

San Antonio Police Department

VEHICLE CRIMES UNIT
555 Academic Court, Suite #354
SAN ANTONIO, TX 78204

(210) 207-7345

Criminal Complaint Packet

Before the filing of Formal Criminal Charges, complete and accurate information is necessary. The attached instructions and forms need to be followed and completed to provide an accurate assessment of this case. The information contained herein is the minimum required for an indictment by the Bexar County Grand Jury. More information may be required. **NOTE: The Complainant or Witness Information Form must** be attached for each witness that can offer relevant testimony in this matter. For more copies, photocopy any of the attached documents as required.

IMPORTANT: Attach legible photocopies of all related documents to include but not limited to contracts, invoices, and reports that may have a bearing on this matter.

Take your time in completing the Criminal Complaint Form(s) in a chronological manner, as accuracy, completeness and legibility are far more important than speed. If possible, please type out all forms.

Criminal Prosecution is a serious and time-consuming matter, demanding your full cooperation and patience.

VEHICLE CRIMES UNIT
San Antonio Police Department



TO REPORT A VEHICLE STOLEN THAT WAS INITIALLY GIVEN TO THE ACTOR VIA A “RENTAL AGREEMENT” THE FOLLOWING STEPS MUST BE COMPLETED BY THE COMPLAINANT. THE VEHICLE IN QUESTION WILL NOT BE ENTERED AS A STOLEN UNTIL THESE STEPS ARE SATISFIED.

The reason these steps must be followed prior to entering the vehicle in the system as stolen is for compliance with the Texas Penal Code Statue 31.04. (b.4), (see attached copy of the statue) as well as meeting the requirements of the District Attorney’s Office for them to accept a criminal case for prosecution.

- ***Send a letter, CERTIFIED MAIL RETURN RECEIPT REQUESTED, to the offenders’ last known address.*** (Can use attached SAPD form letter.)
- This letter is sent when the business is not able to collect any more money from the offender and the vehicle has not been returned.
 - This letter should state they have five (5), three (3), or two (2) days following receipt of the letter to return the vehicle or theft charges will be filed against them.
 - Please date the letter and include the date the vehicle must be returned by to avoid the criminal charge of theft being filed. Refer to section “d” of attached penal code statue 31.04 for explanation of this legal requirement.
 - In the letter you must list a detailed description of the vehicle to include:
 - Year, make, and model of vehicle
 - The license plate number and state of registration
 - The vehicle identification number
 - The vehicle color and style [2dr, 4dr, hatchback, etc.]
 - This letter must include the name and address of the offender

*Note: *Make and retain a copy of the letter for your records*

1. ***A legible, photocopy of the driver’s license of the person that is renting the vehicle is needed to identify the person receiving the vehicle.*** The clerk or agent receiving this identification must verify that the picture on the driver’s license matches that of the person presenting it.
2. ***A statement of facts from the employee that processed the transaction.*** This statement should briefly explain the transaction and that the photo submitted is that of the suspect. This statement and identification are critical to file the case.
3. ***A non-consent affidavit from the manager/ owner.***
4. ***A Complainant / Witness Information Form*** must be completed for each employee that was involved in the transaction, as well as the manager / owner signing the non-consent affidavit.
5. ***After you receive your “return receipt” or “undelivered letter” from the Post Office and the required days have past, please contact the San Antonio Police Department to report the vehicle stolen and have it entered into TCIC/NCIC as a “stolen vehicle”.***

6. ***The following items must be provided to the police department at the time of reporting the vehicle stolen:***

- Copy of the signed rental contract,
- Copy of payment records,
- Copy of letter or notification sent to suspect,
- Copy post office “return receipt”,
- Legible copy of suspect’s driver license or photo used for identification,
- Statement of facts and non-consent affidavit (refer to 3 & 4 above), and
- Completed “Complaint / Witness Information Form” for each witness that can offer relevant testimony in this matter.

All the above steps must be followed to have a “rental vehicle” reported stolen unless directed differently by San Antonio Police Department or the District Attorney’s Office.

- Should you have any questions or need assistance please contact the San Antonio Police Department Vehicle Crimes Unit at 210-207-7345.

