

**Ala. Code 1975, § 13A-2-3**

**MINIMUM REQUIREMENT FOR CRIMINAL LIABILITY**  
**(Strict Liability)**

To be criminally liable, the Defendant must have acted voluntarily or have omitted to perform an act he/she was physically capable of performing.

**Use Notes**

If no more than the performance of a voluntary act or the voluntary omission to perform an act which a person is physically capable of performing is required for the commission of either the crime or some material element of the crime, then the crime is one of "strict liability." In such a case, a person may be held criminally liable for his conduct even though it has not been proven that at the time of the alleged crime he possessed a culpable mental state.

Intoxication, voluntary or involuntary, is admissible in evidence whenever it is relevant to negate an element of the crime charged, such as intent. However, where recklessness is an element of the crime charged, evidence of voluntary intoxication is not relevant. 13A-3-2(a) & (b). See Instruction 3.2.

[Adopted 09-19-14.]