

DOCUMENT 2: Elements of a Criminal Affidavit / Complaint (Revised and Strengthened Edition – April 2026)

Disclaimer This document compiles publicly available information from Texas statutes, the Texas Code of Criminal Procedure, and TexasLawHelp.org. It is not legal advice. False statements in a sworn affidavit can result in perjury charges under Texas Penal Code §§ 37.02 and 37.03. Consult qualified legal counsel before use in any official proceeding. Verify all current statutes and forms on official sites.

MUST-HAVE SECTIONS (Use in this order)

1. Caption / Title and Affiant's Identification THE STATE OF TEXAS COUNTY OF [County Name]

AFFIDAVIT OF [Your Full Legal Name]

Include your full name, address, phone number, and relevant experience or expertise. Emphasize training and knowledge pertinent to the matters alleged.

2. Background of Affiant (Optional but Recommended) Provide brief relevant background. In cases involving children or family courts, consider attaching your current CV as Exhibit A.
3. Statement of Purpose "This Affidavit is submitted in support of my Criminal Complaint against [Full Name(s) and Title(s)/Agency]."

"This Affidavit is submitted in support of my request for [specific relief, e.g., full criminal investigation, referral to Texas Rangers, etc.]."

4. Constitutional and Statutory Guidelines / Oath Reminder Reference Article XVI, Section 1 of the Texas Constitution (Oath of Office) and relevant protections such as the Fourteenth Amendment Due Process Clause.
5. Statutory Guidelines (What the Law Requires) List and briefly describe applicable statutes (e.g., Texas Family Code provisions for DFPS duties, Texas Local Government Code § 87.011(3) (definition of official misconduct) and § 87.013 (grounds for removal)).
6. Statutory Violations / Statement of Probable Cause Clearly state how the law was violated with specific facts. Example: "This Affidavit establishes probable cause to believe that [Name/Agency] committed the offense of abuse of official capacity or official oppression under Texas Penal Code § 39.02 or § 39.03 by [describe specific intentional failures with dates and details]."
7. Statement of Limited Presentation of Facts "This Affidavit does not include all facts known to me, but only those relevant and sufficient to establish probable cause or support

the requested relief. Additional evidence is available upon request.” **THIS IS WHERE YOUR TIMELINE GOES**

8. Statement of Facts Provide a concise, chronological narrative in first-person. Use dates, names, and specific actions. Attach supporting documents as numbered exhibits.
9. Relief Requested “Based on the foregoing, I respectfully request that [Agency/Official] promptly:
 1. Initiate a full criminal investigation and assign an investigation number;
 2. [Any other specific lawful action within their authority].”
10. Verification / Sworn Statement “I, [Your Full Name], being duly sworn, state under oath that I have personal knowledge of the facts stated herein (except as otherwise noted), and that they are true and correct.”

Signature line:

[Your Printed Name] Affiant

Notary Jurat (must be completed by a notary): SWORN TO AND SUBSCRIBED before me on this ____ day of _____, 20.

Notary Public, State of Texas My Commission Expires: _____

OPTIONAL SECTIONS

- Definitions (for technical terms)
- Exhibits / Attachments (list all attached documents)

Helpful Resources

- General affidavit guidance and forms: <https://texaslawhelp.org/article/general-affidavits>
- Texas statutes: <https://statutes.capitol.texas.gov/>

For more resources visit <https://molaeministeria.org/>

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1-Page Instructions for the Affidavit (Separate Page – Paste as Needed)

How to Complete and Notarize This Criminal Affidavit

Step 1: Gather all facts, dates, documents, and evidence. Identify specific statutes and the exact relief you seek.

Step 2: Type the affidavit using the sections above. Keep language factual and concise. Use first-person statements of personal knowledge.

Step 3: Attach exhibits and list them. Proofread carefully.

Step 4: Notarization (mandatory)

- Do not sign until you are before a notary.
- Bring valid photo ID.
- Sign only in the notary's presence. The notary will complete the jurat.

Step 5: Make copies. Submit the notarized original with your master complaint packet via certified mail or hand delivery. Request an investigation number in writing.

Step 6: Follow up every 1–2 weeks. Log all submissions and responses. Add everything to your master file.

Tips: Be truthful. Update statutes from official sites before finalizing. Consult an attorney for court filings. Persistence builds a strong record.