

Criminal Trespass (including Vehicles)



Texas Penal Code Section 30.05 - criminal trespass includes "entering the vehicle of another without effective consent". This provision might be used by police for those who climb on and attach themselves to the vehicles of others, preventing its use. **Check with your local DA.**



§ 30.05. CRIMINAL TRESPASS. (a) A person commits an offense if he enters or remains on or in property, including an aircraft or other vehicle, of another without effective consent or he enters or remains in a building of another without effective consent and he:

- (1) had notice that the entry was forbidden; or
 - (2) received notice to depart but failed to do so.
- (b) For purposes of this section:
- (1) "Entry" means the intrusion of the entire body.



Criminal Conspiracy



Customary Activity
1.Planning Mtgs.
2.Training
3.Obtain devices
4.Travel and stage onsite
5.Conduct protest activities

- §21-421. Conspiracy - Definition - Punishment.
- A. If two or more persons conspire, either:
 1. To commit any crime; or
 2. Falsely and maliciously to indict another for any crime, or to procure another to be charged or arrested for any crime; or
 3. Falsely to move or maintain any suit, action or proceeding; or
 4. To cheat and defraud any person of any property by any means which are in themselves criminal, or by any means which, if executed, would amount to a cheat or to obtaining money or property by false pretenses; or
 5. To commit any act injurious to the public health, to public morals, or to trade or commerce, or for the perversion or obstruction of justice or the due administration of the laws, they are guilty of a conspiracy.



Criminal Instrument or Device



Does Oklahoma Penal Code have a similar law?

Texas Penal Code 16.01

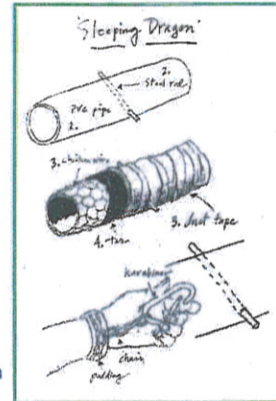
Unlawful Use of a Criminal Instrument

(a) A person commits an offense if:

(1) he possesses a criminal instrument with intent to use it in the commission of an offense; or

(2) with knowledge of its character and with intent to use or aid or permit another to use in the commission of an offense, he manufactures, adapts, sells, installs, or sets up a criminal instrument.

(b) For the purpose of this section, "criminal instrument" means anything, the possession, manufacture, or sale of which is not otherwise an offense, that is specially designed, made, or adapted for use in the commission of an offense.



Grand Jury Indictment: Criminal Instrument



January 4, 2012

•Houston, TX, – A grand jury, convened at the behest of the Harris County District Attorney's office, indicted seven Occupy Houston protesters on felony charges. The demonstrators were arrested and charged with felonies on December 12 at the Port of Houston for obstructing a roadway using a "criminal instrument," the label HPD applied to a few lengths of PVC pipe used to link the arms of the protesters. The charges had been dismissed last week by Judge Joan Campbell of the 248th District Court in Harris County on the grounds that there was no probable cause for the application of the felony charges.

•We believe Franklin and Wood County have charged this offense against the protesters recently.



Dragon Device Removal Training



CDP/FEMA conducts training courses in device removal - contact:

Central Region Coordinator
Mr. Dan Cody
1-866-213-9547
256-847-2084
centralregion@cdpemail.dhs.gov

Also available through Texas Department of Public Safety

TDEM - Training & Exercise Unit
Supervisor
Office: (512) 424-2197
Fax: (512) 424-5647
Email: Vera.Hughes@dps.texas.gov

Departments with Experience:

- Houston PD
- Ontario Provincial Police
- Denver PD



Federal/State Anti-Terrorism Statutes - Attacking a Critical Infrastructure



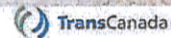
- District Attorneys may have more information regarding the applicability of State or Federal Anti-Terrorism laws prohibiting sabotage or terroristic acts against critical infrastructures.
- Resident FBI offices can explore federal charges with the US Attorney.



