

14-2401. Bribery of a witness by giving anything of value.

For you to find the defendant guilty of bribery of a witness [as charged in Count _____]¹, the state must prove to your satisfaction beyond a reasonable doubt each of the following elements of the crime:

1. _____ (*name of witness*) was [a witness]² [likely to become a witness] in a [judicial proceeding] [administrative proceeding] [legislative proceeding] [or] [_____ (*name of official proceeding*)];

2. The defendant knowingly [gave] [or] [offered to give] _____ (*describe item of value*) to _____ (*name of witness*) for the purpose of causing _____ (*name of witness*) [to testify falsely] [or] [to abstain from testifying] to any fact in the [judicial proceeding] [administrative proceeding] [legislative proceeding] [or] [_____ (*name of official proceeding*)];

[3. _____ (*name of proceeding*) was an official proceeding;]³

4. This happened in New Mexico on or about the _____ day of _____, _____.

USE NOTES

1. Insert the count number if more than one count is charged.
2. Use applicable bracketed alternatives.
3. This alternative must be given if the official proceeding was not a judicial, administrative or legislative proceeding.
[Approved, effective October 1, 2001.]