

210.80 HUMAN TRAFFICKING INVOLVING INVOLUNTARY SERVITUDE.
FELONY.

NOTE WELL: For human trafficking involving involuntary servitude of a minor use N.C.P.I.—Crim. 210.84.

NOTE WELL: Each violation of this section constitutes a separate offense and shall not merge with any other offense. Evidence of failure to deliver benefits or perform services standing alone shall not be sufficient to support a conviction under this section.

The defendant has been charged with human trafficking involving involuntary servitude.

For you to find the defendant guilty of this offense, the State must prove two things beyond a reasonable doubt:

First, that the defendant [[knowingly] [in reckless disregard of the consequences of the action]] [recruited] [enticed] [harbored] [transported] [provided] [obtained by any means] another person with the intent that the other person be held in involuntary servitude.

And Second, that in doing so, the defendant intentionally used violence or the threat of violence to [deceive] [coerce] [intimidate] that person to perform labor, whether or not for compensation, and whether or not for satisfaction of a debt.¹

NOTE WELL: For offenses occurring on or after December 1, 2018, if the defendant claims the defendant was a victim, and there is evidence to support this affirmative defense, the following language should be used:

(There is evidence in this case tending to show that the defendant was [coerced] [deceived] into committing this offense as a direct result of the defendant's status as a victim.² The burden of proving [coercion] [deceit] as a defense is upon the defendant. It need not be proved beyond a reasonable

doubt, but only to your satisfaction. The defendant would not be guilty of human trafficking involving involuntary servitude if:

First, the defendant was a victim of [human trafficking]³ [involuntary servitude]⁴ (or) [sexual servitude]⁵ at the time of the offense.

And Second, that the defendant was [coerced] [deceived] into committing the offense as a direct result of the defendant's status as a victim.

The defendant's assertion of [coercion] [deceit] is a denial that the defendant has committed any crime. The burden remains on the State to prove the defendant's guilt beyond a reasonable doubt.)

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant [[knowingly] [in reckless disregard of the consequences of the action]] [recruited] [enticed] [harbored] [transported] [provided] [obtained by any means] another person with the intent that the other person be held in involuntary servitude], and that in doing so the defendant intentionally used violence or the threat of violence to [deceive] [coerce] [intimidate] that person to perform labor, whether or not for compensation, and whether or not for satisfaction of a debt, (and that the defendant was not a victim [coerced] [deceived] into committing the offense of human trafficking involving involuntary servitude), would be your duty to return a verdict of guilty. If you do not so find or have a reasonable doubt as to one or more of these things, it would be your duty to return a verdict of not guilty.

1 See N.C. Gen. Stat. § 14-43.10 for the definition of coercion, deception, and involuntary servitude.

2 N.C. Gen. Stat. § 14-43.16.

3 See N.C. Gen. Stat. § 14-43.11 for a definition of human trafficking.

4 See N.C. Gen. Stat. § 14-43.12 for a definition of involuntary servitude.

5 See N.C. Gen. Stat. § 14-43.13 for a definition of sexual servitude.