



**FROM THE COMMITTEE  
ON MODEL CRIMINAL  
JURY INSTRUCTIONS**

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The Committee on Model Criminal Jury Instructions solicits comment on the following proposal by October 1, 2020. Comments may be sent in writing to Samuel R. Smith, Reporter, Committee on Model Criminal Jury Instructions, Michigan Hall of Justice, P.O. Box 30052, Lansing, MI 48909-7604, or electronically to [MCrimJI@courts.mi.gov](mailto:MCrimJI@courts.mi.gov).

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**PROPOSED**

The Committee proposes amending instruction M Crim JI 13.19 and adding a new instruction, M Crim JI 13.19a, to address offenses charged under MCL 750.411a, as amended, for making a false report of a crime (M Crim JI 13.19) or a false report of a medical or other emergency (M Crim JI 13.19a). With respect to amendments to M Crim JI 13.19, deleted language from the current instruction is in strikeout and added language is underlined; M Crim JI 13.19a is entirely new.

**[AMENDED] M Crim JI 13.19 False Report of a Felony Crime**

(1) The defendant is charged with making a false report ~~in connection with a felony~~ of a crime to the police. To prove this charge the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, the defendant [~~reported~~ / caused (another person / identify person who made report) to make a report] that a the crime of (identify crime reported) had been committed.

(3) Second, that the report was made to [a police officer or a police agency / a 9-1-1 operator / (identify government employee or contractor) if (he / she) was authorized to receive emergency reports].

(4) Third, that ~~this~~ the report was false as to either the fact that the crime was committed or the detail[s] of the crime.

(5) Fourth, that when the defendant [~~made the report / caused the report to be made~~], the defendant knew it was false.

(6) Fifth, that the defendant ~~intended to [make a~~ made the false report / caused the false report to be made ~~intentionally concerning a crime~~.

~~(6) Fifth, that the crime reported was a felony, i.e., an offense [punishable by more than one year incarceration / declared by statute to be a felony].~~

*[Use the following where an aggravating factor has been charged.]*

(7) Sixth, that the report resulted in a response to address the reported crime and [name injured person] suffered physical injury as a consequence of [his / her] lawful conduct arising out of the response.

(8) Sixth, that the report resulted in a response to address the reported crime and [name injured person] suffered serious impairment of a body function as a consequence of [his / her] lawful conduct arising out of the response.

(9) Sixth, that the report resulted in a response to address the reported crime and [name deceased person] died as a consequence of [his / her] lawful conduct arising out of the response.

#### *Use Note*

~~This instruction does not cover false report of bomb threats, which is addressed separately in the statute MCL 750.411a(2).~~

**[NEW] M Crim JI 13.19a False Report of Medical or Other  
Emergency**

(1) The defendant is charged with making a false report of a medical emergency or other emergency to police or fire personnel.

(2) First, the defendant [reported / caused (another person / *identify person who made report*) to make a report] that there was a medical emergency or other emergency.

(3) Second, that the report was made to [a police officer or a police agency / a firefighter or fire department / a 9-1-1 operator / a medical first responder / (*identify government employee or contractor*) if (he / she) was authorized to receive emergency reports].

(4) Third, that the report was false.

(5) Fourth, that when the defendant [made the report / caused the report to be made], [he / she] knew it was false.

(6) Fifth, that the defendant [made the false report / caused the false report to be made] intentionally.

*[Use the following where an aggravating factor has been charged.]*

(7) Sixth, that the report resulted in a response to address the reported emergency and [*name injured person*] suffered physical injury as a consequence of [his / her] lawful conduct arising out of the response.

(8) Sixth, that the report resulted in a response to address the reported emergency and [*name injured person*] suffered serious impairment of a body function as a consequence of [his / her] lawful conduct arising out of the response.

(9) Sixth, that the report resulted in a response to address the reported emergency and [*name deceased person*] died as a consequence of [his / her] lawful conduct arising out of the response.