AFFIDAVIT FOR PROBABLE CAUSE: Possession of Cigarettes or Tobacco Products by Minor (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 § ş COUNTY OF HARRIS _____, being duly sworn, on oath state that I have good reason to I, 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 ____ _____, on property under the control and jurisdiction of the ______ Independent School District, Defendant, a child, who is younger than 18 years of age, and enrolled in _____ Public School, did then and there, unlawfully possess a □ *a cigarette* □ *a tobacco product, namely*______. 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 Defendant was not in the present of an adult parent or guardian, or employer because possession of the tobacco product was required in the performance of duties as an employee, and Defendant was not participating in an inspection or test of compliance to enforce the sale and use of cigarettes or tobacco products. 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 \Box is eligible \Box is not eligible \Box 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: