

MAKING A PUNISHABLE FALSE WRITTEN STATEMENT
Penal Law § 210.45
(Committed on or after Sept. 1, 1967)

The (specify) count is Making a Punishable False Written Statement.

Under our law, a person is guilty of Making a Punishable False Written Statement when that person knowingly makes a false statement, which he or she does not believe to be true, in a written instrument bearing a legally authorized form notice to the effect that false statements made therein are punishable.

The following term used in that definition has a special meaning:

A person KNOWINGLY makes a false statement when he or she makes a false statement while being aware that the statement is false.¹

Under our law, (specify written instrument) is an instrument legally authorized to contain a form notice to the effect that false statements made therein are punishable.

In order for you to find the defendant guilty of this crime, the People are required to prove, from all the evidence in the case, beyond a reasonable doubt, the following three elements:

1. That on or about (date) , in the county of (county) , the defendant, (defendant's name), made a false statement which he/she did not believe to be true;
2. That the defendant did so in a written instrument bearing a legally authorized form notice to the effect that false statements made therein are punishable;

1

See Penal Law §15.05(2).

and

3. That the defendant did so knowingly.

If you find the People have proven beyond a reasonable doubt each of those elements, you must find the defendant guilty of this crime.

If you find the People have not proven beyond a reasonable doubt any one or more of those elements, you must find the defendant not guilty of this crime.