

CRIMINAL INTERFERENCE WITH HEALTH CARE SERVICES
SECOND DEGREE
(A Misdemeanor)
PENAL LAW 240.70 (1) (d)
(Committed on or after Dec. 1, 1999)

The ____ count is Criminal Interference with Health Care Services in the Second Degree.

Under our law, a person is guilty of Criminal Interference with Health Care Services in the Second Degree when he or she intentionally damages the property of a health care facility, or attempts to do so, because such facility provides reproductive health services.

Some of the terms used in this definition have their own special meaning in our law. I will now give you the meaning of the following terms: “health care facility,” “reproductive health services” and “intent.”

HEALTH CARE FACILITY means a hospital, clinic, physician's office or other facility that provides reproductive health services, and includes the building or structure in which the facility is located;¹

REPRODUCTIVE HEALTH SERVICES means health care services provided in a hospital, clinic, physician's office or other facility and includes medical, surgical, counseling or referral services relating to the human reproductive system, including services relating to pregnancy or the termination of a pregnancy;²

INTENT means conscious objective or purpose.³ Thus, a person intentionally damages the property of a health care facility, or attempts to do so, because such facility provides reproductive health services when it is his or her conscious objective or purpose to do so.

¹ Penal Law § 240.70(3)(a).

² Penal Law § 240.70(3)(e).

³ Penal Law § 15.05 (1).

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, the following element:

That on or about (date), in the County of (county), the defendant, (defendant's name), intentionally damaged the property of a health care facility, or attempted to do so, because such facility provided reproductive health services

Therefore, if you find that the People have proven beyond a reasonable doubt that element, you must find the defendant guilty of the crime of Criminal Interference with Health Care Services in the Second Degree as charged in the _____ count.

On the other hand, if you find that the People have not proven beyond a reasonable doubt either that element, you must find the defendant not guilty of Criminal Interference with Health Care Services in the Second Degree as charged in the _____ count.