

DEW POLICE – DIRECTED ENERGY WEAPONS POLICE**INVESTIGATION / CRIME-ANALYSIS ENTRY**

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Organization: DEW Police, a division of Direct Energy Weapons Agency, Inc.

Subject: Potential Criminal Liability Involving Multiple Participants in Alleged Remotely Delivered Assaults

1. PURPOSE OF RESEARCH

Due to the nature of incidents reported to DEW Police involving alleged directed-energy, electromagnetic, electrical, radiation-related, or other remotely delivered effects, DEW Police conducts crime-analysis research to identify existing criminal laws and legal theories that could potentially apply if sufficient admissible evidence establishes that a criminal offense occurred.

This research is intended to help determine whether reported conduct may constitute a crime, identify potential perpetrators where evidence supports doing so, and assess whether a particular technology, device, or other mechanism may have been involved. Reaching those conclusions requires further investigation, collection and review of admissible evidence, and, where appropriate, coordination with national-security agencies, local or federal law-enforcement authorities, prosecutors, courts, scientific experts, medical professionals, or other qualified authorities.

2. MULTIPLE ALLEGED PERPETRATORS

Under United States criminal law, more than one individual may potentially be held criminally responsible for conduct arising from the same criminal event.

Where evidence establishes that several individuals knowingly and intentionally participated in criminal conduct, potential liability may depend upon each person's actions, intent, level of participation, the underlying offense, and the applicable state or federal law.

This principle may apply even where the participants are alleged to have performed different roles or used different devices or mechanisms.

3. TECHNOLOGY AND THE UNDERLYING OFFENSE

The alleged use of electrical energy, electromagnetic energy, radiation, radiofrequency energy, acoustic energy, or another remotely delivered mechanism does not, by itself, establish that an assault or other criminal offense occurred.

Likewise, the type of technology allegedly involved does not automatically determine whether an offense falls under state or federal jurisdiction.

A criminal prosecution would require evidence establishing the elements of the applicable offense. Depending upon the statute, relevant issues may include:

- Identity of the accused;
- Intent or required mental state;
- Conduct attributable to the accused;
- Connection between the accused and the alleged criminal activity;
- Causation;
- Injury, harm, threat, or legally recognized apprehension;
- Evidence connecting a device or mechanism to the alleged conduct; and
- The jurisdiction and criminal statute applicable to the conduct.

4. POTENTIAL FORMS OF CRIMINAL LIABILITY

Multiple Participants:

Where several individuals separately participate in criminal conduct, each person may potentially face liability based upon that person's own conduct and applicable theories of accomplice liability.

Aiding and Abetting:

Under applicable law, a person who intentionally assists or facilitates another person's criminal offense may potentially be held responsible even though that person did not personally perform every act constituting the offense.

For federal offenses, **18 U.S.C. § 2** provides that a person who commits an offense against the United States or aids, abets, counsels, commands, induces, or procures its commission may be punishable as a principal.

Conspiracy:

A conspiracy may potentially exist when two or more people enter into an agreement to commit an unlawful offense and the requirements of the applicable conspiracy statute are satisfied.

Under **18 U.S.C. § 371**, federal conspiracy liability applies to conspiracies to commit an offense against the United States or to defraud the United States or one of its agencies, where one or more conspirators performs an act to further the object of the conspiracy.

Multiple Victims or Incidents:

Where criminal conduct involves multiple victims, repeated acts, or separate incidents, prosecutors may potentially consider separate criminal counts depending upon the facts and applicable statutes.

5. STATE AND FEDERAL JURISDICTION

Most ordinary assault offenses are governed primarily by state criminal law.

The alleged use of an energy-emitting, electronic, electromagnetic, radiation-producing, acoustic, or remotely operated device does **not automatically convert a state offense into a federal crime**.

Federal prosecution requires an applicable federal criminal statute and a sufficient basis for federal jurisdiction.

Depending upon the circumstances, the same course of conduct may also implicate more than one jurisdiction or criminal statute.

6. EVIDENTIARY CONSIDERATIONS

Evidence is critical to determining whether criminal charges are legally supportable.

Investigators and prosecutors would generally need evidence connecting identifiable individuals to specific conduct and establishing the elements of the applicable criminal offense.

Depending upon the circumstances, potentially relevant evidence could include:

- Witness statements;
- Medical records and documented injuries;
- Electronic or digital evidence;
- Communications between alleged participants;
- Device records or forensic examination;
- Location and timing information;
- Financial or transactional records;
- Surveillance evidence;
- Expert scientific or technical analysis; and
- Other corroborating physical or documentary evidence.

A complainant's belief or allegation that multiple individuals participated may provide information for investigation, but an allegation alone does not establish criminal responsibility or satisfy the burden required for conviction.

7. FEDERAL AUTHORITIES REVIEWED

18 U.S.C. § 2 — Principals / Aiding and Abetting

Federal law provides that a person who commits an offense against the United States, or aids, abets, counsels, commands, induces, or procures its commission, may be punished as a principal. The statute also addresses a person who willfully causes another person to perform an act that would constitute a federal offense.

18 U.S.C. § 371 — Conspiracy to Commit Offense or to Defraud the United States

Federal law provides for conspiracy liability where two or more persons conspire to commit an offense against the United States or defraud the United States or one of its agencies and at least one conspirator performs an act to further the object of the conspiracy.

8. CRIME-ANALYSIS FINDING

The authorities reviewed support the general conclusion that **multiple individuals may potentially incur criminal liability for participation in the same criminal activity**, including circumstances in which individuals perform different roles.

For federal offenses, liability may include direct participation, aiding and abetting under **18 U.S.C. § 2**, or conspiracy where the requirements of **18 U.S.C. § 371** are established.

Accordingly, an allegation that several individuals used separate devices or performed separate functions would not, by itself, prevent criminal prosecution. The central legal questions would instead concern whether a criminal offense occurred and whether admissible evidence establishes each individual's identity, intent, participation, causation, and other elements required by the applicable statute.

The alleged technology or mechanism should therefore be analyzed separately from the question of criminal liability. A prosecution would depend upon the underlying conduct, available evidence, applicable criminal statute, and jurisdiction.

9. STATUS

Research Status: Work in Progress

Additional state and federal criminal statutes should be reviewed as potentially relevant factual patterns are identified.

DEW Police

A division of Direct Energy Weapons Agency, Inc.

Crime-Analysis Notice: DEW Police is not a law-enforcement agency and does not make prosecutorial determinations. This entry is prepared for research, documentation, and crime-analysis purposes and should not be interpreted as a finding that any particular person committed a crime or that any particular technology caused a reported injury.