

8.32A
Issues In Trafficking In Persons (Company)

To sustain the charge of trafficking in persons, the State must prove the following proposition:

That the defendant knowingly benefitted [(financially) (by receiving anything of value)] from participation in a venture that has engaged in [(an act of involuntary servitude) (involuntary sexual servitude of a minor)].

If you find from your consideration of all the evidence that the proposition has been proved beyond a reasonable doubt, you should find the defendant guilty.

If you find from your consideration of all the evidence that the proposition has not been proved beyond a reasonable doubt, you should find the defendant not guilty.

Committee Note

720 ILCS 5/10-9(d) (West 2020).

Give Instruction 8.31A.

Use applicable bracketed material.

A defendant may be sentenced to an extended term sentence under 730 ILCS 5/5-8-2 if the victim suffers bodily injury. The Committee believes this raises issues of *Apprendi v. New Jersey*, 530 U.S. 466 (2000), for which the jury would need to be instructed and an extended term sentence could be imposed. See IPI Criminal Instructions 28.00 *et seq.*