

Date Revised: 9/30/2019

Course Goal: To teach recruit officers basic crimes against the criminal justice system.

Learning Objective:

- Recognize the crime elements required to arrest for:
 - Providing a false identity to a peace officer [\[39.3.A.1\]](#)
 - Falsely reporting a criminal offense [\[39.3.A.2\]](#)
 - Falsely reporting an emergency [\[39.3.A.3\]](#)
 - Falsely reporting a destructive device [\[39.3.A.4\]](#)
- Recognize the crime classification as a misdemeanor or felony [\[39.3.B\]](#)
- Recognize the crime elements to arrest for:
 - Unlawful assembly [\[39.4.A.1\]](#)
 - Refusal to disperse [\[39.4.A.2\]](#)
- Recognize the crime classification as a misdemeanor or felony [\[39.4.B\]](#)

Session Time: 2 Hours

<p>Resources:</p> <ul style="list-style-type: none"> • Classroom with tables 	
<p>Session Summary: The instructor will lead a facilitated discussion accompanied with learning activities with the whole class.</p>	
Outline	Instructor's Notes
<p>I. Identifying and Classifying Crimes Related to False Information</p> <p>A. Providing False Identification, PC 148.9</p> <p>1. Elements [39.3.A.1]</p> <p>a. Any person who falsely represents or identifies oneself as another person (real or fictitious)</p> <p>b. To a peace officer</p> <p>c. Upon a lawful detention or arrest</p> <p>d. To evade the:</p> <p>1) Process of the court, or</p> <p>2) Proper identification of that person by an investigating officer</p> <p>2. Misdemeanor</p> <p>B. Falsely Reporting a Crime, Emergency, or</p>	<p>Ask Do people, whether they are suspects, witnesses, or victims, provide false information to law enforcement during the commission of an investigation? Answer: Yes, and it's a misdemeanor</p> <p>Give an example of the crime or an example that is not the crime (eg. Newly married person mistakenly giving maiden name during traffic stop)</p> <p>Ask a recruit to give an example.</p>

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<p>Destructive Device</p> <ol style="list-style-type: none">1. Falsely Reporting Crime, PC 148.5<ol style="list-style-type: none">a. Elements [39.3.A.2]<ol style="list-style-type: none">1) Every person who reports to any peace officer, district attorney, or deputy district attorney2) That a felony or misdemeanor has been committed3) Knowing that the report is falseb. Misdemeanor2. Falsely Reporting Emergency [39.3.A.3]<ol style="list-style-type: none">a. Penal Code Section 148.3(a), Falsely reporting an emergency is a misdemeanor.b. Penal Code Section 148.3(b), Falsely reporting an emergency which is likely to cause death or great bodily injury is a felony and someone sustains GBI.3. Falsely Reporting a Destructive Device, PC 148.1(a) [39.3.A.4]<ol style="list-style-type: none">a. Any person who reports to specified personnel that a bomb or other explosive has been, or will be placed or hidden in any public or private place knowing that the report is false.b. Felony <p>II. Identifying and Classifying Crimes Against the Public Peace</p> <ol style="list-style-type: none">A. Unlawful Assembly, 407 PC<ol style="list-style-type: none">1. Elements [39.4.A.1]<ol style="list-style-type: none">a. Two or more persons assembling togetherb. To do:<ol style="list-style-type: none">1) An unlawful act, or2) A lawful act in a violent, boisterous, or tumultuous manner2. Misdemeanor	<p>Ask Do people falsely report crimes? Answer: Yes, misdemeanors. Refer back to Property Crimes, Vehicle theft learning activity where a video was shown of a wife falsely reporting a vehicle stolen. [LD 6 infused]</p> <p>Ask a recruit or several recruits to give an example.</p> <p>Ask What kind of false emergencies can be reported? As answers are given, determine if they are misdemeanors or felonies based on whether the emergency is likely to cause death or great bodily injury.</p> <p>Ask If someone falsely reports a bomb or any explosive device, is it a misdemeanor or felony?</p> <p>Ask What Amendment provides the right to peaceably assemble? Answer: First</p> <p>Ask Does this allow people protesting to break the law, like block traffic, interfere with businesses, or vandalize? Answer: No. Police have the authority to declare an unlawful assembly.</p>
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<p>3. Overt act not necessary. Intent, proven by circumstantial evidence, completes crime.</p> <p>B. Refusal to Disperse, PC 416(a)</p> <p>1. Elements [39.4.A.2]</p> <p>a. Two or more persons assembling for the purpose of:</p> <ul style="list-style-type: none">1) Disturbing the peace, or2) Committing any unlawful act, and <p>b. Not dispersing on being desired or commanded to do so by a public officer</p> <p>2. Misdemeanor</p>	<p>Ask Once police declare an unlawful assembly, is it illegal for the crowd to refuse to leave? Answer: Yes</p> <p>Note: 409 PC is not part of the LD but instructor can explain 409 PC will allow officers to arrest additional people for failing to disperse after unlawful assembly has been declared. (eg. Vendors not leaving area)</p>
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