

**TAMPERING WITH A SPORTS CONTEST
IN THE SECOND DEGREE
Penal Law § 180.50
(Committed on or after Aug. 27, 1982)**

The (*specify*) count is Tampering With a Sports Contest in the Second Degree.

Under our law, a person is guilty of Tampering With a Sports Contest in the Second Degree when, with intent to influence the outcome of a sports contest, he or she tampers with any sports participant, sports official or with any animal or equipment or other thing involved in the conduct or operation of a sports contest in a manner contrary to the rules and usages purporting to govern such a contest.

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

INTENT means conscious objective or purpose. Thus, a person acts with intent to influence the outcome of a sports contest when that person's conscious objective or purpose is to do so.¹

SPORTS CONTEST means any professional or amateur sport or athletic game or contest viewed by the public.²

SPORTS PARTICIPANT means any person who acts or expects to act in a sports contest as a player, contestant or member of a team, or as a coach, manager, trainer or other person directly associated with a player, contestant or team.³

SPORTS OFFICIAL means any person who acts or expects

¹See Penal Law §15.05(1)

²Penal Law §180.35(1).

³Penal Law §180.35(2).

to act in a sports contest as an umpire, referee, judge or otherwise to officiate at a sports contest.⁴

In order for you to find the defendant guilty of this crime, the People are required to prove, from all 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*) tampered with a sports participant, sports official, or with any animal or equipment or other thing involved in the conduct or operation of a sports contest in a manner contrary to the rules and usages purporting to govern such a contest.
2. That the defendant did so with intent to influence the outcome of such sports contest.

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 any either one or more of those elements, you must find the defendant not guilty of this crime.

⁴Penal Law §180.35(3).