Criminal Complaint Forms

SAN ANTONIO POLICE DEPARTMENT

VEHICLE CRIMES UNIT

This complaint package is provided to initiate an investigation into violations of the Laws of the State of Texas. We recommend that you consult with your own attorney to determine your legal rights and civil remedies in this matter prior to filing this complaint.

INSTRUCTIONS

1. PLEASE TYPE or print legibly.
2. The attached forms must be as complete and accurate as possible so that your case can be properly evaluated for criminal prosecution.
3. Any sections that are not applicable to your case must be noted with N/A.
4. If more room is required to answer questions, please do so on additional paper. Attach the additional pages to this form and indicate that there are such pages in the appropriate blocks in the packet.
5. Any additional witnesses that can offer relevant testimony must complete the attached witness forms. These forms must be attached to this Complaint prior to returning this packet.

As these forms may be examined by the Bexar County Grand Jury and the Bexar County District Attorney's Office please ensure they are neat, understandable, accurate in detail, and in a chronological order of events. Be sure to include all dates, times, places, evidence, and individuals involved.

Complainant / Witness Information Form

1.

Full Name of the **Complainant** _____ Title _____**Company Name** and Full Address (including ZIP Code) _____

Home Address (including ZIP Code) _____

Business Phone Number _____ Fax Phone _____ Home Phone _____

Sex _____ Race _____ Date of Birth _____ Drivers License No. _____ Social Security No. _____

Nearest Relative (other than spouse): _____

Address of this relative: _____

Phone number of this relative: _____

2.

Full Name of the **Witness** _____ Title _____

Company Name and Full Address (including ZIP Code) _____

Home Address (including ZIP Code) _____

Business Phone Number _____ Fax Phone _____ Home Phone _____

Sex _____ Race _____ Date of Birth _____ Drivers License No. _____ Social Security No. _____

Nearest Relative (other than spouse): _____

Address of this relative: _____

Phone number of this relative: _____

() Check here if there are additional witnesses

***Note:** If there are more witnesses, photocopy this page and include the additional page immediately after this page in the packet.

Suspect(s) Information Form

1.

Full Name of **Suspect** Job Title if Applicable

Suspect's Alias Names

Suspect's Full Address (including ZIP Code)

Suspect's Phone Number Other Phone Numbers (relatives, associates, other work, etc.)

Sex Race Date of Birth Height Weight Other Physical Identifiers

Driver's License No. State Social Security No. Other

2.

Full Name of **Suspect** Job Title if Applicable

Suspect's Alias Names

Suspect's Full Address (including ZIP Code)

Suspect's Phone Number Other Phone Numbers (relatives, associates, other work, etc.)

Sex Race Date of Birth Height Weight Other Physical Identifiers

Driver's License No. State Social Security No. Other

3.

Full Name of **Suspect** Job Title if Applicable

Suspect's Alias Names

Suspect's Full Address (including ZIP Code)

Suspect's Phone Number Other Phone Numbers (relatives, associates, other work, etc.)

Sex Race Date of Birth Height Weight Other Physical Identifiers

Driver's License No. State Social Security No. Other

Statement of Facts

Be as complete as possible answering questions: **Do not use "see the above" as a statement.** Some duplication maybe required.

Date Vehicle Was Rented: _____ Time Vehicle Was Rented: _____

Name of Suspect *Renting* Vehicle: _____

Name of Suspect *Receiving* Vehicle: _____

Vehicle Description: *Year:* _____ *Make:* _____ *Model:* _____
Style: _____ *Color:* _____
License Number & State: _____
Vehicle Identification Number (VIN): _____

Company Employee / Agent handling transaction: _____

Contract Number: _____

Date Vehicle *was to be* Returned: _____

Date Last Payment Received: _____

Method of Payment: Cash: _____
Check: *Ck #* _____ *Account #* _____
Credit Card: M/C Visa Amex Disc Other: _____
Credit Card Number: _____
Name of Credit Card Holder: _____

Date Demand Letter Sent: _____

Date Demand Letter Received or Returned: _____

Additional details: _____

I certify that the above given statement is true and correct to the best of my knowledge and that I will appear in court and testify if necessary.

