

# Essay on complicity and conspiracy in colorado

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Complicity is called complicity in Colorado's Revised Statutes (C. R. S.) 18-1-603. The act of complicity is aiding, abetting, and encouraging another person to commit an offense per C. R. S. 18-1-603. The degree of offense the accessory may actually be charged with is the same charge as the principal. The principal is the person who actually commits the crime. The accessory aids in the perpetration of a crime. The accessory will be the defendant in the trial. For an accessory to be found guilty of complicity, all of the following elements must be true: " The principal actually committed" the crime, the defendant knew the principal would commit the crime, and the " defendant aided, abetted, or advised the principal in planning or committing the offense" (People v. Martin, 192 Colo. 491, 561P. 2d 776 (1977)).

In Colorado, conspiracy is called a " misdemeanor involving dishonesty" (C. R. S. 12-55-102 (1. 4)). The elements of the offense include " conspiracy to violate, a civil, or criminal law involving fraud, dishonesty, bribery, perjury, larceny, theft, robbery, extortion, forgery, counterfeiting, embezzlement, misappropriation of property" (C. R. S. 12-55-102 (1. 4)). Conspiracy by definition requires the act of at least one other person (Dictionary. com, 2012). After reviewing the C. R. S., the degree of the crime depends on the severity of the offense being planned. For example, conspiracy to commit murder carries a different penalty than conspiracy to forge documents.

Colorado views assisting someone in destroying evidence of a crime as an accessory or complicitor after the fact according to People v. Ager, 928 P. 2d 784 (Colo. App. 1996)). The charge is the same as acting as a complicitor in planning the crime. The offenses vary including agreeing to buy stolen

property, complicity in sexual assault, participating in a robbery, and attempted murder.

## **References**

Colorado's Revised Statutes (C. R. S.) 18-1-603.

C. R. S. 12-55-102 (1. 4).

Dictionary. com, 2012.

People v. Ager, 928 P. 2d 784 (Colo. App. 1996).

People v. Martin, 192 Colo. 491, 561P. 2d 776 (1977).