

14-1616. Organized retail crime; leader.

For you to find _____ (*name of defendant*) guilty of organized retail crime [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 defendant*) recruited, coordinated, organized, supervised, directed, managed, or financed another to commit:
[organized retail crime]²
[a crime involving the theft of merchandise]³;
2. 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. Unless the court has previously instructed on the essential elements for the associated offense, the essential elements of the applicable theory of organized retail crime from NMSA 1978, Section 30-16-20.1(A)(1)-(3), as contained in UJI 14-1613 NMRA to UJI 14-1615 NMRA, should be given immediately after this instruction. To instruct on the elements of an uncharged offense, UJI 14-140 NMRA must be used.
3. Unless the court has previously instructed on the essential elements of the associated offense defining the theft of merchandise, the essential elements of the crime should be given immediately after this instruction. To instruct on the elements of an uncharged offense, UJI 14-140 must be used.
[Adopted by Supreme Court Order No. S-1-RCR-2025-00167, effective for all cases pending or filed on or after December 31, 2025.]