

## **False Reports to Officials**

### **1. What is the charge of making false reports to officials entail?**

One of the greatest challenges to the local police departments is dealing with false reports made to the police department. This problem is important when people are arrested by the police and then provide false or misleading information to conceal their true identity. In the Municipal Court there are two statutes that the police can use to prosecute false reports concerning identity. Under N.J.S.A. 2C:28-7(a)(a), a person commits a disorderly persons' offense when he or she signs a false name on a public document. And under N.J.S.A. 2C:29-3, a person commits an offense when he tries to hinder his apprehension or that of another giving false information to the police. This charge is considered to be a disorderly persons offense.

### **2. What are the elements of the offense of hindering apprehension or prosecution?**

It is a criminal offense to give false information to a police officer. The giving of false information applies to situations where the defendant's purpose is to either hinder his apprehension or another person's.

### **3. What does the charge of tampering with public records entail?**

The vast majority of municipal prosecutions for false reports to officials are when a defendant signs a false name to a public document. This offense must be committed knowingly. The prosecutor must also prove that the defendant knowingly made a false entry on an official government document. The document is either a police report, an affidavit, or a criminal complaint. The defendant must know that both the information he provides is false and that the record upon which it is made is of a type that belongs to and will be kept by the government. This offense may also be committed purposeful when the defendant unlawfully destroys, conceals, or mutilates a governmental record, document or thing.

### **4. What are the penalties for the offense of providing false reports to officials?**

A person convicted of providing false reports to officials can be subject of a fine up to \$1,000. Moreover, they may be required to pay court costs, a VCCB fine of \$50, a Safe Neighborhood Services Fund of \$75. The court can also impose a jail term between 0 and 90 days. There is a five years waiting period to expunge a conviction for making false reports to officials.