

CR403B Party Liability – Definition.

A person can commit a crime as a “party to the offense.” In other words, a person can commit a criminal offense even though he or she did not personally do all of the acts that make up the offense. Before a person may be found guilty as a “party to the offense,” you must find beyond a reasonable doubt that:

1. The person had the mental state required to commit the charged offense;

AND

2. The person

- a. directly committed the charged offense; or
- b. intentionally, knowingly, or recklessly solicited, requested, commanded or encouraged another person to commit the charged offense; or
- c. intentionally aided another person to commit the charged offense;

AND

3. The charged offense was committed either by that person or another person.

References

State v. Grunwald, 2018 UT App 45

State v. Jeffs, 2010 UT 49

Utah Code § 76-2-202

Committee Note

This instruction must be used with CR403A.

Last Revised – 06/06/2018