Mens Rea of Knowledge

MPC Tentative Draft §2.04(3) A person is an accomplice of another person in the commission of a crime if...acting with knowledge that such other person was committing or had the purpose of committing the crime, he knowingly, substantially facilitated its commission.

RCW 9A.08.020(3) A person is an accomplice of another person in the commission of a crime if, with knowledge that it will promote or facilitate the commission of the crime, he solicits, commands, encourages, or requests such other person to commit it ...or aids or agrees to aid such other person in planning or committing it.
Dual Intent

- Intent to aid
- Shared criminal intent with the Principal
Luparello

- Aiders & Abettors are responsible for the harm they have naturally, probably and foreseeably put in motion.
Mens Rea – Accomplice Liability

♦ Intent  (*Hicks, Wilson, MPC*)

♦ Negligence (*Luparello*)
Mens Rea for Attendant Circumstances

- **Xavier**
  - §922(g): prohibits possession of a firearm by a felon
  - §922 (d): prohibits selling or otherwise disposing of any firearm to a person, knowing or having cause to believe such person is a felon

- **Giorgianni & Johnson v. Youden**
  - A person has to know of the essential matters that constitute the offense.

- **MPC**
  - “Passes” (Comment to §2.06)
A. Intentionally Aids P’s Conduct

P.’s Intentionally Engages in Conduct

Result

Negligence or Recklessness