

SENATE, No. 706

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator DAWN MARIE ADDIEGO

District 8 (Atlantic, Burlington and Camden)

SYNOPSIS

Establishes crime of initiating a false “Amber Alert.”

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning false reports to law enforcement authorities and
2 amending N.J.S.2C:28-4.

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. N.J.S.2C:28-4 is amended to read as follows:

8 2C:28-4. a. Falsely incriminating another. A person who
9 knowingly gives or causes to be given false information to any law
10 enforcement officer with purpose to implicate another commits a
11 crime of the fourth degree.

12 b. Fictitious reports. **[A]** Except as provided in subsection c.,
13 a person commits a disorderly persons offense if **[he]** the actor:

14 (1) Reports or causes to be reported to law enforcement
15 authorities an offense or other incident within their concern
16 knowing that it did not occur; or

17 (2) Pretends to furnish or causes to be furnished such authorities
18 with information relating to an offense or incident when he knows
19 he has no information relating to such offense or incident.

20 c. A person who violates subsection b. of this section is guilty
21 of a crime of the fourth degree if the false information or report
22 provided to law enforcement:

23 (1) concerns a missing person; and

24 (2) leads to the implementation of a public alert pursuant to
25 “Amber’s Plan,” P.L.2002, c.129 (C.52:17B-194.1 et seq.).
26 (cf: P.L.1978, c.95)

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28 2. This act shall take effect immediately.

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STATEMENT

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33 This bill establishes the crime of initiating a false “Amber Alert
34 warning. An “Amber Alert” is a public alert used by law
35 enforcement to alert the public to what is believed to be a recent
36 child abduction.

37 Under the bill, a person commits a crime of the fourth degree
38 when they knowingly provide false or fictitious information to a
39 law enforcement agency concerning a missing person, which leads
40 to the implementation of a public alert pursuant to “Amber’s Plan,”
41 P.L.2002, c.129 (C.52:17B-194.1 et seq.). A crime of the fourth
42 degree is punishable by a term of imprisonment of up to 18 months
43 or a fine of up to \$10,000, or both.

44 “Amber’s Plan” establishes a protocol, in the event of what is
45 believed to be a child abduction, for law enforcement to contact the

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

S706 ADDIEGO

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1 media, the Department of Transportation, the New Jersey Highway
2 Authority, the New Jersey Turnpike Authority and the South Jersey
3 Transportation Authority. The department, authorities and media
4 alert the public to details concerning the missing child. Therefore, a
5 false report of a missing child resulting in an erroneous “Amber
6 Alert” can lead to significant waste of resources, law enforcement
7 capability, and may undermine the effectiveness of future “Amber
8 Alerts.”