**HARASSMENT CASE – EVIDENCE REQUIRED**

**All DOCUMENTATION/EVIDENCE of the reported harassment MUST BE provided with the victim’s written statement (2089) either on paper or on disk (CD)/digital media. An investigation CANNOT be initiated before you, as the victim, provide this evidence establishing probable cause that the offense of harassment has taken place.**

This may include some or all of the following evidence:

* 1. Copies (screenshots or print-outs) of text messages;
	2. Copies of the phone records for the victim’s phone covering the month or months during which Harassment by phone to the victim was taking place;

a. This includes ALL incoming and outgoing phone logs and text/picture logs;

1. These records can be obtained online at your provider’s website;

* 1. Copies of all emails between the victim and the suspect during the time Harassment was taking place;
	2. Copies of any videos or audio recordings (including voicemails) capturing harassment events;

a. This includes phone recordings, home surveillance video, and recorded conversations

*\*\*\*\*\*\*\*\*\*\*\*\*DO NOT get rid of the ORIGINAL EVIDENCE after providing copies to SAPD\*\*\*\*\*\*\*\*\*\*\*\*\*\**

***\*PLEASE NOTE: If the victim and the suspect have children together it should be noted that communication about the children may not be considered Harassment simply because the victim does not want the communication.***

***\*Arguments over civil matters like divorce proceedings, child custody, division of property, or bill collection may not be considered harassment simply because the victim does not want the communication.***

***\* Communication must not be back-and-forth. If the victim is actively communicating with the suspect the case cannot be proven as harassment. All communication by the victim to the suspect, even responses to communication, must cease before any case can be made or investigated. The unwanted communication by the suspect needs to continue after any and all communication by the victim to the suspect has stopped and the victim has clearly communicated to the suspect that they want no further communication.***

**Texas Penal Code: Sec. 37.09. TAMPERING WITH OR FABRICATING PHYSICAL EVIDENCE.**

1. A person commits an offense if, knowing that an investigation or official proceeding is pending or in progress, he:
	1. alters, destroys, or conceals any record, document, or thing with intent to impair its verity, legibility, or availability as evidence in the investigation or official proceeding; or
	2. makes, presents, or uses any record, document, or thing with knowledge of its falsity and with intent to affect the course or outcome of the investigation or official proceeding.

 \*\* ***An offense under Subsection (a) is a felony of the third degree.\*\****

**I declare, under penalty of law, that the evidence/records I have submitted for this case are complete and have not been altered or falsified. The evidence and records I have submitted are true and correct.**

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 Victim’s Signature / Date

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 Witness’ Signature / Date

**Texas Penal Code: Sec. 42.07. HARASSMENT.**

1. A person commits an offense if, with intent to harass, annoy, alarm, abuse, torment, or embarrass another, the person:
2. initiates communication and in the course of the communication makes a comment, request, suggestion, or proposal that is obscene;
3. threatens, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property;
4. conveys, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury;
5. causes the telephone of another to ring repeatedly or makes repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;
6. makes a telephone call and intentionally fails to hang up or disengage the connection;
7. knowingly permits a telephone under the person's control to be used by another to commit an offense under this section; or

7) sends repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another.

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| **HARASSMENT Supplement Report Form** | **Case Number:** |
| **Victim’s Name****:**      (Nombre de Victima)  |  **Race:**      (Raza) | **Victim’s DL or ID#:**      (Numero de Licencia o Numero de Identificación) |
| **Date of Birth:**      **(**Fecha De Nacimiento**)** | **Social Security #:**      (Numero de Seguro Social) | **Cell Phone/ Provider**      (Teléfono celular/compañía telefónica) |
| **Home Address:**      (Dirección de Casa)  | **Home Telephone:**      (Teléfono de Su Casa) |
| **Work Address:**      (Dirección de Trabajo)  | **Work Telephone:**      (Teléfono de Su Trabajo)  |  **Complainant Email :**      **(Correo electrónico)** |

