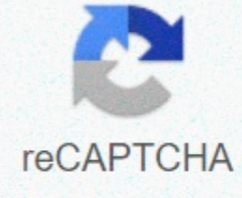




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False police report ncgs

Providing false information to a police officer is a serious felony in California. You think that providing incomplete or less than truthful information to a police officer has no consequences, but there are serious consequences for such actions. There are several California statutes that prohibit giving false information to law enforcement and punishment ranges depending on the facts of your case. Providing false information may include: Submitting a false report of a crime Falsely identifying yourself Giving false information to a police officer in general, providing false information to an officer will likely result in a felony charge however, certain circumstances related to giving such information may contribute to more serious charges. Submitting a false report of a crime (PC 148.5) Under PC 148.5, it is a crime to knowingly make a false report that a crime or a crime has been committed to someone working to take crime reports. Those deployed to take crime reports include the attorney general, prosecutors, a peace officer, a citizen employed by a state or local agency that accepts crime reports, and the grand jury. Examples of submitting a false report include: Reporting a crime has occurred even when one does not have false information about a criminal incident Falsely reporting a theft or property damage indicating an incorrect value of property that was stolen or damaged Prosecution To convict you of a violation of PC 148.5 , a prosecutor must be able to prove without a reasonable doubt the following: You have made a report of a crime that is false; You knew the report was false; and you knew that the person to whom you made the report acted in his professional capacity to accept such reports. Penalty for submitting a false report of a Crime This offence is a felony and can result in up to six months in prison, a fine of up to \$1,000, or both a fine and imprisonment. You could be charged with a felony if you committed this crime in addition to perjury or fraud. Falsely identifying yourself (PC 148.9) Under PC 148.9, it is a crime to provide a false name or false identifying information to a peace officer when you are lawfully detained or arrested. Prosecution If you are legally arrested, you must provide an accurate identification to a peace officer. To convict you of a violation of PC 148.9, a prosecutor must be able to prove beyond a reasonable doubt the following: You improperly represented or identified yourself as otherwise or a fictitious name to a peace officer; The peace officer was involved in the performance of his duties as a peace officer; And you knew or should have known that the person who received the information is a peace officer. Punishment for falsely identifying yourself Falsely identifying yourself to a peace officer is a felony. If you are convicted of this crime, you will be sentenced to up to six months in prison, a fine of up to or both a fine and a prison sentence. Giving false information to a police officer (CVC 31) Under CVC 31, it is a crime to knowingly give false information to a peace officer while the officer performs his duties. You violate VC 31 by giving a wrong answer, identifying yourself as someone else or fictitious, providing false vehicle registration, providing false insurance information or providing a false or borrowed driver's license to a peace officer during a vehicle stop. Prosecution To convict you of a violation of VC 31, a prosecutor should be able to prove beyond a reasonable doubt the following: You gave false information to a peace officer while in the performance of the duties of the officer; You knew the information was false; And you knew or should have known that the person who received the information is a peace officer. Punishment for giving false information Giving false information to a peace officer is a felony and can result in up to six months in prison and a fine of up to \$1,000. You could face additional charges if you also avoid arrest. Possible defense of false information to a Police Charger Charge A felony conviction can significantly affect your future. An experienced criminal defense attorney can protect your rights by increasing all the defenses you may have to successfully reduce and possibly defeat all costs. Defense of filing a false report of a crime There are several defenses that your expert criminal defense attorney can increase if you are accused of filing a false report of a crime. Truth One of the elements a prosecutor has to prove is that your report to the police was false. If the information is true, then there is no way for the district attorney to prove this element. An experienced criminal defense attorney may be able to find and bring evidence regarding the truth of the information you provided to successfully defeat the accusation. Good faith Believe that the information is true Another element that a prosecutor must prove is that you knew the information was false. If you believe in good faith or that the information you provided is true, then a prosecutor cannot prove this element. An experienced criminal defense attorney will be able to increase the defense