

FALSE REPORTS TO LAW
ENFORCEMENT AUTHORITIES
(N.J.S.A. 2C:28-4a)

Count _____ of the indictment charges defendant with False Reports to Law Enforcement Authorities. That section of our statutes, provides in pertinent part:

A person who knowingly gives or causes to be given false information to any law enforcement officer with purpose to implicate another commits a crime.

In order to find defendant guilty of this offense, the State must prove the following elements beyond a reasonable doubt:

1. That the defendant [knowingly gave] [knowingly caused to be given] false information to a law enforcement officer;
2. That defendant knew, [at the time he/she gave the information] [at the time he/she caused the information to be given], that the information was false; and
3. That defendant's purpose in providing this false information was to implicate another.

The first element the State must prove beyond a reasonable doubt is that defendant [knowingly gave] [knowingly caused to be given] false information to (name of officer), a law enforcement officer. A law enforcement officer is a person whose public duties include the power to act as an officer for the detection, apprehension, arrest and conviction of offenders against the laws of this State.¹ Here, the State alleges that the false information given to (name of officer) was _____.

¹ N.J.S.A. 2C:25-19c.

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The second element that the State must prove beyond a reasonable doubt is that, at the time defendant [gave] [caused to be given] the information to (name of officer), defendant knew the information was false.

A person acts knowingly with respect to the nature of his/her conduct or the attendant circumstances if he/she is aware that his/her conduct is of that nature or that such circumstances if he/she is aware that his/her conduct is of that nature, or that such circumstances exist, or he/she is aware of a high probability of their existence. A person acts knowingly with respect to a result of his/her conduct if he/she is aware that it is practically certain that his/her conduct will cause such a result. “Knowing”, “with knowledge”, or equivalent terms have the same meaning.

The third element the State must prove beyond a reasonable doubt is that defendant’s purpose in giving the false information to (name of officer) was to falsely implicate (name of victim). Here, the State alleges that defendant offered false information to (set forth State’s allegations).

A person acts purposely with respect to the nature of his/her conduct or a result thereof if it is his/her conscious object to engage in conduct of that nature or to cause such a result. A person acts purposely with respect to attendant circumstances if he/she is aware of the existence of such circumstances or he/she believes or hopes that they exist. “With purpose,” “designed”, “with design” or equivalent terms have the same meaning.

Purpose and knowledge are conditions of the mind which cannot be seen, and can only be determined by inferences from the defendant’s conduct, words or acts. A state of mind is rarely susceptible of direct proof but must ordinarily be inferred from the facts. Therefore, it is not

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necessary that the State produce witnesses to testify that an accused said that he/she had a certain state of mind when he/she did a particular thing. It is within your power to find that such proof has been furnished beyond a reasonable doubt by inferences which may arise from the nature of his/her acts and conduct and from all he/she said and did at the particular time and place and from all the surrounding circumstances established by the evidence.

If you find that the State has proven beyond a reasonable doubt each element of the offense, then you must find the defendant guilty. If, on the other hand, you find that the State has failed to prove any of these elements beyond a reasonable doubt, then you must find the defendant not guilty.