

**FALSELY REPORTING AN INCIDENT
IN THE THIRD DEGREE
(Falsely reporting incident to agency or organization)
Penal Law § 240.50 (2)
(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 reports, by word or action, to an official or quasi-official agency or organization having the function of dealing with emergencies involving danger to life or property, an alleged occurrence or impending occurrence of a catastrophe or emergency which did not in fact occur or does not in fact exist.

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), reported, by word or action, an alleged occurrence or impending occurrence of a catastrophe or emergency, which did not in fact occur or did not in fact exist;
2. That the defendant made such report to an official agency or quasi-official agency or organization having the function of dealing with emergencies involving danger to life or property; 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.