

CRIMINAL TRESPASS AFFIDAVIT

Dear Property Owner/Manager:

The Criminal Trespass Affidavit Program allows property owners or persons responsible for the property and the Hickory Creek Police Department to work together to reduce criminal activities on private property. The Hickory Creek Police Department is authorized by the property owners / managers to remove or arrest persons found on the property when they are not authorized. An individual arrested for trespassing will be charged with a violation of the Texas Penal Code Sec. 30.05, Criminal Trespass, (Attached is a copy of the criminal offense for your review.) The property owner / manager will be the person formally filing the criminal complaint against the violator(s).

To initiate the program, you, as the property owner or property owner's agent, must complete these steps:

Step 1: Complete the attached document entitled "**Criminal Trespass Affidavit**".

Step 2: Complete the attached **Authorization List**.

Step 3: Return the signed forms to: **Hickory Creek Police Department**
1075 Ronald Reagan Ave
Hickory Creek, Texas 75065

Step 4: Post appropriate "No Trespassing" or "No Trespassing between Designated Times", signs in prominent locations around your property. (See attached examples)

By participating in this program, Hickory Creek Police Officers will check your property during the normal course of patrolling or while answering a call for police service to the location. Please understand that this does not mean that an officer will be available to check your property on a regular basis. Rather, officers will check the property as time and resources allow.

At least once a year or when names of authorized persons changes, you will be required to provide the Hickory Creek Police Department a letter updating your Authorization List on who is authorized to be on your property during periods when no one else should and your emergency contact telephone numbers. You will be responsible for immediately notifying the Hickory Creek Police Department any time the list, ownership or management changes. You may be periodically sent renewal forms to determine if you wish to continue participating in this program. At this time a new "Criminal Trespass Affidavit" form will be completed and sign. Failure to update your Authorization List or return an updated Agreement form may result in removal from the program. If you determine a Criminal Trespass Warning was given in error you must contact the person below immediately.

The Hickory Creek Police Department is not responsible for civil litigation that results out of this agreement based on incorrect or incomplete information provided by you or as a result of an arrest. The Hickory Creek Police Department will not make any decisions regarding the use or disposition of your property.



RPT# _____

CRIMINAL TRESPASS ENFORCEMENT AFFIDAVIT FORM

My name is _____ I am the _____ of the private property located at _____, Hickory Creek, Texas 75065. I have care, custody and control of the above referenced private property. I am authorized to act on behalf of said private property.

I hereby request and authorize the Hickory Creek Police Department to enter the property at said location and, in my absence, to enforce the criminal trespass statute, Section 30.05 of the Texas Penal Code, against any person who is not authorized to be on said property. Hickory Creek Police Department Officers may act as "persons with apparent authority to act for the property owner" to notify any person who is not authorized to be on said property that his entry is forbidden and to leave the property immediately or face possible arrest pursuant to the criminal trespass statute. Appropriate "no trespassing" signs have been posted on the property at locations that are reasonably likely to come to the attention of intruders, in accordance with the criminal trespass statute. In addition, my designee or I will fully cooperate in the prosecution of anyone who is arrested for criminal trespass pursuant to this enforcement program.

This authorization will remain in effect from the date received by the Hickory Creek Police Department until December 31st of that year or until revoked by me or my successor. I understand that this document is a government public record. I understand that the Town of Hickory Creek, the Hickory Creek Police Department, its officers or employees are not responsible criminally or civilly for acting on my behalf based on this agreement. By signing and authorizing this agreement I agree to hold the Town of Hickory Creek, the Hickory Creek Police Department, its officers or employees harmless for the good faith execution of this document. I agree to notify the police department immediately if I discover a Criminal Trespass Warning was given in error.

I agree to notify the Hickory Creek Police Department in writing when the authority is revoked, amended or any changes occur. I understand that the Hickory Creek Police Department may terminate this program and agreement at any time without notice or reason given.

Printed Name

Date

Signature

Business Contact Number

Business Email

After Hours Number

Sworn and subscribed before me

This _____ day of _____, 20__

NOTARY PUBLIC

MY COMMISSION EXPIRES

These Criminal Trespass Affidavits are effective for one (1) year from the date it is executed expiring December 31st of each year. Owners or site administrators may complete a new affidavit and will request a supplement to the original report to document reactivation.

CRIMINAL TRESPASS AFFIDAVIT

This permission is given voluntarily and is hereby effective from the date that this document is received and accepted by the Hickory Creek Police Department, until revoked in writing to the **Hickory Creek Police Department, 1075 Ronald Reagan Ave, Hickory Creek, Texas 75065**. I understand that this document is a government public record. I understand that the Town of Hickory Creek, the Hickory Creek Police Department, its' officers or employees are not responsibly criminally or civilly for acting on your behalf based on this agreement. By signing and authorizing this agreement you agree to hold Town of Hickory Creek, the Hickory Creek Police Department its' officers or employees harmless for the good faith execution of this document. I agree to notify the contact person immediately if I discover a Criminal Trespass Warning was given in error.

I agree to provide the Hickory Creek Police Department a letter updating my Authorization List and emergency contact telephone numbers at least annually or anytime the names of authorized persons changes. I will be responsible to immediately notify the Hickory Creek Police Department in writing to **Hickory Creek Police Department, 1075 Ronald Reagan Ave, Hickory Creek, Texas 75065**, any time the Authorization List, ownership or management changes. Failure to update your Authorization List or return an updated Agreement form may result in removal from the program. I understand that the Hickory Creek Police Department may terminate this program and agreement at any time without notice or reason given.

Signature

Date

Print Name

Driver's License Number

Relationship to property / business (owner / lessee, / manager)

_____.

“I, _____, Badge Number _____, a police officer for the Hickory Creek Police Department, as described in Article 2.12(3) of the Texas Code of Criminal Procedure, have administered this oath to the above noted individual while in the performance of my assigned job duties, as authorized by Section 602.002(7) of the Texas Government Code.”

SUBSCRIBED AND SWORN TO BEFORE ME THIS ____ DAY OF _____ A.D. _____

Officer's Signature

For Hickory Creek Police Department Use Only

Case Number _____

Case Number (to be filled out by HCPD)

CRIMINAL TRESPASS AFFIDAVIT

Authorization List

Property / Business name: _____

Property Location: _____

Hickory Creek, Texas 75065

The following individuals are authorized to be on the above property at the specified time or day:

#	Name	Race	Sex	Date of birth	Address	Telephone Number	Time of Day Allowed on Property
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

(Attached additional list if needed)

Signature

Date

Print Name

Driver's License Number

Note: An Authorization List expires in a maximum of one year from date signed or anytime a change is made and a new list is on file with the Hickory Creek Police Department.

For Hickory Creek Police Department Use Only

Case Number _____

Case Number (to be filled out by HCPD)

CRIMINAL TRESPASS AFFIDAVIT

Examples of Trespass Signs:

Private Property

No

Trespassing

(All Hours)

Violators will be Prosecuted

Section 30.05 Texas Penal Code

No Trespassing

**Between 12:00am and 6:00am
Daily**

Violators will be Prosecuted

Section 30.05 Texas Penal Code

No Trespassing

**CUSTOMERS
ONLY**

**ALL OTHER WILL BE
PROSECUTED**

Section 30.05 Texas Penal Code