SIGNATURE

Witness Statement

Describe your exact involvement with this case in chronological order. Put only what you can personally testify to. Be as complete as possible answering who, what, when, where, why, and how. Refer to the documentation submitted to explain your involvement and identify the specific documentation, evidence, or people that you are talking about. **Do not use "see the above" as a statement.**

(If additional room is required use copies of this page.)

My name is _____ and my date of birth is _____. I can and do read, write, and understand the English language.

1. Are you the person who completed the "rental contract" with the suspect: Yes or No

2. If you answered yes to (1), did you verify?

a. The drivers license presented belonged to the suspect? Yes or No

b. Did the photo on the driver's license match the suspect? Yes or No

3. Have you had previous contact with the suspect? Yes or No

4. If you answered yes to (3), what was your previous contact with the suspect?

Any additional information you feel may be significant to this case:

I certify that the above given statement is true and correct to the best of my knowledge and that I will appear in court and testify if necessary.

SIGNATURE

San Antonio Police Department
Non-Consent Affidavit

The State Of Texas
 County of Bexar

Before me, the undersigned authority on this day personally appeared _____, representing _____ did state that on the _____ day of _____, 20 ____ had legal care, custody or control of the listed vehicle:

| YEAR | MAKE | MODEL | STYLE | COLOR |
|--------------------------------|------|-------------------------------|-------|-------|
| | | | | |
| LICENSE NUMBER (Include State) | | VEHICLE IDENTIFICATION NUMBER | | |

I declare that my company _____ has complied with the State Law removing the legal authority of any individual, group, or business to be in possession of the above described vehicle. That authority was removed on the _____ day of _____, 20 ____.

I _____ being an agent of _____ desire to prosecute the person(s) responsible for the unlawful taking / possession or use of the above described vehicle.

 Signature of Affiant

 Title (Owner, manager, agent, etc)

| |
|-----------------------------------|
| Theft of Service (Vehicle) |
|-----------------------------------|

To assist the **Police Department** and the **District Attorney's Office** in the handling of your case please follow these guidelines strictly. It is the sole responsibility of the reporting party to meet these requirements. The vehicle **WILL NOT** be reported **STOLEN** until this procedure has been followed.

1. Send a **CERTIFIED MAIL LETTER, RETURN RECEIPT REQUESTED**, to the offender's last known address, advising they must return the vehicle immediately, or theft charges will be filed against them. Include a detailed description of the vehicle in your letter, including license number, vehicle identification number, color, style, etc. Make and retain a duplicate of the letter for your records.

2. ☐ **5 DAYS**, ☐ **3 DAYS**, or ☐ **2 DAYS AFTER YOU RECEIVE YOUR RECEIPT OR THE UNDELIVERED LETTER** from the Post Office, (provided that the vehicle has not been returned), and contact the **San Antonio Police Department**. Keep the **RECEIPT** or **UNOPENED LETTER** and **TITLE** to your vehicle available. If the entire letter was returned unclaimed, leave the **RECEIPT** attached, and **DO NOT OPEN THE LETTER**. The investigator will need all the above listed items to prepare the case.

All above procedures must be followed unless directed differently by the **DISTRICT ATTORNEY'S OFFICE**.

DATE: _____

TO: _____

PRINTED NAME

STREET ADDRESS

CITY / STATE / ZIP CODE

DEAR MR / MS _____

You are hereby notified that a motor vehicle in your possession described as:

| YEAR | MAKE | MODEL | STYLE | COLOR |
|--------------------------------|------|-------------------------------|-------|-------|
| | | | | |
| LICENSE NUMBER (Include State) | | VEHICLE IDENTIFICATION NUMBER | | |

The listed motor vehicle is owned by _____ and **I am the lawful owner/ agent.** You are instructed to return said motor vehicle to me in the same condition as you received it, within _____ days of receipt of this notice **or felony charges will be filed.**

Return the motor vehicle to:_____
BUSINESS NAME_____
STREET ADDRESS_____
CITY / STATE / ZIP CODE

Sincerely,

SIGNATURE_____
PRINTED NAME