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A Practitioner's Guide to Defenses under the New Pensylvania Crimes Code

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A Practitioner's Guide to Defenses Under the New Pennsylvania Crimes Code

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Prior to the enactment of the Crimes Code,[1] criminal defenses in Pennsylvania were largely non-statutory. While the Crimes Code did not abolish common law defenses,[2] it did enact statutory definitions of many defenses.[3] This article will first address itself to the question of burden of proof of defenses under the Crimes Code, and then will proceed to discuss interesting developments with respect to several defenses.

I. Defenses—Burden of Proof

While Pennsylvania's Crime Code adopted substantial portions of the American Law Institute's Model Penal Code, Pennsylvania did not enact section 1.12 of the Model Penal Code which provided, in pertinent part, as follows:

> (1) No person may be convicted of an offense unless each element of such offense is proved beyond a reasonable doubt. In the absence of such proof, the innocence of the defendent is assumed.
> (2) Subsection (1) of this Section does not:
> (a) require the disproof of an affirmative defense unless and until there is evidence supporting such defense; or
> (b) apply to any defense which the Code or another statute plainly requires the defendant to prove by a preponderance of evidence.
> (3) A ground of defense is affirmative, within the meaning of Subsection (2)(a) of this Section, when:
> (a) it arises under a section of the Code which so provides; or

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1. Consol. Pa. Stat. Ann. tit. 18, §§ 101-7504 (1973).

2. *Id.* § 107(b), relating to the abolition of common law crimes, provides: "No conduct constitutes a crime unless it is a crime under this title or another statute of this Commonwealth."

3. The Appendix to this article contains an alphabetical listing of defenses under the Crimes Code. One important defense, that of insanity, is not covered by the Crimes Code. *See* note 18 *infra.*

(b) it relates to an offense defined by a statute other than the Code and such statute so provides; or
(c) it involves a matter of excuse or justification peculiarly within the knowledge of the defendant on which he can fairly be required to adduce supporting evidence.

One of the predecessor versions of the Crimes Code, Senate Bill No. 38, 1967 session, did contain a section 114, which was based on section 1.12 of the Model Penal Code, and provided, in pertinent part, as follows:

(a) No person may be convicted of an offense unless each element of such offense is proved beyond a reasonable doubt. In the absence of such proof, the innocence of the defendant is assumed. This subsection does not:
(1) require the disproof of a defense unless and until there is evidence supporting such defense; or
(2) apply to any defense which the code or another statute plainly requires the defendant to prove by a preponderance of evidence.

The Joint State Government Commission's comment on this provision stated:

This section is derived from Section 1.12 of the Model Penal Code. The Model Penal Code reference to and definition of "affirmative defense" were deleted because of the difficulty which would occur in distinguishing between the Commonwealth's burden of showing the defendant's guilt beyond a reasonable doubt and the defendant's burden of proving his affirmative defense by a preponderance of the evidence. Such a provision would only serve to perpetuate the existing confusion.
Existing law is in a state of confusion concerning the matters covered by Subsection . . . (a). . . . It is intended by this section to clarify existing law. Under Subsection (a) it is clear that the Commonwealth is required to disprove a defense if there is evidence supporting such defense. The burden always rests on the Commonwealth.[4]

Since Pennsylvania did not adopt section 1.12 of the Model Penal Code, the Model Penal Code's definition of the term "element of an offense," which Pennsylvania did adopt,[5] becomes significant. The term "element of an offense" is defined, *inter alia*, as:

4. JOINT STATE GOVERNMENT COMMISSION, PROPOSED CRIMES CODE FOR PENNSYLVANIA (1967).
5. CONSOL. PA. STAT. ANN. tit. 18, § 103 (1973).

