

14-140. Elements of uncharged crimes.

In addition to the other elements of _____ (*identify charged crime or crimes*), you must consider whether the defendant's acts related to the commission of _____ (*identify uncharged crime*). The defendant is not charged with _____ (*identify uncharged crime*). However, the law declares that to be a crime when:

1. [insert elements replacing references to "the defendant" with "a person" or "that person" as needed for clarity].

USE NOTES

This instruction must be used with every crime that incorporates another crime by reference—either by requiring the "intent to commit" another crime or by describing an act done with the purpose of committing another crime—unless the referenced crime is separately charged and instructed. This instruction may omit the element specifying jurisdiction and date of offense or any other elements not relevant to consideration of the charged offense and whose inclusion would cause juror confusion. The phrasing of this instruction may be adapted to account for the particular context in which it is used. [As amended by Supreme Court Order No. 20-8300-004, effective for all cases pending or filed on or after December 31, 2020.]