

1 **14-913. Criminal sexual contact; force or coercion; aided or abetted by another; essential**
2 **elements.¹**

3 For you to find the defendant guilty of criminal sexual contact when aided or abetted by
4 another [as charged in Count _____]², the state must prove to your satisfaction beyond a
5 reasonable doubt each of the following elements of the crime:

6 1. The defendant
7 [touched or applied force to the unclothed _____³ of _____
8 (*name of victim*) without _____'s (*name of victim*) consent;]⁴

9 [OR]
10 [caused _____ (*name of victim*) to touch the _____³ of the defendant;]

11 2. [The defendant used physical force or physical violence;]⁴
12 [OR]

13 [The defendant (used threats of physical force or physical violence against
14 _____ (*name of victim or other person*))⁴ (OR) (threatened to
15 _____⁵); AND _____ (*name of victim*) believed that the
16 defendant would carry out the threat;]

17 [OR]
18 [_____ (*name of victim*) was (unconscious)⁴ (asleep) (physically
19 helpless) (suffering from a mental condition so as to be incapable of understanding the nature or
20 consequences of what the defendant was doing); AND the defendant knew or had reason to know
21 of the condition of _____ (*name of victim*);]

22 3. The defendant acted with the help or encouragement of one or more persons;

23 [4. The defendant's act was unlawful;]⁶

- 1 **Committee commentary.** — *See* committee commentary under UJI 14-910 NMRA.