

3.5(a) PRINCIPALS
§ 777.011, Fla.Stat.

If the defendant helped another person or persons [commit] ^{or} [attempt to commit] a crime, the defendant is a principal and must be treated as if [he] ^{or} [she] had done all the things the other person or persons did if:

1. the defendant had a conscious intent that the criminal act be done and
2. the defendant did some act or said some word which was intended to and which did incite, cause, encourage, assist, or advise the other person or persons to actually [commit] [attempt to commit] the crime.

To be a principal, the defendant does not have to be present when the crime is [committed] ^{or} [attempted]. See *State v. Dene*, 533 So.2d 265 (Fla. 1988).

Comment

This instruction was adopted in May 1987, and was amended in July 1990, July 1992 and December 1995.

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