

Ala. Code 1975, §13A-6-153(a)(4)

Obstruction of Enforcement of Human Trafficking Second Degree Law *

[*These instructions apply to offenses committed before July 1, 2018.]

The defendant is charged with obstruction of enforcement of human trafficking in the second degree law.

A person commits the crime of obstruction of enforcement of human trafficking in the second degree law if he/she obstructs, or attempts to obstruct, or in any way interferes with or prevents the enforcement of human trafficking in the second degree law.

To convict, the State must prove beyond a reasonable doubt each of the following elements:

1. The defendant obstructed, or attempted to obstruct, or in any way interfered with or prevented the enforcement of human trafficking in the second degree law, **[Insert the act obstructing]; (AND)**
2. The defendant acted knowingly.

As I just instructed you, one of the elements that the State must prove is that the defendant obstructed, or attempted to obstruct, or in any way interfered with or prevented the enforcement of human trafficking in the second degree law, **[Insert the act obstructing]**. Therefore, I will now instruct you what the State must prove as to human trafficking in the second degree.

[Read as applicable]:

A person commits the crime of human trafficking in the second degree if he/she knowingly benefits, financially or by receiving anything of value, from participation in a venture or engagement for the purpose of sexual servitude or labor servitude. [13A-6-153(a)(1)]

[OR]

A person commits the crime of human trafficking in the second degree if he/she knowingly recruits, entices, solicits, induces, harbors, transports, holds, restrains, provides, maintains, subjects, or obtains by any means another person for the purpose of labor servitude or sexual servitude. [13A-6-

153(a)(2)]

A person acts *knowingly* with respect to conduct or to a circumstance described by a statute defining an offense when he is aware that his conduct is of that nature or that the circumstance exists. [13A-2-2(2)]

If you find from the evidence that the State has proved beyond a reasonable doubt each of the above elements of obstruction of enforcement of human trafficking in the second degree law, then you shall find the defendant guilty of the offense of obstruction of enforcement of human trafficking in the second degree law.

If you find that the State has failed to prove beyond a reasonable doubt any one or more of the elements of obstruction of enforcement of human trafficking in the second degree law, then you cannot find the defendant guilty of obstruction of enforcement of human trafficking in the second degree law.

[If lesser-included offenses are included, the Court should instruct on those offenses at this point.]

[Approved April 26, 2024].