

SEQ CHAPTER \h \r 1CR07-091 06/16/03

THE AGGRESSOR AND SELF-DEFENSE OR DEFENSE OF ANOTHER

[May be inserted at end of CR07-101, CR07-106, CR07-111, CR07-116, or CR07-121]

If, however, the State has proven beyond a reasonable doubt that

(Def) _____ was the aggressor in this confrontation, then you may not find that (Def) _____ acted in lawful [self defense] [defense of another]. An aggressor is one who:

(1) started the confrontation by first using force or the threat of immediate use of force,

and

(2) did not regain the right of [self defense] [defense of another] by effectively withdrawing from the confrontation.

To have effectively withdrawn from the confrontation, (Def) _____ must have made reasonable efforts under the circumstances to notify (victim) _____, by word and by deed, that [he] [she] was withdrawing.