. Prior Felony Conviction	No
6. Prior Violent Conviction	0
7. Prior Failure to Appear pre-trial in Past Two Years	0
8. Prior Failure to Appear pre trial Older than Two Years	No
9. Prior Sentence to Incarceration	No

## Pretrial Services-Court Report

### PSA - Court Assessment Recommendation

Final Recommendation: OR

Supervision Level:

Special Conditions:

#### Additional Recommendations:

##### Contact

You are not to initiate contact with the arresting officers

##### Prohibitions

You are not to possess any drugs without a valid prescription

You are not to drive a motor vehicle without a valid driver's license

##### Requirements

You must continue to provide the court with proof of your local address

## PRETRIAL SERVICES AGENCY FINANCIAL INFORMATION

Defendant's Name: MARCEL BEHNERT

Booking #: T565313

The Judicial Officer needs to know about your financial situation in determining whether to require you to post bond and, if so, the amount of bond. The Judicial Officer must also determine if you are entitled to have a lawyer appointed to represent you.

Number of Dependents:	1		
Employment/Student/Caregiver Status:	Employed/Full Time		
Employment Verified:	No	Occupation :	CHIEF ENGINEER
Employment Status:	Current	Length of Employment :	3 Years
Employer Name:	SHERATON		

**Income (Monthly):**

Pay Amount:	
Payroll Deductions for Savings, Stocks, etc.:	
Spouse Income:	
Public Assistance/Food Stamps:	
Disability Benefits:	
Veteran Benefits:	
Social Security Benefits:	
Accident Benefits:	
Retirement Benefits:	
Allotment Checks(Tribal):	
Interest:	
Dividends:	
Child Support Received:	
Alimony Or Maintenance Received:	
Unemployment Benefits:	
Other Income:	
<b>Net Income:</b>	<b><u>\$3,000.00</u></b>

**Expense (Monthly):**

Rent / Home Payment:	
Utilities:	
Food:	
Gas:	
Cell Phone:	
Cable:	
Charge Account Payments:	
Loan Payments:	
Car Loan Payments:	
Car Insurance:	
Child Support:	
Medical Care:	
Court Fines and Fees:	
Alimony:	
Child Care:	
Union Dues:	
Other Expense:	
Delinquent Expense:	
<b>Total Expenses:</b>	<b><u>\$3,000.00</u></b>

**Asset:**

Cash Asset:	\$0.00
Checking Amount:	\$0.00
Savings Amount:	\$0.00
Cash Owed To This Person:	\$0.00
Cash Value Of Stock Or Bonds:	
Value: \$0.00 Owed: \$0.00 Net:	\$0.00
Real Estate Location: 0	
Value: \$0.00 Owed: \$0.00 Net:	\$0.00
Automobile 1: 2011 JEEP GRAND CHEROKEE	
Value: \$0.00 Owed: \$15,000.00 Net:	-\$15,000.00
Automobile 2:	
Value: \$0.00 Owed: \$0.00 Net:	\$0.00
Trailer:	
Value: \$0.00 Owed: \$0.00 Net:	\$0.00
Boat:	
Value: \$0.00 Owed: \$0.00 Net:	\$0.00

**Asset (Continued):**

Stereos:	
Televisions:	
Musical Instruments:	
Stock In Trade:	
Tools:	
Jewelry:	\$2.00
Jail Property:	
Other Assets:	
<b>Total Assests:</b>	<b><u>-\$14,998.00</u></b>

**PRETRIAL SERVICES AGENCY  
FINANCIAL INFORMATION**

Defendant's Name: MARCEL BEHNERT

Booking #: T565313

The Judicial Officer needs to know about your financial situation in determining whether to require you to post bond and, if so, the amount of bond. The Judicial Officer must also determine if you are entitled to have a lawyer appointed to represent you.

Number of Dependents: 1  
Employment/Student/Caregiver Status: Employed/Full Time  
Employment Verified: No Occupation : CHIEF ENGINEER  
Employment Status: Current Length of Employment : 3 Years  
Employer Name: SHERATON

**Acknowledgement by Defendant**

**OATH UNDER PENALTY OF PERJURY: I have truthfully given the information, which appears in this statement. I have not concealed, or in any way misrepresented my financial resources. I am aware that I can be held in contempt of court or prosecuted for perjury, if I made any false statements. If the Public Defender or a court appointed attorney accepts my case, I will notify them of any changes in financial resources, employment, income or re-arrest. I also give permission for the Pretrial Services Agency staff to contact anyone named above or any agency or business concerning their investigation into the statement I made. I hereby make these statements under oath.**

*M B*

---

**MARCEL BEHNERT**

IN THE KYRENE COURT  
STATE OF ARIZONA, COUNTY OF MARICOPA

RELEASE QUESTIONNAIRE

DEFENDANT'S NAME BEHNERT, MARCEL

DOB [REDACTED] BOOKING NO. 644623

ALIAS (ES)

Arrests? BURGLARY, POSSESSION OF STOLEN PROP

A. GENERAL INFORMATION

Convictions? NA

Charges:

Failure to Appear (FTA)? NA

Protective Orders? NA

1	13-1802A1	THEFT-CONTROL PROPERTY	C2F
1	13-2307A	ATTE TRAFFICKING STOLEN PROP 2ND DEG	C3F

3. Is there any indication the defendant is:

- An Alcoholic?  An Addict?
- Mentally Disturbed?  Physically Ill?

