

Criminal Penalties for School Threats

By: Michelle Kirby, Senior Legislative Attorney
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Issue

What are the criminal penalties for school threats?

(This report does not address the various disciplinary actions that school districts may take if the offender is a student, such as school suspension or expulsion.)

Summary

Existing state law does not explicitly classify threats to schools as a specific crime, but depending on the circumstances, a person who makes a threat against a school or falsely reports a threat about a school could be charged with various crimes. For adults, the penalties for these crimes range from up to three months in prison to up to 10 years in prison. The penalties increase under certain circumstances, such as if a threat is made during school hours or the crime was committed based on certain characteristics of the victims (e.g., the victim's actual or perceived race). In addition, some threats might be considered an act of terrorism which also enhances the penalty of the underlying crime.

Juvenile offenders (i.e., those accused of committing a crime while at least age 10 and under age 18) are charged in juvenile court. If a juvenile offender is convicted as a delinquent, he or she is not sentenced to prison but is subject to a range of sanctions (e.g., being placed on probation supervision with or without residential placement for up to 18 months, with possible extension up to 30 months total). For certain felony charges, a juvenile offender who was at least age 15 at the time of the alleged offense might have the case transferred automatically or upon the prosecutor's request to the adult criminal court where he or she can be sentenced as a youthful offender or an

adult. (OLR Report [2023-R-0205](#) describes the laws that address the transfer of a juvenile offender from juvenile to adult criminal court.)

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Depending on the circumstances, a person who makes a threat against a school or falsely reports a threat about a school could be charged with various crimes. Table 1 below describes the crimes most relevant to this conduct and their associated criminal penalties. A juvenile offender would be charged with these crimes in juvenile court. For the class B felony of falsely reporting an incident, a prosecutor could request that the juvenile court transfer the case to the adult court if the juvenile offender was at least age 15 at the time the crime was committed. If the court grants the transfer after considering certain factors, the offender would be subject to the penalties for the crime in adult criminal court.

Table 1: Crimes and Penalties for Adults Relating to Threats About Schools and Falsely Reporting Threats

Crime (citation)	Conduct	Penalty
2nd degree threatening (CGS § 53a-62)	<ul style="list-style-type: none"> • Intentionally placing or attempting to place another person in fear of imminent serious physical injury by a physical threat or • Threatening to commit a violent crime with intent to terrorize another person or in reckless disregard of doing so <p>The penalty increases, from a class A misdemeanor to a class D felony, if the threatened person was in the building or on the grounds of a:</p> <ul style="list-style-type: none"> • school, as defined above, during instructional hours or when the school or the grounds are being used for school- or institution-sponsored activities; or • house of religious worship, “religiously-affiliated community center” (i.e., one that provides recreational, social, or educational services) or day care center during operating hours or when the buildings or grounds are being used (1) to provide religious or community services or (2) for activities sponsored by the community center or day care. 	Class A misdemeanor (up to 364 days in prison, a fine of up to \$2,000, or both)
		Class D felony (up to five years in prison, a fine of up to \$5,000, or both)

Table 1 (continued)

Crime (citation)	Conduct	Penalty
<p>2nd degree falsely reporting an incident (CGS § 53a-180c)</p>	<p>Gratuitously reporting information he or she knows is false or baseless to a law enforcement officer or agency (1) about an offense or incident that did not occur or is not about to occur, (2) about an actual offense or incident, or (3) implicating a person in an actual offense or incident</p> <p>The penalty increases, from a class A misdemeanor to a class E felony, if the crime is committed with the specific intent to falsely report someone or a group of people or misuse the emergency system because of the person’s or group’s actual or perceived race, religion, ethnicity, disability, sex, sexual orientation, or gender identity or expression.</p>	<p>Class A misdemeanor</p> <p>Class E felony (up to three years in prison, a fine of up to \$3,500, or both)</p>
<p>1st degree falsely reporting an incident (CGS § 53a-180)</p>	<p>Knowing the information conveyed is false or baseless, (1) initiating or circulating a false report or warning of an alleged or impending fire, explosion, catastrophe, or emergency when it is likely public alarm or inconvenience will result or (2) reporting to an official or quasi-official agency or organization that deals with emergencies involving danger to life or property, an alleged or impending fire, explosion, catastrophe, or emergency which did not occur or does not exist</p> <p>The court may order restitution if the offender intended to cause a large-scale emergency response (i.e., “swatting”).</p> <p>The penalty increases, from a class D felony to a class C felony, if the crime is committed with the specific intent to falsely report someone or a group of people or misuse the emergency system because of the person’s or group’s actual or perceived race, religion, ethnicity, disability, sex, sexual orientation, or gender identity or expression.</p>	<p>Class D felony</p> <p>Class C felony</p>

Table 1 (continued)

Crime (citation)	Conduct	Penalty
<p>Falsely reporting an incident resulting in serious physical injury or death (CGS § 53a-180a)</p>	<p>Committing 1st or 2nd degree false reporting of an incident, when the false report results in another person’s serious physical injury or death</p> <p>The penalty increases, from a class C felony to a class B felony, if the crime is committed with the specific intent to falsely report someone or a group of people or misuse the emergency system because of the person’s or group’s actual or perceived race, religion, ethnicity, disability, sex, sexual orientation, or gender identity or expression.</p>	<p>Class C felony</p> <p>Class B felony (one to 20 years in prison, a fine of up to \$15,000, or both)</p>
<p>Falsely reporting an incident concerning serious physical injury or death (CGS 53a-180b)</p>	<p>Committing 2nd degree false reporting of an incident, when the report involves the alleged or impending occurrence of another person’s serious physical injury or death</p> <p>The penalty increases, from a class D felony to a class C felony, if the crime is committed with the specific intent to falsely report someone or a group of people or misuse the emergency system because of the person’s or group’s actual or perceived race, religion, ethnicity, disability, sex, sexual orientation, or gender identity or expression.</p>	<p>Class D felony</p> <p>Class C felony</p>
<p>Misuse of the 9-1-1 system (CGS § 53a-180d)</p>	<ul style="list-style-type: none"> • Dialing 9-1-1 or otherwise causing it to be called to make a false alarm or complaint or • Purposely reporting false information that could result in dispatching emergency services <p>The penalty increases, from a class B misdemeanor to a class A misdemeanor, if the crime is committed with the specific intent to falsely report someone or a group of people or misuse the emergency system because of the person’s or group’s actual or perceived race, religion, ethnicity, disability, sex, sexual orientation, or gender identity or expression.</p>	<p>Class B misdemeanor (up to six months in prison, a fine of up to \$1,000, or both)</p> <p>Class A misdemeanor</p>
<p>2nd degree breach of the peace (CGS § 53a-181)</p>	<p>Threatening behavior in a public place with intent to cause or with reckless disregard of causing inconvenience, annoyance, or alarm (this crime also covers other types of conduct)</p>	<p>Class B misdemeanor</p>

Table 1 (continued)

Crime (citation)	Conduct	Penalty
2nd degree harassment (CGS § 53a-183)	Communicating with a person by telegraph, mail, fax, electronic mail, text message, or other electronically sent message by (1) digital media account; (2) messaging program or application; (3) computer, computer service, or computer network; or (4) any other form of communication, with intent to harass, terrorize, or alarm another person and in a manner likely to cause terror, intimidation, or alarm (this crime also covers other types of conduct)	Class C misdemeanor (up to three months in prison, a fine of up to \$500, or both)

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