

Kansas Administrative Regulations

Crime Victims Compensation Board

Article 2.—Claims

20-2-8. Contributory misconduct.

(a) For the purpose of K.S.A. 74-7305 and amendments thereto, "contributory misconduct" may include the following:

- (1) Consent, provocation, or incitement, which may consist of the use of fighting words or obscene gestures;
- (2) willing presence in a vehicle operated by a person who is known to be under the influence of alcohol or an illegal substance;
- (3) abuse of alcohol or an illegal substance;
- (4) failure to retreat or withdraw from a threatening situation if an option to do so is readily available;
- (5) failure to act as a prudent person; and
- (6) unlawful activity.

(b) The acts and behaviors listed in subsection (a) may be excused in cases involving domestic abuse or sexual assault.

(Authorized by K.S.A. 74-7304; implementing K.S.A. 2012 Supp. 74-7305; effective Nov. 15, 1993; amended Jan. 10, 2014.)

***** Authenticated Kansas Administrative Regulation *****