

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

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

¹ Penal Law § 240.33(5).

² Penal Law § 240.33(5) which incorporates the definition of "immediate family" in Penal Law § 120.40.