**14-2253. Assault by a prisoner; taking a hostage; essential elements.**

 For you to find the defendant guilty of assault by a prisoner taking a hostage [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. The defendant [confined]2 [restrained] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*name of victim*) who was an [officer]2 [employee] [visitor] at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_3;

 2. The defendant intended to use \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*name of victim*) as a hostage;

 3. At the time, the defendant was confined at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_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 only the applicable bracketed element established by the evidence.

 3. Identify the place of custody or confinement.