

Ask the Chief of the Anna Police: A weekly column allowing readers access to useful information about law enforcement issues in the Anna area.

This column is the personal opinion of Kenny Jenks and is based on his 30+ years of policing experience. It is not necessarily the official opinion of the City of Anna or the Anna Police Department and is not legal advice. If you wish to Email, include your name and address in the correspondence. Your information will be edited before sending it to print.

Hello Readers,

I receive between 75-100 Emails each week from persons who would like to converse about the activities of the police in Anna and surrounding areas. I can't respond to or print all of them, but I do read them!

Q: A lady from Oak Hollow writes: We are having problems at the Oak Hollow swimming pool. When we call the police, they don't do anything. What can be done about these problems?

This is a vague question, but I'll try and answer.

Most of the calls we have received from the HOA pools are about violations of pool and HOA rules. Police Officers have no authority to enforce your HOA/pool rules. Any violations of these are the responsibility of the HOA board or management company, by virtue of your covenants.

If persons in the pool are violating the law by creating an unreasonable noise, damaging pool property, or engaging in other illegal conduct, then by all means call the police. It will be dealt with in the same manner as most misdemeanor crimes: if it occurs in the Officer's presence then he can take immediate action. If it occurs prior to his arrival, witnesses are interviewed, statements are taken, a report would be filed and the case will be worked to determine if probable cause exists that a particular person committed a crime to. If so, an arrest warrant, if appropriate, will be.

If in the HOA rules, a member of the HOA board or pool committee has greater authority over the pool than a resident who is simply a user of the pool. That board/committee member can ask the resident violating the rules to leave. Refusal to leave on the part of the resident is Criminal Trespass and the police can be called. On arrival, the Police will confirm the HOA board/committee member's identity and give the violator the chance to leave under penalty of criminal trespass. The violator's decision at that point will lead to what the police officer does next.

I hope this is helpful information and answers some of the questions about HOA pools and the authority of the police to address problems at those locations.

Bottom line, if it is not in the penal code or Code of Ordinances, it is an HOA matter not a police matter.

If you have a question, please email: kjenks@annatexas.gov