



#1 Free Legal Website

FindLaw.com is the leading and largest online resource for legal information. For basic legal issues to more complex ones, you'll find thousands of helpful articles, a legal community to get answers to your specific questions, an attorney directory, blogs, news, DIY forms, and much more.

What is Complicity or Accomplice Liability?

Complicity is the act of helping or encouraging another individual to commit a crime. It is also commonly referred to as [aiding and abetting](#). One who is complicit is said to be an [accomplice](#). But, even though an accomplice does not actually commit the crime, his or her actions helped someone in the commission of the crime.

The concept of accomplice liability means an accomplice faces the same degree of guilt and punishment as the individual who committed the crime. Indeed, accomplices can face the same penalties, including prison time. The key consideration is whether the individual intentionally and voluntarily encouraged or assisted in the commission of the crime, or (in some cases) failed to prevent it.

See FindLaw's [Criminal Charges](#) section for additional articles and resources.

Elements of Accomplice Liability

With some variations, depending on the state, a prosecutor must be able to prove the following four elements in order to convict someone for being an accomplice or aiding and abetting:

- A crime was committed by another individual;
- The defendant "aided, counseled, commanded, or encouraged" the other person in the commission of the crime.
- The defendant acted with the requisite mental state in their jurisdiction, for example, knowingly or purposefully, to assist in the crime (see [Mens Rea - A Defendant's Mental State](#)).

Examples of Complicity

The following examples illustrate the many ways an individual may be an accomplice to a criminal act:

- Serving as the getaway driver in a bank robbery.
- Turning off the alarm system of a jewelry store in which you work, knowing that it will be robbed later that evening.
- Loaning a handgun to someone who you know is planning to commit a crime.
- Directing a vehicle to a dead-end street where you know an armed carjacker is waiting.

The Difference Between Complicity and Conspiracy

When an individual takes on an active role in the planning of a crime, the crime may instead be one of [conspiracy](#). A conspirator agrees with others to commit a future crime, while an accomplice assists, in some way, in the actual commission of a crime. Furthermore, unlike accomplices to a crime, conspirators can be guilty even if their plan is not completed.

Example: If a group of individuals gets together, agrees to plan and commit a robbery, and takes an overt action to accomplish their plan (e.g. purchasing a car, guns, and tools for the robbery), they could each be charged with the crime of conspiracy to commit robbery, even if the robbery never happens. However, if and when the planned robbery is committed by the individuals, they could be charged with both conspiracy and robbery (as principals or accomplices, depending on their role in the robbery).

Consider speaking with a [criminal defense attorney](#) in your area if you have additional questions about complicity or have been charged as an accomplice to an offense.

FINDLAW.COM EMPOWERS PEOPLE WITH TRUSTED, TIMELY AND INTELLIGENT LEGAL INFORMATION

BLOGS – FindLaw Blogs present timely news that has real-life implications, deliver important information and discuss law-related entertainment.

FINDLAW ANSWERS – A vibrant, interactive online community where everyday people can ask legal questions and get real-time answers from legal professionals and others with similar experiences.

NEWS & NEWSLETTERS – Updated throughout the day and night and covering a wide range of legal topics, FindLaw.com's News page presents current legal news, keeping people informed and educated.

FIND A LAWYER – An easy-to-search database of more than one million lawyers and law firms. It provides detailed information, enabling people to contact a qualified lawyer when they are ready.



DO-IT-YOURSELF FORMS & CONTRACTS – FindLaw.com provides accurate legal documents for common legal matters. Choose from a library of easy-to-use, low-cost, accurate legal forms for everyday legal issues.

FINDLAW VIDEO – On FindLaw.com, you'll find an online directory of more than 1,500 short videos dedicated exclusively to legal topics and attorney and law firm profiles.

Connect With Us

FindLaw.com has an entire social media team dedicated to providing our users with as many options as possible to join, participate in, and learn from the FindLaw community. Some of the social key channels are the following:



[FindLaw for Consumers on Facebook](#)

Making the law easy to access with interactive legal updates aimed at starting conversations, informing followers of their legal rights and providing a forum for questions and resources



[@FindLawConsumer on Twitter](#)

Tweeting interesting, entertaining and informative legal news everyday

HAVE A LEGAL QUESTION?
NEED TO FIND AN AFFORDABLE,
QUALIFIED ATTORNEY?

Protect yourself, your family or
your business with a legal plan
or form from LegalStreet

www.LEGALSTREET.com

Copyright © 2013 FindLaw, a Thomson Reuters business. All rights reserved. The information contained in this article is for informational purposes only and does not constitute legal advice. The use and distribution of this article is subject to the Creative Commons BY-NC-ND license, which can be viewed at <http://creativecommons.org/licenses/by-nc-nd/3.0/>. You must attribute the article by providing the title of the article, FindLaw copyright notice and link to the original work. You may not use the article for commercial purposes and you may not alter or transform this article in any way.

FindLaw[®]
A Thomson Reuters Business