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| **Suspect’s Name:**      (Nombre del Sospechoso)  | **Race:**      **(Raza)** | **Alias Names :**      (Nombres alternativos) |
| **Date of Birth:**      (Fecha De Nacimiento)  | **Social Security #:**      (Numero de Seguro Social) | **Cell Phone/ Provider:**      (Teléfono celular/compañía telefónica) |
| **Home Address:**      (Dirección de Casa)  | **Home Telephone:**      (Teléfono de Su Casa) |
| **Is the suspect employed?** **[ ] Yes** (Si) **[ ] No** (¿Esta el Sospechoso empleado?) | **Work Address:**      (Dirección de Trabajo)  |
| **Work Telephone:**      (Teléfono de Trabajo)  | **Suspect DL or ID#:**      (Numero de Licencia o Numero de Identificación**)** | **Suspect Email :**      **(Correo electrónico)** |

**RELATIONSHIP BETWEEN VICTIM AND SUSPECT (RELACION ENTRE LA VICTIMA Y SOSPECHOSO)**

**\*\*CHECK ALL THAT APPLY/MARQUE LOS QUE APLIQUEN\*\***

[ ]  **Spouse** (Esposo) [ ]  **Former Spouse** (Ex-Esposo) [ ]  **Cohabitants** (Cohabitante) [ ]  **Former Cohabitants** (Ex-Cohabitante)

[ ]  **Dating/Engaged** (Novios) [ ]  **Former Dating** (Ex-Novio) [ ]  **Same Sex** (Mismo Sexo) [ ]  **Child in Common** (Nino en Comun)

[ ]  **Child** (Niño)[ ]  **Parent** (Pariente) [ ]  **Emancipated Minor** (Menor de Edad emancipado)

[ ]  **Sibling** (Hermano) [ ]  **NONE** [ ]  **Other** (Otra relación)

**Have you ever lived together? [ ]  Yes** (Si) **[ ]  No**

(¿Alguna vez han vivido juntos?)

**Have you made previous police reports involving the listed suspects? [ ] Yes** (Si) **[ ] No** **List Case Numbers:**

(¿Usted ha hecho reportes policiacas?) (Si así fue, enumere los números policiacos del caso)

**Do you have a Protective Order? [ ]  Yes** (Si) **[ ]  No**

(¿Tiene usted una orden de protección?)

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| **List at least one person who has frequent contact with you, who is not a blood relative of the suspect.**(Enumere por lo menos a una persona que tiene contacto frecuente con usted, que no es pariente del sospechoso.) |
| **Name:**      (Nombre)  | **Telephone Number:**      (Teléfono) |
| **Address:**      (Dirección) | **Relationship:**      (Relación) |
| **VICTIM’S STATEMENT** (Declaración de la victima) **:**  |
| **When was the last time you were contacted by the suspect ? When was the last time you contacted the suspect?** (¿cuándo fue la última vez que el acusado tuvo contacto contigo? ¿cuándo fue la última vez que se comunicó con el acusado?)       |
| **What are the beginning and ending dates of this harassment?** (¿Cuándo comenzó el acoso ? ¿Cuándo terminó el acoso ?)       |
| **What will the suspect say is going on?** (¿Qué dirá el acusado sobre lo que sucede?)       |

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| **List any witnesses that have been present during any events of Harassment. Be sure to provide contact information for these witnesses.**  (Enumere testigos, junto con la información de contacto, que han estado presentes durante cualquier evento de acoso.) |
| **Name:**      (Nombre) | **Telephone Number:**      (Teléfono) |
| **Name:**      (Nombre) | **Telephone Number:**      (Teléfono) |

**Give a detailed description of the harassment that is occurring and, if known, the reason why it is happening:**

(Escriba una descripción detallada de lo que está ocurriendo y si usted sabe por qué está ocurriendo)

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