

THOMAS P. MURT, MEMBER
152ND LEGISLATIVE DISTRICT

HARRISBURG OFFICE
ROOM 429 IRVIS OFFICE BUILDING
PO BOX 202152
HARRISBURG, PA 17120-2152
PHONE: (717) 787-6886
FAX: (717) 260-6500

DISTRICT OFFICE
19 SOUTH YORK ROAD
HATBORO, PA 19040
PHONE: (215) 674-3755
FAX: (215) 674-3021



House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

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February 7, 2011

MEMORANDUM

Subject: Proposed Legislation
False Reports to Law Enforcement Officers

To: All House Members

From: Representative Thomas Murt

In the near future, I am planning to introduce legislation which will amend section 4906 of the Crimes Code relating to false reports to law enforcement authorities. This legislation was introduced in past sessions by former Representative Ellen Bard.

Pennsylvania law currently provides that a person commits a misdemeanor of the second degree if the person knowingly gives false information to any law enforcement officer with the intent to implicate another. A person commits a misdemeanor of the third degree if he makes a report concerning an offense or other incident knowing that it did not occur or pretends to furnish authorities with information relating to an offense or incident when he knows that he has no information relating to that offense or incident. The current law also provides for increased grading if the violation occurs during a declared state of emergency and the false report causes the resources of law enforcement to be diverted from dealing with the declared emergency or if the violation relates to a false report of the theft or loss of a firearm. The offense will be graded one step greater than that set forth in the applicable section

Under this proposed legislation, where information provided to law enforcement relates to an offense graded as a felony, a person commits a felony of the third degree if he knowingly gives false information to law enforcement authorities with the intent to implicate another, reports to law enforcement authorities an offense knowing it did not occur or pretends to furnish authorities with information relating to an offense when he knows he has no information relating to such offense.

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The philosophy behind this legislation is that if someone is falsely accused of a felony, the penalty for knowingly providing false information in such prosecution should be as serious as those faced by the person who is falsely accused.

If you would like to join me in sponsoring this legislation, please e-mail my secretary, Amy Bossart at ABossart@pahousegop.com.

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