

AFFIDAVIT FOR PROBABLE CAUSE: Assault (filed by Peace Officer)

Instructions: A police officer must submit to the court (i) the offense report, (ii) a statement by a witness to the alleged conduct, and (iii) a statement by a victim. Tex. Code Crim. Proc. Art. 45.058
The officer must also submit a statement from a school employee stating whether the Defendant is eligible for or receives special services for students with disabilities. Tex. Educ. Code 37.146

STATE OF TEXAS § AFFIDAVIT OF PROBABLE CAUSE: ASSAULT

COUNTY OF HARRIS §

I, _____, being duly sworn, on oath state that I have good reason to believe and do believe and charge before making complaint, that:

On or about _____, in a location in Justice of the Peace Precinct ____, Harris County, Texas, Defendant, _____, did then and there

threaten another, namely _____, with imminent bodily injury, by _____.

cause physical contact with another, namely _____, by _____, when the Defendant knew or should reasonably have believed the contact would be regarded as offensive and provocative.

I am a police officer employed by the _____ Independent School District. I have reviewed the District's records which show that Defendant is enrolled in the _____ Public School and that Defendant is ____ years of old. Defendant's conduct occurred on property under the control and jurisdiction of the School District at _____.

My belief is based on the following facts of which I have personal knowledge (*state only facts, and not conclusions, describing when the offense occurred, the facts and circumstances which show how the offense was committed, and how the person accused is known to you, or was identified by you; if the defendant is younger than 15 years of age, describe how defendant has sufficient capacity to understand that these actions were wrong*):

Affiant
Printed Name: _____

SWORN TO AND SUBSCRIBED BEFORE ME on _____.

NOTARY PUBLIC, State of Texas

STATEMENT BY SCHOOL EMPLOYEE

Defendant is eligible is not eligible receives special services for students with disabilities.

The School District commissions peace officers and has developed a system of graduated sanctions. The following graduated sanctions were imposed on the Defendant:

_____ INDEPENDENT SCHOOL DISTRICT

By: _____
Name:
Title: