

## Aiding and Abetting

Before an accused may become liable as an aider and abettor, he must share the criminal intent of the principal. There must be community of purpose, partnership in the unlawful undertaking.

"To aid and abet another in a crime one must share the intent or purpose of the principal. If two or more acting independently assault another, and one of them inflicts a mortal wound, the other is not guilty as an aider and abettor. An aider and abettor is a partner in the crime, the chief ingredient of which is always intent. There can be no partnership in the act where there is no community of purpose or intent." **Landrum v. Commonwealth**, 123 Ky. 472, 96 S.W. 587, 588, as quoted in *Gill v. Commonwealth*, 235 Ky. 351, 31 S.W.2d 608.

"To render one an aider or abettor and, as a consequence, guilty in like degree with the principal in the commission of a crime, there should be evidence of his knowledge of the intention or purpose of the principal [p. 616] to commit the assault. In other words, there must have been a 'common purpose' by which is meant a like criminal intent in the minds of Mills and the appellant, to render the latter guilty as charged, and hence authorize the giving of the instruction." **State v. Porter**, 276 Mo. 387, 207 S.W. 774, 776.

(Thesis not meant to be exhaustive.)

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