> Such conduct or such attendant circumstances or such a result of conduct as . . . negatives an excuse or justification for such conduct . . . .[6]

Coupled with the legislative adoption of this definition of "element of an offense" is the fact that as to several defenses in the Crimes Code, the legislature specified that the defendant has the burden of establishing such defenses by a preponderance of the evidence. The following sections of the Crimes Code contain the only defenses specified by the legislature as affirmative defenses:

Credit cards—§ 4106(b)
Deceptive business practices—§ 4107(b)
Due diligence, corporations—§ 307(d)
Entrapment—§ 313(b)
Mistake as to age—§ 3102
Prohibited offensive weapons—§ 908(b)
Sexually promiscuous complainants—§ 3104
Theft, grading—§ 3903(b)
Theft of trade secrets—§ 3930(d)

Indeed, the philosophy underlying the adoption of such provisions was that "it is desirable that so far as possible affirmative defenses be identified specifically by the legislature."[7]

In light of the above, the conclusion seems inescapable that as to each other defense in the Crimes Code, once such defense is raised by the defendant at trial, the Commonwealth has the burden of disproving such defense beyond a reasonable doubt. In other words, the burden of proof as to defenses under the Crimes Code is virtually the same as it would have been if section 1.12 of the Model Penal Code had been adopted. As it was explained in the comments to the Model Penal Code, ". . . unless there is evidence supporting the defense, there is no issue on the point to be submitted to the jury. When, however, there is evidence supporting the defense (whether presented by the prosecution or defendant), the prosecution has the normal burden; the defense must be negatived by proof beyond a reasonable doubt."[8]

With respect to the defendant's evidential burden, neither the Crimes Code nor the Model Penal Code attempt to state how strong the evidence must be to satisfy the requirement that there is evidence

6. *Id.*
7. MODEL PENAL CODE § 1.13, Comment (Tent. Draft No. 4, 1955).
8. *Id.*

supporting the defense. The American Law Institute thought it wiser to leave this assertion to the courts.[9] However, the Model Penal Code comments do go on to state:

> It should suffice to put the prosecution to its proof beyond a reasonable doubt that the defendant shows enough to justify such doubt upon the issue. We think that most courts would construe the section in this way.[10]

The states of New York and Illinois also adopted substantial portions of the Model Penal Code. However, neither state substantially adopted section 1.12 of the Model Penal Code.

The New York legislation relating to the burden of proof as to defenses is as follows:

> (1) When a "defense," other than an "affirmative defense," defined by statute is raised at a trial, the people have the burden of disproving such defense beyond a reasonable doubt.
> (2) When a defense declared by statute to be an "affirmative defense" is raised at a trial, the defendant has the burden of establishing such defense by a preponderance of the evidence.[11]

Apparently, prior to New York's adoption of this provision, there was no type of defense as to which the defendant had the burden of proof. The New York Court of Appeals repeatedly held that when any of the recognized defenses was raised by a defendant, the burden of proof with respect thereto shifted to the prosecution, which was then required to disprove such defense beyond a reasonable doubt.[12]

The Illinois legislation relating to the burden of proof as to defenses is as follows:

> (a) "Affirmative defense" means that unless the State's evidence raises the issue involving the alleged defense, the defendant, to raise the issue, must present some evidence thereon.
> (b) If the issue involved in an affirmative defense is raised then the State must sustain the burden of proving the defendant guilty beyond a reasonable doubt as to that issue together with all the other elements of the offense.[13]

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9. *Id.*
10. *Id.*
11. N.Y. PENAL LAW § 25.00 (McKinney 1967).
12. People v. Kelly, 302 N.Y. 512, 99 N.E.2d 552 (1951); People v. Sandgren, 302 N.Y. 331, 98 N.E.2d 460 (1951); People v. Egnor, 175 N.Y. 419, 67 N.E. 906 (1903); People v. Downs, 123 N.Y. 558, 25 N.E. 988 (1890); People v. Riordan, 117 N.Y. 71, 22 N.E. 455 (1889).
13. ILL. ANN. STAT. ch. 38, § 3-2 (Smith-Hurd 1972).

