

1 **14-402. Criminal use of ransom; essential elements.**

2 For you to find the defendant guilty of criminal use of ransom [as charged in Count  
3 \_\_\_\_\_],<sup>1</sup> the state must prove to your satisfaction beyond a reasonable doubt each of the  
4 following elements of the crime:

5 1. The defendant [received]<sup>2</sup> [possessed] [concealed] [disposed of] [money]<sup>2</sup>  
6 [\_\_\_\_\_ (*describe property*)] which had been delivered  
7 for ransom.<sup>3</sup>

8 2. At the time the defendant [received]<sup>2</sup> [possessed] [concealed] [disposed of] the  
9 [money]<sup>2</sup> [\_\_\_\_\_ (*describe property*)] [~~he~~ ~~she~~] the  
10 defendant knew or believed that it was ransom.

11 3. This happened in New Mexico on or about the \_\_\_\_\_ day of  
12 \_\_\_\_\_, \_\_\_\_\_.

13 USE NOTES

14 1. Insert the count number if more than one count is charged.

15 2. Use applicable alternative or alternatives.

16 3. The definition of "ransom," UJI 14-406 NMRA, must be given after this instruction.

17 [As amended, effective September 1, 1994; as amended by Supreme Court Order No. S-1-RCR-  
18 2025-00126, effective for all cases pending or filed on or after December 31, 2025.]

19 **Committee commentary.** — *See* Section 30-4-2 NMSA 1978. This instruction sets forth the  
20 elements of the offense of criminal use of ransom. The statute requires that the money or property  
21 has been delivered for ransom and does not include transfers of money or property prior to delivery  
22 to the kidnapper or [~~his~~] the kidnapper's agent. While a thief cannot be guilty of receiving (by

- 1 acquiring) stolen property, *see* UJI 14-1650 NMRA, a kidnapper may be guilty of criminal use of
- 2 ransom.
- 3 [As amended by Supreme Court Order No. S-1-RCR-2025-00126.]