

ATTACHMENT 2

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF CLACKAMAS

State of OREGON)

AFFIDAVIT FOR ISSUANCE OF
EVICTION NOTICE FROM

County of Clackamas)

MOTORHOME ON PUBLIC ROAD

I, [name], am the affiant of this affidavit. I am certified as a peace officer in the State of Oregon and commissioned by the Clackamas County Sheriff's Office as a Deputy Sheriff. I have been employed by the Clackamas County Sheriff's Office since [month] [year]. I have received all phases of police training, to include: property crime investigation, homicide investigation, robbery investigation, narcotics investigation, search and seizure, collection and preservation of evidence, weapons tactics, felon apprehension, and other police operations. I have received this training through the Oregon Department on Police Standards and Training, in-service training through the Clackamas County Sheriff's Office, specialized classes and seminars offered by private organizations and other police agencies.

I hold an [Advanced] Police Certificate from the Oregon Department of Public Safety Standards and Training. I am currently assigned to the Neighborhood Livability Project Team

[mention other specialized training or investigations directly related to this case.]

I am currently investigating a violation of Clackamas County Code 7.01 Vehicle Parking and Towing. The investigation is identified under Clackamas County Sheriff's Office case number [year-xxx]. This affidavit will provide reasonable suspicion of violation of this code in order to gain an eviction notice for the occupants and the ability to impound and tow the vehicle. The information contained within this affidavit is based upon information I have gained from my investigation, my personal observations, my training and experience, and/or information relayed to me by other law enforcement officers and/or agents. Since this affidavit is being submitted for the limited purpose of securing a search warrant

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I have included only those facts that I believe are necessary to establish probable cause, rather than each and every fact known to me concerning this investigation.

1. I request an eviction notice to remove the occupants of the motorhome described as follows:

Year:

Make:

Model:

VIN:

License Plate:

Color:

A photograph of the vehicle is shown below:

2. The motorhome was first identified in this location on XX/XX/XX at XXXX hrs. Notice that the vehicle was in violation of County Parking Ordinance was given to the occupants on XX/XX/XX at XXX hrs by (in person/Notice left). (List all times the occupants were warned to move the vehicle.) At this time, the vehicle has not been moved.

3. In addition to being in violation of the county parking ordinance, this vehicle is creating a significant danger to public health and safety due to:

Excessive Trash

Leaking Vehicular Fluids

Leaking Waste Fluids

Attracting Rodents

Pictures of hazards attached here:

4. The occupants of the motorhome have been contacted in person and offered services to assist them with their living situation on XX/XX/XX at XXXX hrs. They agreed to get help/denied help. At this time, they have not made any attempt to get assistance.

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5. This vehicle and traffic associated with this vehicle has been connected to the following Law Enforcement Calls for Service:

List all calls and their outcome.

6. Based on the fact that this vehicle has been found to be in violation of the county parking ordinance, I have legal basis to impound and tow the vehicle. Tow companies will not tow an occupied vehicle because it has been deemed a safety hazard to the occupant of the vehicle. Those who occupy motorized vehicles as a residence area commonly aware of this and therefor will remain inside the vehicle as a means to prevent tow.

Therefore, I swear the above information is true and I request an immediate eviction notice be issued that will authorize me or other law enforcement officers to evict the occupants from the vehicle described in the sections above and to impound and tow the vehicle from the public roadway. Furthermore, the Court authorizes law enforcement, using physical force if necessary to enter and remove all persons from the vehicle in compliance with this order.

Affiant

[name – title]

Sworn and subscribed before me on this the _____ day of [month], [year] at _____ am/pm.

Signature

Name

Circuit Court Judge
County of Clackamas, State of Oregon