

**14-2226. Furnishing articles for escape; essential elements.**

For you to find the defendant guilty of furnishing articles for escape [as charged in Count \_\_\_\_\_]<sup>1</sup>, the state must prove to your satisfaction beyond a reasonable doubt each of the following elements of the crime:

1. \_\_\_\_\_ (*name of prisoner*) was in custody or confinement;
2. The defendant gave to \_\_\_\_\_ (*name of prisoner*) [(a \_\_\_\_\_)<sup>2</sup>]<sup>3</sup> (*an explosive substance*) without the express consent of the officer in charge of \_\_\_\_\_;<sup>4</sup><sup>3</sup>

[OR]

- [a \_\_\_\_\_]<sup>5</sup> which would be useful in aiding an escape;]
3. The defendant intended to assist \_\_\_\_\_ (*name of prisoner*) to escape;
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. Insert the name of the weapon when the instrument is a deadly weapon as defined in Section 30-1-12B NMSA 1978, or use the phrase "an instrument or object which, when used as a weapon, could cause death or very serious injury."
3. Use only applicable element established by the evidence.
4. Identify the place of confinement.
5. Identify the disguise, instrument or tool or other item which would be useful in gaining escape.