

STUDENT BATTERY OUTLINE

RULES LEARNED	SOURCE
Intent requires no showing of malice, intent to injure, or other bad motive. It requires only a volitional act (here moving of the chair) performed with substantial knowledge, such that there is “substantial certainty” that the result (in this case bodily contact which is harmful or offensive) will occur.	<i>Garratt v. Dailey</i> Boy pulled chair from under elderly woman as she was sitting down.
Intent also exists if a person acts with the specific intent to bring about a particular result.	Class Discussion
Intent is subjective.	Class Discussion
Good faith and mistake do not negate intent.	<i>Ranson v. Kittner</i> Hunter shot dog that he thought was a wolf.
Mental illness does not negate intent.	<i>McGuire v. Almy</i> Insane woman hits caregiver.
The doctrine of transferred intent permits plaintiff to prove intent by proving that defendant intended to commit any one of the five intentional torts which were part of the original writ of trespass and accomplished any of the five. <i>Will learn the different torts later</i>	<i>Talmage v. Smith</i> Man threw stick to scare one boy but hit another.
Battery exists if there is intent to cause contact which is harmful or offensive to the person of another and it occurs.	<i>Wallace v. Rosen</i> During fire drill mother touched by teacher and falls down stairs.
In order to be considered harmful or offensive the contact must, at the very least, be harmful or offensive to a reasonable person unless the defendant had special knowledge the plaintiff would find contact offensive which would not be offensive to the reasonable person.	
Certain forms of everyday contact are not considered harmful or offensive as a matter of law because “we live in a crowded world.” <i>The crowded world theory.</i>	
Contact with an object in intimate association with the body can satisfy the contact element of battery	<i>Fisher v. Carrousel</i> Black scientist has plate snatched out of his hand at cocktail party and racial epithet by plate snatcher.
Because battery is a dignitary tort there is no need for actual harm and the tort may be actionable when only nominal damages are present	