**AGGRAVATED LABOR TRAFFICKING

Penal Law § 135.37**

**(Committed on or after Jan. 19, 2016)1**

The (*specify*) count is Aggravated Labor Trafficking.

Under our law, a person is guilty of Aggravated Labor Trafficking when he or she

*Select appropriate alternative(s):*

compels or induces another person to engage in labor [or]

recruits, entices, harbors or transports another person to engage in labor

by means of intentionally and unlawfully providing a controlled substance to that person with the intent to impair his or her judgment.

The following terms used in that definition have a special meaning:

CONTROLLED SUBSTANCE includes (*specify*).2

A person UNLAWFULLY provides (*specify controlled substance*) when that person has no legal right to provide that substance.3 Under our law, with certain exceptions not applicable

1 The instant crime of Aggravated Labor Trafficking was former subdivision one of Penal Law § 135.35 (Labor Trafficking). Effective January 19, 2016, that subdivision was repealed and reenacted as the instant crime in order to elevate the classification from a class D to a class C felony. L 2015, ch 368. Except for the name of the instant crime, this charge may be used for the commission of Penal Law former § 135.35(1)(Labor Trafficking) prior to its repeal and reenactment in this section.

2 *See* Penal Law § 220.00 (5).

3 *See* Penal Law § 220.00 (2) and Public Health Law § 3396 (1).

here, a person has no legal right to provide (*specify controlled substance*)*.*

INTENT means conscious objective or purpose. Thus, a person INTENTIONALLY provides a controlled substance to another person when his or her conscious objective or purpose is to do so. And, a person provides such controlled substance with the intent to impair another’s judgment when that person’s conscious objective or purpose is to do so.4

In order for you to find the defendant guilty of this crime, the People are required to prove, from all of the evidence in the case, beyond a reasonable doubt, both of the following two elements:

1. That on or about (*date*) , in the county of (*County*) , the defendant, (*defendant's name*),

*Select appropriate alternative(s):*

compelled or induced *(specify)* to engage in labor;

recruited, enticed, harbored or transported (*specify*) to engage in labor; and

1. That the defendant did so by means of intentionally and unlawfully providing (*specify controlled substance*) to him/her, with the intent to impair his/her judgment.

If you find the People have proven beyond a reasonable doubt both of those elements, you must find the defendant guilty of this crime.

If you find the People have not proven beyond a reasonable doubt either one or both of those elements, you must find the

4 *See* Penal Law § 15.05 (1). An expanded definition of “intent” is available in the General Charges section under Culpable Mental States.

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defendant not guilty of this crime.

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