

AFFIDAVIT FOR PROBABLE CAUSE: Disorderly Conduct Use Abusive Language (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 §

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, at _____, a public school

campus within the _____ School District and a public place, Defendant,

_____, a child who is _____ years of age and enrolled

in _____ Public School, did then and there, intentionally and knowingly use abusive,

indecent, profane, and vulgar language which tended to incite an immediate breach of the peace.

I am police officer employed by the _____ Independent School District.

I have reviewed the District's records which show that Defendant is enrolled in the

_____ School and that Defendant is _____ years of old. Defendant's

conduct occurred at _____, on property under the control

and jurisdiction of School District.

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: