

1 **14-934. Criminal sexual contact of a minor in the [third] [second] degree; force or coercion;**
2 **aided or abetted by another; essential elements.¹**

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

6 1. The defendant
7 [touched or applied force to the [unclothed] _____³ of _____ (*name*
8 *of victim*)]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;

- 1 for all cases pending or filed on or after December 31, 2018; as amended by Supreme Court Order
- 2 No. S-1-RCR-2025-00126, effective for all cases pending or filed on or after December 31, 2025.]
- 3 **Committee commentary.** — *See* committee commentary under UJI 14-931 NMRA.