GUIDE:

Elements of a Criminal/Affidavit Complaint

# MUST HAVE SECTIONS

1. Affiant’s name, title, experience, jurisdictional authority.
   1. Emphasize training, experience and knowledge relevant to the type of crime named in the warrant.
   2. Remember, training and experience add to probable cause.
2. Background of Affiant (**OPTIONAL** only needed if Pertinent)
   1. Here add any other background information that is PERTINENT, such as expertise, affiliations, experience, etc.
   2. When talking about courts, children, abuse/neglect, etc. I include my CV as it lends credibility.
3. Statement of Purpose
   * 1. “This Affidavit is submitted in support of my Criminal Complaint against (NAME the person/agency.).”
     2. ” This Affidavit is submitted in support of my request for (state your Demand; Warrant, Investigation, Censure, etc.)
4. Constitutional Guidelines
   1. This is simply reminding the Oath Holders of the power of the Constitution.
   2. Amend and add/subtract as meets your needs.
5. Statement of probable cause.
   1. I have divided my Statement of Probable Cause into two (2) Sections (#5 & 6) for clarity.
   2. #5 Statutory Guidelines and #6 Statutory Violations. Guidelines is what is SUPPOSED to happen, violations is what DID happen.
   3. Statutory Guidelines
   4. To be VERY CLEAR, I try to list the Statutes that apply
6. Statutory Violations
   1. Same as with above 5.4, I am being VERY CLEAR so there is no misunderstanding.
   2. “This affidavit establishes probable cause to believe evidence of (INSERT CRIME/VIOLATION HERE), in violation of (INSERT LAW OR STATUTE HERE), there is probable cause to believe (INSERT PERSON/AGENCY HERE) committed the offense of controlled substance distribution, in violation of…”
   3. Above language can be tailored to your needs.
7. Statement of limited presentation of facts.
   1. “This affidavit does not include all of the facts known to me, but only those facts relevant and sufficient to establish probable cause.”
   2. You DO NOT have to supply everything you have/know, just enough to meet the Elements of the crimes you are alleging. That is the purpose of the statement above
8. Statement of Facts
   1. Facts, to include support for each and every element of the offense or item to be seized (addressed next).
   2. Make your narrative Concise and to the Point.
9. Relief
   1. Tell them EXACTLY what you want (Relief). It MUST be something they can do, and MUST be clearly asked for. Examples, Investigation, Warrant, etc.
   2. If you fail to ask for specific Relief, they will ignore the Affidavit.
10. Verification
    1. All Affidavits MUST be Verified. Simply Copy & Paste the last Sections (CHANGE YOUR NAME AND ADDRESS)
    2. Notary Acknowledgment: All Affidavits MUST be Notarized and Sworn to. DO NOT LIE!!!

# OPTIONAL SECTIONS

1. Definitions
   1. If you have technical or complex terminology, include a list of Definitions.
   2. Supporting Documents are NOT NECESSARY, but I often attach my Resume/CV so they understand my areas of expertise.

Get more resources and assistance at <https://molaeministeria.org/>

***Note.*** This information was taken from publicly available governmental websites. None of this is original material. And nothing contained herein is legal advice.

Be blessed, be a warrior.



Brooks McKenzie, PhD

Chief Baba-Yaga/Driver of a Magic Bus

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