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# California Penal Code Section 148.5

## PC

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**FILING A FALSE POLICE REPORT** We advise anyone who files a police report to consider the following information: **IT IS A CRIME TO FILE A FALSE POLICE REPORT**, This includes: **MAKING A FALSE REPORT OF A CRIME** - No crime occurred. **USING A FALSE NAME OR IDENTITY**. **PROVIDING FALSE DETAILS OR INFORMATION ABOUT THE INCIDENT**. **MAKING A FALSE REPORT OF THEFT OR DAMAGE**. **KNOWINGLY MISSTATING TRUE VALUE OF ITEMS STOLEN OR DAMAGED**. Penalties include jail and fines for each separate count of a false report. **USING A FALSE NAME OR USING SOMEONE ELSE'S IDENTITY**: Knowingly giving a false name to police or using the identity of someone else on any police report, other official or financial report is a crime, a Felony under Penal Code Section 529 PC - Click here to read the section. **FALSE REPORTS FOR INSURANCE CLAIMS**: If the police report is made or required for filing an insurance claim, knowingly providing false information, including a false report of a theft or loss, false report of damage or false value of insured property, it is considered insurance fraud. The false report will be prosecuted as Felony insurance fraud under Penal Code Section 550 - Click here to read the sections. All reports received and processed using online reporting forms are read, screened and verified by a police officer to confirm information and reduce fraud. San Francisco Police Department prosecutes all false police reports, insurance fraud and cases of false or assumed identity. Using the Online Report system to file "hoax" or "joke"

reports, is also a false report. We will file cases against offenders and our local District Attorney's office does prosecute these offenses. Please read the following excerpt from the 2000 Edition of the California Penal Code. Use this link to read this and other Penal Code sections relating to offenses against public justice: California Penal Code Sections 142 through 181 – from [www.leginfo.ca.gov](http://www.leginfo.ca.gov) California 2000 Penal Code Online edition – from [www.leginfo.ca.gov](http://www.leginfo.ca.gov) Penal Code Section 148.5 - Falsely report crime. 148.5. (a) Every person who reports to any peace officer listed in Section 830.1 or 830.2, or subdivision (a) of Section 830.33, district attorney, or deputy district attorney that a felony or misdemeanor has been committed, knowing the report to be false, is guilty of a misdemeanor. (b) Every person who reports to any other peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, that a felony or misdemeanor has been committed, knowing the report to be false, is guilty of a misdemeanor if (1) the false information is given while the peace officer is engaged in the performance of his or her duties as a peace officer and (2) the person providing the false information knows or should have known that the person receiving the information is a peace officer. (c) Except as provided in subdivisions (a) and (b), every person who reports to any employee who is assigned to accept reports from citizens, either directly or by telephone, and who is employed by a state or local agency which is designated in Section 830.1, 830.2, subdivision (e) of Section 830.3, Section 830.31, 830.32, 830.33, 830.34, 830.35, 830.36, 830.37, or 830.4, that a felony or misdemeanor has been committed, knowing the report to be false, is guilty of a misdemeanor if (1) the false information is given while the employee is engaged in the performance of his or her duties as an agency employee and (2) the person providing the false information knows or should have known that the person receiving the information is an agency employee engaged in the performance of the duties described in this subdivision. (d) Every person who makes a report to a grand jury that a felony or misdemeanor has been committed, knowing the report to be false, is guilty of a misdemeanor. This subdivision shall not be construed as prohibiting or precluding a charge of perjury or contempt for any report made under oath in an investigation or proceeding before a grand jury. (e) This section does not apply to reports made by persons who are required by statute to report known or suspected instances of child abuse, dependent adult abuse, or elder abuse.

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