

202.19 INTRODUCTORY COMMENT TO N.C.P.I.—CRIM. 202.20, 202.30, and
202.40. ACCESSORY BEFORE THE FACT.

The status of being an accessory before the fact has been eliminated, with one exception noted below, effective July 1, 1981. G.S. 14-5.2 abolished all distinctions between accessories before the fact and principals in the commission of felonies. Every person who would be guilty as an accessory before the fact is made guilty and punishable as a principal. However, the exception is that if a defendant who heretofore would have been guilty as an accessory before the fact is convicted of a capital felony, and the jury finds that his conviction was based solely on the uncorroborated testimony of one or more principals, co-conspirators or accessories to the crime, he shall be guilty of a Class B2 felony.