It is interesting to note that Illinois uses the term "affirmative defense" in a slightly different manner. In Illinois, the term "affirmative defense" does not indicate that the defendant has the burden of establishing such defense by a preponderance of the evidence.

Thus, the Crimes Code has not changed Pennsylvania law regarding the defendant's evidential burden as to defenses. The defendant, to raise the issue, must present some evidence thereon.[14] However, the Crimes Code has changed Pennsylvania law with regard to the burden of proof as to many defenses by shifting the burden of proof to the Commonwealth. For example, under prior law, the defendant had the burden of proof as to the defenses of intoxication,[15] self defense,[16] and insanity.[17] Although the defense of insanity is not covered by the Crimes Code,[18] there seems little reason to doubt that the Crimes Code shifts the burden of proof with regard to insanity to the Commonwealth.

The following is a discussion of some interesting developments in the Crimes Code with respect to several defenses.

II. Defense of Renunciation

The defense of renunciation is a new defense and it is made available in connection with accomplice liability,[19] and the inchoate crimes of attempt,[20] solicitation,[21] and conspiracy.[22] The rationale for providing such a defense is to encourage prospective criminals to renounce their criminal pursuit before they consummate it.

The most elaborate of these provisions are the ones relating to accomplices and attempts, as follows:

> [A person is not an accomplice in an offense committed by another person if] he terminates his complicity prior to the commission of the offense and:
> (i) wholly deprives it of effectiveness in the commission of the offense; or

14. *See* text accompanying notes 9 & 10 *supra*.
15. Commonwealth v. Morrison, 266 Pa. 223, 109 A. 878 (1920).
16. Commonwealth v. Noble, 371 Pa. 138, 88 A.2d 260 (1952).
17. Comonwealth v. Myma, 278 Pa. 505, 123 A. 486 (1924).
18. Chapter 7 of the Crimes Code dealing with "Responsibility" is reserved for future legislation. Thus, Pennsylvania still retains the long-established M'Naughton rule. *See* text accompanying note 2 *supra*.
19. Consol. Pa. Stat. Ann. tit. 18, § 306(f)(3) (1973).
20. *Id.* § 901(c).
21. *Id.* § 902(b).
22. *Id.* § 903(f).

(ii) gives timely warning to the law enforcement authorities or otherwise makes proper effort to prevent the commission of the offense.[23]

Renunciation.—

(1) In any prosecution for an attempt to commit a crime, it is a defense that, under circumstances manifesting a voluntary and complete renunciation of his criminal intent, the defendant avoided the commission of the crime attempted by abandoning his criminal effort and, if the mere abandonment was insufficient to accomplish such avoidance, by taking further and affirmative steps which prevented the commission thereof.

(2) A renunciation is not "voluntary and complete" within the meaning of this subsection if it is motivated in whole or part by:

(i) a belief that circumstances exist which increase the probability of detection or apprehension of the defendant or another participant in the criminal enterprise, or which render more difficult the accomplishment of the criminal purpose; or

(ii) a decision to postpone the criminal conduct until another time or to transfer the criminal effort to another victim or another but similar objective.[24]

The renunciation provision in connection with an attempt states that "if the mere abandonment was insufficient to accomplish such avoidance . . . [the defendant must have taken] further affirmative steps which prevented the commission" of the crime attempted. This provision gives no further indication as to precisely what the "further affirmative steps" consist of, but it seems clear from a reading of the renunciation provision relating to accomplices[25] that giving timely warning to law enforcement authorities would be one such affirmative step.