Pursuant to A.R.S. §41-1750 ten-print fingerprints were taken of the arrested person?  Yes  No

If yes, PCN =

4. Defendant is currently employed

With Whom: SHEARATON HOTEL

How long: 3 YEARS

Pursuant to A.R.S. §13-310 one or more of the above charges requires the arresting agency to secure a DNA Sample from the arrested person?  Yes  No

5. Where does the defendant currently reside?

If yes, does the defendant have a valid DNA sample on file with AZDPS?  Yes  No

[REDACTED]

With Whom: [REDACTED]

How Long: 2 years months days

If no, Arresting Agency has taken required sample?  Yes  No

6. What facts indicate the defendant will flee if released?

Offense Location: [REDACTED]

Offense Date: 3/5/2019 Offense Time: 1253

Explain: ON RELEASE FOR LAS VEGAS METRO PD UNDER LVMPD EVENT NUMBER 190700012394.

Arrest Location: [REDACTED]

Arrest Date: 07/09/2019 Arrest Time: 1145

7. What facts does the State have to oppose an unsecured release?

Explain: ON RELEASE FOR LAS VEGAS METRO PD UNDER LVMPD EVENT NUMBER 190700012394.

B. PROBABLE CAUSE STATEMENT

1. Summarize and include the facts which establish probable cause for the arrest for the crimes charged:

SEE ATTACHED DOCUMENTATION. (1A) NARRATIVE EXCEEDS DIGITAL CHARACTER LENGTH ALLOWED.

Form IVA

MVD PHOTO

D. CIRCUMSTANCES OF THE OFFENSE

(Check if applicable)

- Firearm or other weapon was used  
Type:
- Someone was injured by the defendant  
Nature of injuries:
- Medical attention was necessary

C. OTHER INFORMATION

1. Defendant is presently on probation, parole, or any other form of release involving other charges or convictions.

Explain: ON RELEASE FROM LAS VEGAS METRO FOR BURGLARY AND POSSESSION OF STOLEN PROPERTY

7. Someone was threatened by the defendant  
Nature of threats:

2



Bk#: T565313  
BEHNERT, MARCEL  
Bk Dt: 7/9/2019



Sex: Male

DEFENDANT'S NAME BEHNERT, MARCEL

BOOKING NO. 644623

3. If property offense value of property taken/damaged:

Value: \$90K

Property was recovered

4. Names of co-defendant(s), if any:

Name

DCB

Explain: WARRANT ON HOME YIELDED THREE STOLEN WATCHES AFTER ARREST

4. Was the defendant under the influence of alcohol or drugs at the time of the offense?

Yes  No  Unk

E. CRIME(S) AGAINST PERSONS

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 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:

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:

F. DOMESTIC VIOLENCE DEFENDANT ISS

Defendant's actions::

Threats of homicide/suicide/bodily harm

Control/ownership/jealousy issue  Crime occurs in public

Prior history of Domestic Violence  Kidnapping

Frequency/intensity of DV increasing  Depression

Access to or use of weapon  Stalking behavior

Violence against children, vulnerable adults or animals

Multiple violations of court orders

G. CIRCUMSTANCES OF THE ARREST (Check if applica

1. Did 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



DEFENDANT'S NAME BEHNERT, MARCEL

DOB [REDACTED]

BOOKING NO. 644623

\*\* 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 No.	Arresting Agency / Duty Phone Number.	Date
swy 19477	MESA POLICE DEPARTMENT / 480-644-2211	07/09/2019
Departmental Report No.	Departmental Report No.	Departmental Report No.
20191190217		
Approving Supervisor Name WHIPPLE	ID# 15895	Supervisor Comments (if applicable):



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

Clerk of the Superior Court  
\*\*\* Electronically Filed \*\*\*  
K. Curtner, Deputy  
7/12/2019 4:17:00 PM  
Filing ID 10654935

State of Arizona      1 Cnt THEFT-CONTROL P F2      1 Cnt Att.TRAFFICK STOLEN F3      CaseNumber: **PF2019132114001**  
vs.      Booking#: **T565313**  
**Marcel Behnert**

It is hereby ordered that **Marcel Behnert shall be released** as indicated and must comply with ALL release conditions.

**NEXT HEARINGS**

**Check in at Suite 1375 before your hearing**

**Status Conference**      July 24, 2019 at 08:33 AM at Southeast Regional Court Center, [REDACTED]  
[REDACTED] Courtroom: 202    Docket: SEC04  
**Check in at Suite 1375 before your hearing**

**Preliminary Hearing**      July 30, 2019 at 08:30 AM at Southeast Regional Court Center, [REDACTED]  
[REDACTED] 202    Docket: SEC04

**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:

**Own Recognizance**

The defendant is released without any condition of an undertaking relating to, or deposit of security, and promises to appear in Court as required.

**RELEASE CONDITIONS**

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

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.



SUPERIOR COURT OF ARIZONA FOR  
Maricopa County

Final Release Order and Order Regarding Counsel

Case#: PF2019132114001  
Booking#: T565313

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 [REDACTED]

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 7/10/2019 5:00:00 AM

[REDACTED]

*Mary C. Cronin*

*M. Behnert*

Mary Collins Cronin  
Judge / Commissioner

Signature:

Marcel Behnert  
Defendant