

**21-5226. Same; by an aggressor.** The justification described in K.S.A. 21-3211, 21-3212 and 21-3213, prior to their repeal, or K.S.A. 2014 Supp. 21-5222, 21-5223 and 21-5225, and amendments thereto, is not available to a person who:

- (a) Is attempting to commit, committing or escaping from the commission of a forcible felony;
- (b) initially provokes the use of any force against such person or another, with intent to use such force as an excuse to inflict bodily harm upon the assailant; or
- (c) otherwise initially provokes the use of any force against such person or another, unless:
  - (1) Such person has reasonable grounds to believe that such person is in imminent danger of death or great bodily harm, and has exhausted every reasonable means to escape such danger other than the use of deadly force; or
  - (2) in good faith, such person withdraws from physical contact with the assailant and indicates clearly to the assailant that such person desires to withdraw and terminate the use of such force, but the assailant continues or resumes the use of such force.

**History:** L. 2010, ch 136, § 24; L. 2011, ch. 30, § 10; July 1.