III. Corporations—Defense of Due Diligence

Where a corporation or an unincorporated association is charged with an offense not involving strict liability,[26] the Crimes Code provides: it shall be a defense if the defendant proves by a preponderance of evidence that the high managerial agent having supervisory responsibility over the subject matter of the offense employed due diligence to prevent its commission. This subsection shall not apply if it is plainly inconsistent with the legislative purpose in defining the particular

23. *Id.* § 306(f)(3).
24. *Id.* § 901(c).
25. *Id.* § 306(f)(3).
26. *E.g.*, serving liquor to a minor, Pa. Stat. Ann. tit. 47, § 4-493(1) (1969).

offense.[27] This provision was based on section 2.07 of the Model Penal Code; the comments thereto aptly summarize its significance:

> Subsection . . . [(d)] makes an important contribution to the rationalization of corporate criminal responsibility. It is based on the assumption that a primary purpose of the corporate fine is to encourage diligent supervision of corporate personnel by managerial employees in those cases in which the corporation is bound by the conduct of inferior personnel. . . . Where that diligence can be shown by a preponderance of the evidence, exculpation should follow except in those cases where such a defense is clearly inconsistent with the legislative purpose manifested in defining the particular offense. If the legislature has imposed strict liability on the corporate agent for the commission of the offense, even where that agent has employed due diligence, there would seem to be no reason to exculpate the corporation on the ground of due diligence on the part of supervisory personnel. The same defense subject to the same limitations is made available to unincorporated associations.[28]

The Crimes Code does not specify the requirements of the phrase "due diligence." However, a recent federal antitrust decision, *United States v. Hilton Hotel Corp.*,[29] gives an indication of how far the courts will go in construing a due diligence requirement. In that case, the Ninth Circuit held that even express instructions to corporate employees concerning obedience to the antitrust laws will not exculpate either the corporate entity or high managerial agents if the instructions are "general" and no steps have been taken to enforce the instructions "by means commensurate with the obvious risks."

IV. Drugged Condition

> The Crimes Codes provides that:
> Intoxication or drugged condition are not, as such, defenses to a criminal charge; but in any prosecution for any offense, evidence of intoxication or drugged condition of the defendant may be offered by the defendant whenever it is relevant to negative an element of the offense.[30]

Since this provision applies to narcotic drugs as well as alcohol, it may well be asked whether this section will provide a new defense for per-

27. Consol. Pa. Stat. Ann. tit. 18, § 307(d) (1973).
28. Model Penal Code § 2.07, Comment (Tent. Draft. No. 4, 1955).
29. 1972 Trade Cas. ¶ 74,190, at 92,925 (9th Cir. 1972).
30. Consol. Pa. Stat. Ann. tit. 18, § 308 (1973).

sons committing crimes while under the influence of narcotics. A negative answer to this question was given by the Model Penal Code commentators, who explained their position as follows:

> It may be noted that the use of narcotic drugs does not generally present the same problems as the use of alcohol. Narcotic addicts may resort to crime to obtain funds for drugs to prevent withdrawal symptoms and when they do they are, of course, held accountable. The effect of a narcotic is to make the addict less aggressive without any great interference with mental powers.
>
> It is common popular belief that opiates per se (apart from the phenomenon of physical dependency) directly incite otherwise normal persons to violent assaultive criminal acts, including sexual crimes. This view is not tenable. Opiates are quieting drugs that repress hostile urges, create a passive, dreamy state and depress sexual drives. On the other hand, the opiates are valuable to criminals in other ways. They allay anxieties and, therefore, supply a kind of a "dutch courage" which may be valuable to criminals in the commission of certain acts such as petty thievery. It is particularly important to note that this "dutch courage" is achieved without any great deterioration in mental ability or manual dexterity, such as is induced by alcohol and other drugs.[31]
>
> It is therefore to be expected that this Section will have no practical bearing on the commission of crimes under the influence of narcotics or effect any change in their position under existing law.[32]

V. Duress

The Crimes Code provision relating to the defense of duress liberalizes pre-existing law. The Crimes Code provides:

> (a) General rule.—It is a defense that the actor engaged in the conduct charged to constitute an offense because he was coerced to do so by the use of, or a threat to use, unlawful force against his person or the person of another, which a person of reasonable firmness in his situation would have been unable to resist.
> (b) Exception.—The defense provided by subsection (a) of this section is unavailable if the actor recklessly placed himself in a situation in which it was probable that he would be subjected to

31. The Model Penal Code comment cited American Medical Association Council on Mental Health, Report on Narcotic Addiction 4 (1957).

