

**8.32**  
**Issues In Trafficking In Persons (Individual)**

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

[1] That the defendant knowingly [(recruited) (enticed) (harbored) (transported) (provided) (obtained by any means)] [or] [attempted to (recruit) (entice) (harbor) (transport) (provide) (obtain by any means)] another person, [(intending) (knowing)] that the other person would be subjected to involuntary servitude.

[or]

[2] 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 8.31.

Use applicable bracketed material.

The brackets and numbers are present solely for the guidance of court and counsel and should not be included in the instruction submitted to the jury.

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.*