

# WEST TEXAS A & M UNIVERSITY POLICE DEPARTMENT

## AFFIDAVIT INSTRUCTIONS

- Step #1: Print legibly and fill in the day, month, year, and time you started writing this affidavit at the top of the form. Put your name after “personally appeared”. Remember, this is a legal document and you are under oath that this affidavit is true and correct as best as you can recall; upon oath you are going to depose and state:
- Step #2: Use your full legal name and your date of birth. For your address use your post office box number with proper zip code. If your mail comes to your residence, use that address and proper zip code.
- Step #3: Tell in your own words what happened in a chronological order.  
**THINGS THAT ARE IMPORTANT:** First and last names, dates, times, serial numbers, model numbers, telephone numbers including area codes, PO box numbers, age of persons, description of persons, vehicle license plate numbers, vehicle description, inside/outside vehicle color, etc. If a theft occurred, list all items stolen and what you paid for that item. Be as specific and descriptive as possible. Remember the more you can give the police, the more the police will have to work with in resolving your case.
- Step #4: When you reach the end of the last line on the affidavit form, go on to a new form. **DO NOT SIGN THE AFFIDAVIT FORM, IT MUST BE SIGNED IN THE PRESENCE OF AN OFFICER.** Fill in your name, date of birth, and address at the top of the new form to identify that it is your affidavit form. If more forms are needed than are supplied, you may make as many copies as needed to complete, rewrite, or make corrections on your affidavit. Upon the completion, bring your affidavit to UPD and request to see an officer. He or she will go over your affidavit with you and upon satisfaction, will notarize the affidavit.
- Step #5: Your affidavit should be brought to UPD at the earliest possible convenience. **Until your affidavit is returned, your case cannot be investigated.** If you have any questions, please contact the Criminal Investigation Division during regular business hours, 8:00 a.m. to 5:00 p.m. Monday-Friday at (806) 651-2300.

IR# \_\_\_\_\_  
Return Date \_\_\_\_\_  
Officer \_\_\_\_\_









The University Police Department (UPD) appreciates your working with us to resolve this unfortunate situation. UPD provides a special service to victims of crime by designating a specific person to assist you.

As Victims Assistance Coordinator, I will assist you by answering your questions and provide referrals as necessary. The attached packet of information is provided to allow you the opportunity to complete the appropriate forms for the investigation and speed the investigative process.

Any question you may have is a worthwhile question. Feel free to call me with questions concerning the incident, actions taken by our department or that of the prosecutor and courts.

Sincerely,

Meri Lyn Odell  
Director of Police Administration  
Victim Assistance Coordinator  
modell@wtamu.edu  
(806) 651-2307

(Please review the victim's rights included in the packet and follow the instructions attached to complete the necessary documents.)

**Crime Victims' Rights**  
**Code of Criminal Procedure, Chapter 56**

**Art. 56.01. Definitions**

- (1) "Close relative of deceased victim" - person who was spouse of deceased victim at the time of victim's death or who is a parent or adult brother, sister, or child of deceased victim.
- (2) "Guardian of victim" - person who is the legal guardian of victim, whether or not the legal relationship between guardian and victim exists because of age of victim or physical or mental incompetency of victim.
- (3) "Victim" - person who is the victim of sexual assault, kidnapping, or aggravated robbery or who has suffered bodily injury or death as a result of the criminal conduct of another.

**Art. 56.02. Crime victims' rights**

- (a) A victim, guardian of a victim, or close relative of deceased victim is entitled to the following rights within the criminal justice system:
  - (1) right to receive adequate protection from harm and threats of harm arising from cooperation with prosecution;
  - (2) right to have magistrate take safety of victim or family into consideration in fixing amount of bail for the accused;
  - (3) right, if requested, to be informed:
    - (A) by attorney representing state of relevant court proceedings, including appellate proceedings, and be informed if proceedings have been canceled or rescheduled prior to the event; and
    - (B) by appellate court of decisions of court, after decisions are entered but before the decisions are made public;
  - (4) right to be informed, when requested, by officer concerning defendant's right to bail and procedures in criminal investigations and by district attorney's office concerning general procedures in criminal justice system, including general procedures in guilty plea negotiations and arrangements, restitution, and appeals and parole process;
  - (5) right to provide pertinent information to probation department conducting presentencing investigation concerning impact of offense on victim and family by testimony, written statement, or other manner prior to any sentencing;
  - (6) right to receive information regarding compensation to victims of crime as provided by Subchapter B, including information related to costs that may be compensated under that subchapter and amount of compensation, eligibility for compensation, and procedures for application for compensation under that subchapter, the payment for a medical examination under Article 56.06 for a victim of a sexual assault, and when requested, referral to available social service agencies that may offer additional assistance;
  - (7) right to be informed, upon request, of parole procedures, participate in the parole process, be notified, if requested, of parole proceedings concerning a defendant in victim's case, to provide Board of Pardons and Paroles for inclusion in defendant's file information to be considered by the board prior to the parole of any defendant convicted of any crime subject to this subchapter, and to be notified, if requested, of the defendant's release;
  - (8) right to be provided with a waiting area, separate or secure from other witnesses, including offender and relatives of offender, before testifying in any proceeding concerning offender; if separate waiting area is not available, other safeguards should be taken to minimize victim's contact with offender and offender's relatives and witnesses, before and during court proceedings;
  - (9) right to prompt return of property that is held by law enforcement agency or attorney for the state as evidence when property is no longer required for that purpose;
  - (10) right for attorney for state to notify employer of victim, if requested, of necessity of victim's cooperation and testimony in a proceeding that may necessitate the absence of victim from work for good cause;
  - (11) right to counseling, on request, regarding acquired immune deficiency syndrome (AIDS) and human immunodeficiency virus (HIV) infection and testing for AIDS, HIV infection, antibodies to HIV, or infection with other probable causative agent of AIDS, if offense is under Section 21.11(a)(1), 22.011, or 22.021, Penal Code;
  - (12) right to request victim-offender mediation coordinated by victim services of TX Dept. of Criminal Justice; and
  - (13) right to be informed of uses of victim impact statement and statement's purpose in criminal justice system, to complete victim impact statement, and to have victim impact statement considered:
    - (A) by attorney representing state and judge before sentencing or before plea bargain agreement is accepted; and
    - (B) by the Board of Pardons and Paroles before an inmate is released on parole.
- (b) A victim, guardian of a victim, or close relative of a deceased victim is entitled to the right to be present at all public court proceedings related to the offense, subject to the approval of the judge in the case.
- (c) The office of the attorney representing the state, and sheriff, police, and other law enforcement agencies shall ensure to extent practicable, a victim, guardian of victim, or close relative of deceased victim is afforded rights granted by Subsection (a) of this article and, on request, an explanation of those rights.
- (d) A judge, attorney for state, peace officer, or law enforcement agency is not liable for failure or inability to provide a right enumerated in this article. The failure or inability of any person to provide a right or service enumerated in this article may not be used by defendant in a criminal case as a ground for appeal, a ground to set aside the conviction or sentence, or a ground in a habeas corpus petition. A victim, guardian of victim, or close relative of deceased victim does not have standing to participate as a party in a criminal proceeding or to contest the disposition of any charge.