

§ 309 Duress.

**Pennsylvania Statutes**

**18 Pa.C.S. CRIMES AND OFFENSES**

**Part I PRELIMINARY PROVISIONS**

**Chapter 3 CULPABILITY**

*Current through P.A. Acts 2016-101*

**§ 309 Duress**

- (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 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.

**Cite as 18 Pa.C.S. § 309**

**History.** 1972, Dec. 6, P.L. 1482, No. 334, § 1, effective June 6, 1973.