32. Model Penal Code § 2.08, Comment (Tent. Draft No. 9, 1959).

> duress. The defense is also unavailable if he was negligent in placing himself in such a situation, whenever negligence suffices to establish culpability for the offense charged.[33]

Under the Crimes Code, the duress does not have to consist of death or serious bodily injury; it does not have to be directed at the defendant, but can be directed at another; it does not have to be immediate, but can be a long, wasting oppression.[34] However, since the standard of "a person of reasonable firmness" is used, it should be clear that threats to property or reputation would not suffice to constitute duress.[35] On the other hand, the standard of "a person of reasonable firmness" is not an entirely external standard, for the Crimes Code adds the phrase "in . . . [the actor's] situation."[36]

The provision set forth in subsection (b) is also new. Its main application is with regard to persons who connect themselves with criminal activity and it states the rule that if the defendant had full opportunity to avoid the coercion, the defense is not available.[37]

The Model Penal Code contained a subsection (c) which was not enacted by Pennsylvania. It provided that:

> It is not a defense that a woman acted on the command of her husband, unless she acted under such coercion as would establish a defense under this section. The presumption that a woman, acting in the presence of her husband, is coerced is abolished.

Thus, the presumption that a woman, acting in the presence of her husband, is coerced is not abolished. However, under the case law, this presumption is a weak one which can be refuted by slight evidence.[38]

VI. Entrapment

As to the defense of entrapment, the Crimes Code provides:

> (a) General rule.—A public law enforcement official or a person acting in cooperation with such an official perpetrates an entrapment if for the purpose of obtaining evidence of the commission

33. Consol. Pa. Stat. Ann. tit. 18, § 309 (1973).
34. For a statement of the law of duress prior to the Crimes Code, *see* United States v. Anthony, 145 F. Supp. 323 (M.D. Pa. 1956).
35. Model Penal Code § 2.09, Comment (Tent. Draft. No. 10, 1960).
36. *Id.*
37. *Id.*
38. United States v. Anthony, 145 F. Supp. 323, 339 (M.D. Pa. 1956).

of an offense, he induces or encourages another person to engage in conduct constituting such offense by either:

(1) making knowingly false representations designed to induce the belief that such conduct is not prohibited; or

(2) employing methods of persuasion or inducement which create a substantial risk that such an offense will be committed by persons other than those who are ready to commit it.

(b) Burden of proof.—Except as provided in subsection (c) of this section, a person prosecuted for an offense shall be acquitted if he proves by a preponderance of evidence that his conduct occurred in response to an entrapment.

(c) Exception.—The defense afforded by this section is unavailable when causing or threatening bodily injury is an element of the offense charged and the prosecution is based on conduct causing or threatening such injury to a person other than the person perpetrating the entrapment.[39]

This provision overrules the so-called "predisposition test" of prior law.[40] Under the Crimes Code, the rationale of the entrapment defense is that the employment of such methods by the police shocks the moral standards of the community. In light of this rationale, permitting the police to employ such methods on persons who are allegedly "predisposed" to commit offenses would be self-contradictory.

According to the Model Penal Code comment, a mere offer to buy narcotics would not be an entrapment under this provision, because it would not create a risk of offending by the innocent.[41] However, use of entreaties and overreaching appeals may give rise to the defense.[42]

The policy underlying the exception in subsection (c) is that people who can be persuaded to cause such a danger should be convicted, and this situation overrides the general policy against unsavory police conduct.[43]

The law is unchanged with regard to submitting the defense of entrapment to the jury.[44] A provision in prior versions of the Crimes Code that "the issue of entrapment shall be tried by the court in the absence of the jury" was not enacted.

