**AGGRAVATED HARASSMENT OF A JUDGE**

**Penal Law § 240.33**

**Committed on or after July 19, 2024**

The offense of Aggravated Harassment of a Judge replicates the offense Aggravated Harassment in the Second Degree, except for the references to a judge (or a member of the judge’s immediate family).

Thus, the jury instructions for Aggravated Harassment in the Second Degree, with the insertion of the applicable references to a judge (or a member of the judge’s immediate family) may be utilized for a charge of Aggravated Harassment of a Judge.

And add the following in the definition section of the instruction:

JUDGE means a judge of a court of record or a justice court. The (*specify name of court*) is (*specify either:* court of record or justice court).[[1]](#footnote-1)

IMMEDIATE FAMILY means the spouse, former spouse, parent, child, sibling, or any other person who regularly resides or has regularly resided in the household of a person.[[2]](#footnote-2)

1. Penal Law § 240.33(5). [↑](#footnote-ref-1)
2. Penal Law § 240.33(5) which incorporates the definition of “immediate family” in Penal Law § 120.40. [↑](#footnote-ref-2)