
SENATE BILL 6466

State of Washington

56th Legislature

2000 Regular Session

By Senator McCaslin

Read first time 01/17/2000. Referred to Committee on Judiciary.

1 AN ACT Relating to liability for the conduct of another; and
2 amending RCW 9A.08.020.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 9A.08.020 and 1975-'76 2nd ex.s. c 38 s 1 are each
5 amended to read as follows:

6 (1) A person is guilty of a crime if it is committed by the conduct
7 of another person for which he or she is legally accountable.

8 (2) A person is legally accountable for the conduct of another
9 person when:

10 (a) Acting with the kind of culpability that is sufficient for the
11 commission of the crime, he or she causes an innocent or irresponsible
12 person to engage in such conduct; or

13 (b) He or she is made accountable for the conduct of such other
14 person by this title or by the law defining the crime; or

15 (c) He or she is an accomplice of such other person in the
16 commission of the crime.

17 (3) A person is an accomplice of another person in the commission
18 of a crime if:

1 (a) With knowledge that it will promote or facilitate the
2 commission of the crime, he or she:

3 (i) Solicits, commands, encourages, or requests such other person
4 to commit it; or

5 (ii) Aids or agrees to aid such other person in planning or
6 committing it; or

7 (iii) Having a legal duty to prevent the commission of the offense,
8 fails to make proper effort so to do; or

9 (b) His or her conduct is expressly declared by law to establish
10 his or her complicity.

11 (4) A person who is legally incapable of committing a particular
12 crime himself or herself may be guilty thereof if it is committed by
13 the conduct of another person for which he or she is legally
14 accountable, unless such liability is inconsistent with the purpose of
15 the provision establishing his or her incapacity.

16 (5) Unless otherwise provided by this title or by the law defining
17 the crime, a person is not an accomplice in a crime committed by
18 another person if:

19 (a) He or she is a victim of that crime; or

20 (b) He or she terminates his or her complicity prior to the
21 commission of the crime, and either gives timely warning to the law
22 enforcement authorities or otherwise makes a good faith effort to
23 prevent the commission of the crime.

24 (6) A person legally accountable for the conduct of another person
25 may be convicted on proof of the commission of the crime and of his or
26 her complicity therein, though the person claimed to have committed the
27 crime has not been prosecuted or convicted or has been convicted of a
28 different crime or degree of crime or has an immunity to prosecution or
29 conviction or has been acquitted.

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