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39. CONSOL. PA. STAT. ANN. tit. 18, § 313 (1973).
40. Commonwealth v. Conway, 196 Pa. Super. 97, 173 A.2d 776 (1961).
41. MODEL PENAL CODE § 2.10, Comment (Tent. Draft. No. 9, 1959).
42. *Id.*
43. *Id.*
44. Commonwealth v. Conway, 196 Pa. Super. 97, 173 A.2d 776 (1961).

VII. Resisting An Unlawful Arrest

The Crimes Code does not provide a defense "to resist an arrest which the actor knows is being made by a peace officer, although the arrest is unlawful."[45]

Illinois has adopted a similar provision:

> A person is not authorized to use force to resist an arrest which he knows is being made either by a peace officer or by a private person summoned and directed by a peace officer to make the arrest, even if he believes that the arrest is unlawful and the arrest in fact is unlawful.[46]

According to the Illinois commentary, this provision is:

> . . . a deterrent to the resort to force by a person upon his own conclusion that the arrest is unlawful, in preference to the use of the methods provided by law for obtaining his release and redress for the unlawful arrest. . . . Such resort to force only invites the officer to use greater force to accomplish the arrest, which he believes to be lawful, and the officer is usually the better prepared to use force. The public interest in discouraging violence and insisting upon the use of peaceable methods of obtaining release from arrest clearly outweighs the recognition of the feeling of the individual. . . . A partial recognition of the advisability of sanctioning resistance in the case of an unlawful arrest appears in the rule that a person who kills an officer attempting an unlawful arrest is not justified, but is guilty of manslaughter rather than murder, in the absence of express malice. . . .[47]

However, under the Crimes Code, a person may use force to resist an arrest if the arresting officer unlawfully uses or threatens deadly force, or attempts to rape.[48] In addition, a person may use force to resist an illegal arrest by a person not known to be a police officer.[49]

Although it is no defense to use force to resist an unlawful arrest, resisting an unlawful arrest is not a violation of the provisions of the Crimes Code relating to resisting arrest,[50] or the provisions of the Crimes Code relating to assaults on police officers.[51] However, resisting an un-

45. Consol. Pa. Stat. Ann. tit. 18, § 505(b)(1)(i) (1973).
46. Ill. Ann. Stat. ch. 38, § 7-7 (Smith-Hurd 1972).
47. *Id.*
48. Consol. Pa. Stat. Ann. tit. 18, § 505(b)(2) (1973).
49. *Cf.* People v. Lavac, 357 Ill. 554, 192 N.E. 568 (1934) (where the defendant, in his dwelling, fired through a closed door and killed two policemen in plain clothes, mistaking them for "hoodlums").
50. Consol. Pa. Stat. Ann. tit. 18, § 5104 (1973).
51. *Id.* §§ 2702(a)(2), (3).

lawful arrest may be prosecuted as simple assault,[52] aggravated assault,[53] or criminal homicide.[54]

VIII. Conclusion

The Crimes Code has not changed Pennsylvania law regarding the defendant's evidential burden as to defenses. However, it has shifted to the Commonwealth the burden of proof as to most defenses.

The Crimes Code creates certain new defenses, such as renunciation of criminal purpose in connection with the inchoate crimes of attempt, solicitation and conspiracy. The rules relating to other defenses have been modified. For example, the defense of duress has been broadened and liberalized. On the other hand, although the defense of intoxication is enlarged to include drugged condition, it is not expected that this expanded definition will have a practical bearing on the defense of persons committing crimes under the influence of narcotics.

In light of these and other changes, the new Crimes Code warrants careful study by practitioners.

