

**FALSELY REPORTING AN INCIDENT  
IN THE THIRD DEGREE  
(Falsely reporting child abuse to central register)  
Penal Law § 240.50 (4)(a)  
(Committed on or after Sept. 17, 2001)**

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, an alleged occurrence or condition of child abuse or maltreatment, which did not in fact occur or exist, to the statewide central register of child abuse and maltreatment.<sup>1</sup>

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 condition of child abuse or maltreatment, which did not in fact occur or exist;
2. That the defendant made such report to the statewide central register of child abuse and maltreatment; and
3. That the defendant knew that the information reported, conveyed or circulated was false or baseless.

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<sup>1</sup> The statute continues as follows: “as defined in title six of article six of the social services law.” While Social Services Law § 422 establishes a statewide central register of child abuse and maltreatment, there is no specific definition of that term in the Social Services Law.

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

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