

**FALSELY REPORTING AN INCIDENT  
IN THE THIRD DEGREE  
(Initiates or circulates a false report of crime,  
catastrophe or emergency)  
Penal Law § 240.50 (1)  
(Committed on or after Sept. 26, 1979)**

The (specify) count is Falsely Reporting an Incident in the Third Degree.

Under our law, a person is guilty of Falsely Reporting an Incident in the Third Degree when, knowing the information reported, conveyed or circulated to be false or baseless, he or she initiates or circulates a false report or warning of an alleged occurrence or impending occurrence of a crime, catastrophe or emergency under circumstances in which it is not unlikely that public alarm or inconvenience will result.

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

1. That on or about (date), in the county of (County), the defendant, (defendant's name), initiated or circulated a false report or warning of an alleged occurrence or impending occurrence of a crime, catastrophe or emergency;
2. That the defendant did so under circumstances in which it was not unlikely that public alarm or inconvenience would result; and
3. That the defendant knew that the information reported, conveyed or circulated was false or baseless.

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.