

**CHAPTER 2
PRINCIPALS, COMPETENCY AND JUVENILES**

SECTION:

- 5-2-1: Principals
- 5-2-2: Competency
- 5-2-3: Intoxication
- 5-2-4: Trial of Juveniles

5-2-1 PRINCIPALS.

All persons who directly commit the act constituting the offense or aid and abet in the commission of a crime, or, not being present, have advised and encouraged its commission, and all persons counseling, advising, or encouraging children under the age of fourteen (14) years, lunatics, or idiots, to commit any crime, or who, by fraud, contrivance, or force, occasion the drunkenness of another for the purpose of causing them to commit any crime, or who, by threats, menaces, command or coercion, compel another to commit any crime, are principals in any crime so committed and are punishable in the same manner as though they directly commit the act constituting the offense.

5-2-2 COMPETENCY.

Mental condition shall not be a defense to any charge of criminal conduct. If the court finds an accused suffers from any mental condition, such person shall be committed in the manner set forth in Idaho Code. Whenever there is reason to doubt the defendant's fitness to proceed, the court shall appoint a qualified psychiatrist or licensed psychologist in the manner set forth in Idaho Code, and the defendant shall be examined as set forth therein. All proceedings thereafter shall be in accordance with the procedure set forth in Idaho Code.

5-2-3 INTOXICATION.

No act committed by a person while in a state of voluntary intoxication is less criminal by reason of such condition. But whenever the actual existence of any particular purpose, motive, or intent is a necessary element to constitute any particular species or degree of crime, the jury may take into consideration the fact that the accused was intoxicated at the time, in determining the purpose, motive or intent with which they committed the act.

5-2-4 TRIAL OF JUVENILES.

Trials against juveniles, and a conviction of any juvenile for a crime, may occur only as allowed under Idaho Code. Incarceration of any juvenile shall be in accordance with Idaho Code.