

**Ala. Code 1975, § 13A-2-24**

**Accountability for Behavior of Another — No Accountability**

A person is not accountable for behavior of another constituting an offense if: **[Read appropriate part]**

- (1) He/she is a victim of the offense;
- (2) The offense is so defined that his/her conduct is inevitably incidental to its commission; **[or]**
- (3) Prior to the commission of the offense, he/she voluntarily terminated his/her effort to promote or assist its commission and: **[Read appropriate part]**
  - (a) Gave timely and adequate warning to law enforcement authorities **[or]** to the intended victim; **[or]**
  - (b) Wholly deprived his/her complicity of its effectiveness in the commission of the offense.

The burden of raising this issue is on the defendant, but this does not shift the burden of proof to the defendant.

**Use Notes**

This charge should be given only when sufficient evidence is before the jury to inject the issue.

[Adopted 10-17-14.]