7 Arrested – Livingston, TX 8/28/12



- Pictured – Tammie Carson, Denny Hook, Chris Voss, & Ray Torgerson
- Also Arrested, but not pictured – Audrey Steiner, Maxwell Mills, and Garrett Graham



5 Arrested 9/19/12 – Franklin County



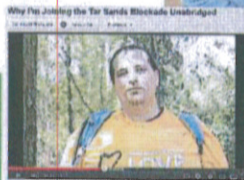
- Arrested –
- Gary Stuard
 - Sam Avery
 - Ramsey Sprague
 - RC Saldana-Flores
 - Doug Grant



Arrested in Wood County – 9/25/12



- Shannon Beebe &
- Benjamin Craft-Reydon



Arrested in Wood County– 10/1/12



**Concrete capsule –
Alejandro de la Torre, 28,
Houston, TX
Bail set at \$10,000**



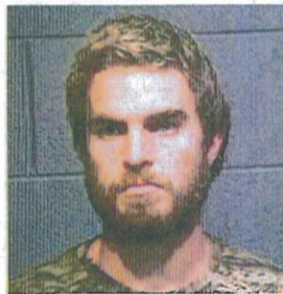
**Arrested in Wood County
10/04/12 – Daryl Hannah**



Daryl Hannah and Eleanor Fairchild Defend Fair...



**Arrested in Wood County
10/15/12 – "Big Event"**



Carter Walker



Cindy Spoon



Jane Boneparth.

www.tarsandsblockade.org



**Arrested in Wood County
10/15/12 – "Big Event"**



- John Duffy
- Kendall Counts
- Peter Tsolkas
- Sarah Campbell



**Cherokee County – Training weekend
11/19/12**



- Training event and 2 simultaneous events in close proximity.

Smith County
12/03/12



Smith County
12/03/12



Valero Refinery – Houston



Potential Security Concerns



- Gulf Coast Project – recent media attention.
- Keystone XL – media, high profile.
- Environmental Activism.
- Energy Action Coalition – “Fossil Fools Day”.
- Protest, Blockade, Threats, Office occupation.
- Aggressive behavior outside the workplace.
- Future open houses, public meetings.
- Landowner court challenges.
- During Construction:
 - Vandalism, sabotage, damage.
 - Construction personnel – camps, hotels, restaurants, bars.



Resources & Response

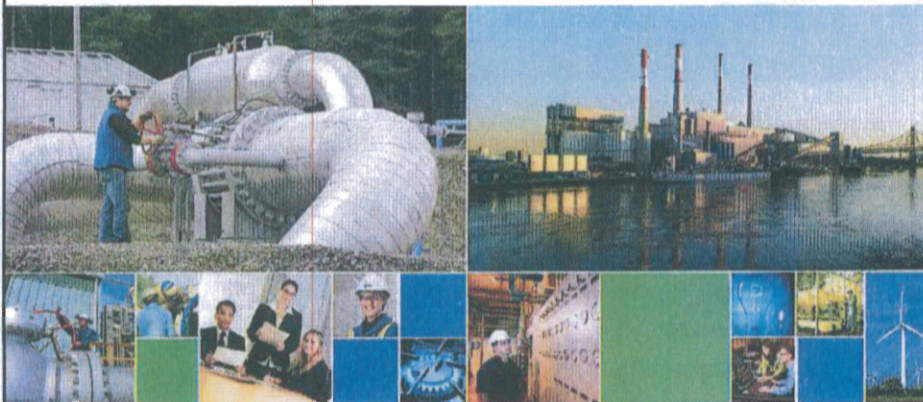


Resources

- TransCanada Corporate Security
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- Closely Coordinated with Project and Construction Management
- Implemented Field Security Advisors

Responders

- Local, State, and Federal Law Enforcement
- Off Duty Law Enforcement Officers
- Fire, EMT, and Rescue



Thank You!

