

STATUTORY CRIMINAL 3.01

ACCOMPLICE

"Accomplice" means a person, who, with the intent to promote or facilitate the commission of the offense, does any of the following:

1. Solicits or commands another person to commit the offense; or
2. Aids, counsels, agrees to aid, or attempts to aid another person in planning or committing the offense; or
3. Provides means or opportunity to another person to commit the offense.

A defendant is criminally accountable for the conduct of another if the defendant is an accomplice of such other person in the commission of the offense. This criminal liability extends only to offenses that the defendant intended to aid, solicit, facilitate or command.

SOURCE: A.R.S. §§ 13-301 & -303(A)(3) (statutory language as of April 23, 1980); *State v. Phillips*, 202 Ariz. 427, 436, 46 P.3d 1048, 1057 (2002) (premeditated murder conviction reversed, but felony murder conviction upheld; holding that to be an accomplice to premeditated murder, the defendant must intend to aid or facilitate another in committing the murder).

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