

**TITLE 6: CRIMES AND CRIMINAL PROCEDURE**  
**GENERAL PROVISIONS**

**§ 251. Defenses: Generally.**

(a) A defense is a fact or set of facts which negates liability under this title.

(b) No defense may be considered by the trier of fact unless evidence of the specified fact or facts has been presented. If such evidence is presented, then:

(1) If the defense is not an affirmative defense, the defendant is entitled to an acquittal if the trier of facts finds that the evidence, when considered in the light of any contrary prosecution evidence, raises a reasonable doubt as to the defendant's guilt; or

(2) If the defense is an affirmative defense, the defendant is entitled to an acquittal if the trier of fact finds that the evidence, when considered in the light of any contrary prosecution evidence, proves by a preponderance of the evidence the specified fact or facts which negate penal liability.

(c) A defense is an affirmative defense if it is so designated by this title or another statute.

(d) Nothing contained in this title is to be construed to deny a defendant the right to raise any defense available at common law.

(e) Nothing contained in this title is to be construed to relieve the Commonwealth of its burden of proving beyond a reasonable doubt all elements included in the definition of the offense of which the defendant is charged.

**Source:** PL 3-71, § 1 (§ 107).