and show that you believed the information you provided was true. Good faith that you did not talk to someone who acted in his professional ability to accept such reports Another element that a prosecutor must prove is that you knew that the person you were doing the report was acting in his professional to accept such reports. If you were in good faith that you didn't speak to such a person, a prosecutor can't prove this element. Exception to Submitting a False Report of a Crime PC 148.5 does not apply to reports made by anyone who is legally required to report known or suspected cases of child abuse, adult abuse or elder abuse. So, if you wrongly commit a crime of child abuse, adult abuse or elder abuse and you are legally required to report suspected abuse under PC 11166, your experienced criminal defense attorney may increase this defense. Defenses wrongly identify yourself There are several defenses that your expert criminal defense attorney can raise if you are accused of falsely identifying yourself. Truth One of the elements a prosecutor must prove is if you've provided false information. If the information is true, then there is no way the prosecutor can prove this element. An experienced criminal defense attorney will be able to find and bring evidence regarding the truth of the information you provided to successfully defeat the accusation. The Peace Officer did not act within the scope of his duties To be convicted of providing false information to the police officer, the prosecutor must demonstrate that the peace officer acted within his duties while providing the false information. If an officer has unlawfully arrested or detained you, or used unreasonable or excessive force, your experienced criminal lawyer may be able to demonstrate that the officer did not act as part of his duties when you provided false information. Good faith That the U do not talk to a peace officer Another element that a prosecutor must prove is that you knew or should have known that you were providing information to a peace officer. If you believe in good faith that you did not speak to a peace officer, then a prosecutor cannot prove this element. An experienced criminal defense attorney will be able to raise this defense to show that you did not know you were talking to a peace officer or you believed you were not talking to a peace officer. Defense to giving false information during a vehicle stop There are several defenses that your expert criminal defense attorney can increase if you are accused of giving false information to a police officer. Truth One of the elements a prosecutor has to prove is that you gave false information. If the information is true, then there is no way the prosecutor can prove this element. Good faith The belief that the information is true Wallin & Klarich can help you to turn things around. Another element that a prosecutor has to prove is that you knew the information was false. If you felt in good faith that the information you provided was true, a prosecutor cannot prove this element. An experienced criminal defense attorney will be able to increase the defense to show that you believed the information you provided was true by finding and providing evidence of that fact. Frequently asked The following are some frequently asked questions (FREQUENTLY ASKED) from other clients who are charged with providing false information to a peace official. 1. What is the definition of a peace officer? A peace officer is someone who deals with the duty of law enforcement. A peace officer can consist of: a police officer, a sheriff, a marshal, a deputy marshal, a California Highway Patrol Patrol or an inspector or investigator working in the district attorney's office. 2. How can I be charged with a felony of one of the above offenses? If you have provided a falsified document, such as a driver's license or insurance information, you will be sued under California's False Evidence Law (PC 132), which is a felony. Wallin & Klarich can help you fight charges of providing false information to Police If you or someone you know is charged with providing false information to a police officer, please contact one of our experienced criminal lawyers at Wallin & Klarich today. You could be prosecuted for a felony or a felony, which can lead to imprisonment, heavy fines, loss of your professional license and loss of your right to possess a firearm. Our Wallin & Klarich lawyers have over 30 years of experience in successfully defending clients who are being criminally prosecuted. Hiring a lawyer from Wallin & Klarich is perhaps the best chance to avoid the serious consequences of a conviction for providing false information. With offices in Los Angeles, Sherman Oaks, Torrance, Tustin, San Diego, Riverside, San Bernardino, Ventura, West Covina and Victorville, our Wallin & Klarich criminal attorneys are available 24 hours a day, 7 days a week to provide you with the best legal representation. We are committed to giving you the personal attention you expect to help you through this difficult time. We are here to help you achieve the best possible result in your case. Call us today at (877) 4-NO-JAIL or (877) 466-5245 for a free telephone consultation. We'll get through this together. Together.