

**505.010 Entrapment.**

- (1) A person is not guilty of an offense arising out of proscribed conduct when:
  - (a) He was induced or encouraged to engage in that conduct by a public servant or by a person acting in cooperation with a public servant seeking to obtain evidence against him for the purpose of criminal prosecution; and
  - (b) At the time of the inducement or encouragement, he was not otherwise disposed to engage in such conduct.
- (2) The relief afforded by subsection (1) is unavailable when:
  - (a) The public servant or the person acting in cooperation with a public servant merely affords the defendant an opportunity to commit an offense; or
  - (b) The offense charged has physical injury or the threat of physical injury as one (1) of its elements and the prosecution is based on conduct causing or threatening such injury to a person other than the person perpetrating the entrapment.
- (3) The relief provided a defendant by subsection (1) is a defense.

**Effective:** January 1, 1975

**History:** Created 1974 Ky. Acts ch. 406, sec. 43, effective January 1, 1975.