Appendix

Defenses Under the New Pennsylvania Crimes Code

Affirmative Defenses
- Credit cards—§ 4106(b)
- Deceptive business practices—§ 4107(b)
- Due diligence, corporations—§ 307(d)
- Entrapment—§ 313(b)
- Mistake as to age—§ 3102
- Prohibited offensive weapons—§ 908(b)
- Sexually promiscuous complainants—§ 3104
- Theft
  - Grading—§ 3903(b)
  - Trade secrets—§ 3930(d)

Burglary—§ 3502(b)
Compounding—§ 5108(b)
Consent—§ 311
Conspiracy—§ 904(b)
Corporations—§ 307(d)
Criminal coercion—§ 2906(b)
De minimis infractions—§ 312
Duress—§ 309
Entrapment—§ 313
Exceptions to definitions of offenses, etc.
- Application of preliminary provisions—§ 107(c)
- Appointment of special policemen—§ 7504(b)

52. *Id.* § 2701.
53. *Id.* § 2701(a)(1), (4).
54. *Id.* § 2501.

Breach of privacy of telephone or telegraph communications—§ 5702(b)
Cruelty to animals—§ 5511(b)
Debt pooling—§ 7312(b)
Default in required appearance—§ 5124(b)
Desecration of flag—§ 2102(b)
Display of flag at public meetings—§ 2101(b)
Distribution of samples of medicine, dyes—§ 7301(b)
Duress—§ 309(b)
Entrapment—§ 313(c)
Erection of crossing signboards—§ 6906(b)
Execution of public duty—§ 504(b)
Firearms not to be carried without a license—§ 6106(b)
Fraudulent traffic in food orders—§ 7314(c)
Furnishing free insurance as inducement for purchases—§ 7310(b)
Horse racing—§ 7103(c)
Ignorance or mistake—§ 304
Incapacity, irresponsibility or immunity of party to solicitation or conspiracy—§ 904(b)
Incendiary devices—§ 730(b)
Insanity—Chapter 7
Interference with custody of children—§ 2904(b)
Intoxication or drugged condition—§ 308
Justification—§ 502
In property crimes—§ 510
Liability for conduct of another, complicity—§ 306(f)
Liability of organizations and related persons—§ 307(d)
Lie detector tests—§ 7321(b)
Manufacture, distribution or possession of master keys for motor vehicles—§ 909(b)
Military orders—§ 310
Mistake as to age—§ 3102
Nails and other hard substances attached to utility poles—§ 6905(b)
Obstructing or impeding the administration of justice by picketing—§ 5102(b)
Posting advertisements on property of another—§ 6503(b)
Prohibited offensive weapons—§ 908(b)
Sale
Air rifles—§ 6304(c)
Solvents—§ 7303(b)
Starter pistols—§ 6303(b)
Weapons and explosives—§ 6302(b)
Selling
Fresh meats, produce and groceries, Sunday—§ 7364(c)
Personal property, Sunday—§ 7363(c)
Territorial applicability—§ 102(b)
Theft by deception—§ 3922(b)
Time limitations—§ 108(c)
Unlawful coercion in contracting insurance—§ 7309(b)
Use of force for the protection of other persons—§ 506(b)
Worldly employment or business, Sunday—§ 7361(b)

Prohibited

Bribery in official and political matters— § 4701(b)
Escape—§ 5121(c)
Impossibility—§ 901(b)
Perjury—§ 4902(b), (c)
Self-defense, unlawful arrest—§ 505(b)
Status of actor—§ 306(e)
Threats and other improper influence in official and political matters—§ 4702(b)

Renunciation

Attempt—§ 901(c)
Conspiracy—§ 903(f)
Liability for conduct of another; complicity—§ 306(f)
Solicitation—§ 902(b)

Self-defense—§ 505
Sexually promiscuous complainants—§ 3104
Solicitation—§ 904(b)
Spouse relationships—§ 3103
Theft by extortion—§ 3923(b)
Trespass—§ 3503(c)
Unauthorized use of automobiles and other vehicles—§ 3928(b)
Use of force
By persons with special responsibility for care, discipline or safety of others—§ 509
For the protection of
Persons—§ 506
Property—§ 507
In law enforcement—§ 508
In self-protection—§ 505
To pass wrongful obstructor—§ 507(f)
To prevent
Escape—§ 508(c)
Suicide or the commission of crime—§ 508(d)