

**14-633. Sexual exploitation of children; manufacture.**

For you to find the defendant guilty of sexual exploitation of children (manufacture) [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. The defendant intentionally manufactured a visual or print medium<sup>2</sup>;
2. The medium depicts a prohibited sexual act<sup>2</sup> [or simulation of such act]<sup>3</sup>;
3. One or more of the participants in that act is a child under eighteen (18) years of age;
- [4. The depictions are obscene<sup>4</sup>;]<sup>3</sup> and
5. This happened in New Mexico on or about \_\_\_\_\_, 20\_\_.

USE NOTES

1. Insert the count number if more than one count is charged.
2. If in issue, the statutory definitions of Amanufacture,@ Avisual or print medium@ and/or Aprohibited sex act@ shall be given. See NMSA 1978, ' 30-6A-2.
3. Instruct with bracketed language only if in issue.
4. If this element is instructed, a definition of Aobscene@ shall be given. See NMSA 1978, ' 30-6A-2.

[Adopted by Supreme Court Order No. 19-8300-016, effective for all cases pending or filed on or after December 31, 2019.]