I Did the Hoaxy-Pokey and I Turned the Crimes Around Amendment (That's What it's all About!)

Whereas the Criminal Code does not accommodate situations where pretending to commit a crime does material damage,

Recognizing that often it can be impossible to distinguish between someone really committing a crime and simply convincingly faking it,

Believing pretending to commit a crime causes material harm to our law enforcement officers and public trust,

Broadcasting that I hate coy cat and mouse games,

I, Justice Ivy Cactus NC, hereby propose the following changes to the Criminal Code 2020:

Article 1 — Criminal Code Amendment

§1. The following shall be added into Part 4 of the Criminal Code 2020, Inchoate Offenses, immediately following Article 13, Conspiracy:
"

Article 13a — Hoax

§1. A person shall be considered to engage in hoax when they act intentionally and maliciously or in a grossly negligent way such that they lead the reasonable person to believe they have genuinely committed a criminal offense under this document.

§1.1. The reasonable person, in this case, shall be a legal expert correctly interpreting the statutes within this document.

§2. The available sentences for hoax shall be the same as for the crime that was hoaxed.

§3. Clear and convincing evidence that the accused was acting in jest shall be a partial or complete statutory defense for actions charged under this article.

§3.1. The extent of this defense shall be decided at the judge's discretion, considering the obviousness of the joke, the social harm the hoax created, and how funny the joke was.

§4. It shall be sufficient to convict under this article for the prosecution to prove beyond a reasonable doubt that the accused either committed the charge in question or committed a hoax of the charge.

§4.1. No person shall be found not guilty simply because it is impossible to tell if they committed a crime or merely committed a hoax of said crime.

§5 Charges under this article shall be labelled as "[the criminal offense] hoax".
"