

Case(s) and Notes: Snyder v. Turk + TGA Handout

I. INTENT:  $\delta$  must intend:

[A]. To [1] cause a contact with the  $\pi$  [2] that is harmful or offensive;

II. ACTION/RESULT:

[A]. The  $\delta$  must actually [1] cause a [2] contact to result and [3] the contact must be harmful or offensive.

[1].

[2].

[3]. The contact must be [a] harmful or [b] offensive.

[a]. Harm is any physical impairment of another's body, or physical pain or illness.

[b]. The contact would offend a reasonable sense of personal dignity.

**Case(s) and Notes:** Snyder v. Turk + TGA; Cohen v. Smith + Notes;

**I. INTENT:**  $\delta$  must intend either:

[A]. To [1] cause a contact with the  $\pi$  or a third person [2] that is harmful or offensive; OR

[B]. To put the  $\pi$  or a third person in imminent apprehension of such a contact.

**II. ACTION/RESULT:**

[A]. The  $\delta$  must actually [1] cause a [2] contact to result and [3] the contact must be harmful or offensive.

[1]. The  $\delta$  can cause the contact either directly or indirectly.

[2]. An actual contact must occur with the  $\pi$ 's body or with items closely associated with the  $\pi$ 's body or personhood.

[3]. The contact must be [a] harmful or [b] offensive.

[a]. Harm is any physical impairment of another's body, or physical pain or illness.

[b]. The contact would offend a reasonable sense of personal dignity.

[i]. Even if the contact would not offend a reasonable person's sense of personal dignity, and the  $\pi$  is hypersensitive, if the  $\delta$  is aware of the hypersensitivity that is sufficient and the contact becomes offensive.

**Case(s) and Notes:** Snyder v. Turk + TGA; Cohen v. Smith; **Leichtman v. WLW Jacor**

**I. INTENT:**  $\delta$  must intend either:

[A]. To [1] cause a contact with the  $\pi$  or a third person [2] that is harmful or offensive; OR

[1]. The intent to contact is satisfied if the  $\delta$  has:

[a]. A desire to cause the contact;

[2].

[B]. To put the  $\pi$  or a third person in imminent apprehension of such a contact.

**II. ACTION/RESULT:**

[A]. The  $\delta$  must actually [1] cause a [2] contact to result and [3] the contact must be harmful or offensive.

[1]. The  $\delta$  can cause the contact either directly or indirectly.

[2]. An actual contact must occur with the  $\pi$ 's body or with items closely associated with the  $\pi$ 's body or personhood.

[3]. The contact must be [a] harmful or [b] offensive; **and [c] tangible?**.

[a]. Harm is any physical impairment of another's body, or physical pain or illness.

[b]. The contact would offend a reasonable sense of personal dignity; e.g., **a reasonable person might find the contact to be disagreeable or nauseating.**

[i]. Even if the contact would not offend a reasonable person's sense of personal dignity, and the  $\pi$  is hypersensitive, if the  $\delta$  is aware of the hypersensitivity that is sufficient and the contact becomes offensive.

**Case(s) and Notes:** Snyder v. Turk + TGA; Cohen v. Smith; Leichtman v. WLW Jacor; Garratt v. Dailey

**I. INTENT:**  $\delta$  must intend either:

[A]. To [1] cause a contact with the  $\pi$  or a third person [2] that is harmful or offensive; OR

[1]. The intent to contact is satisfied if the  $\delta$  has either:

[a]. A desire to cause the contact; or

[b]. Knowledge with a substantial certainty that a contact will occur.

[2].

[B]. To put the  $\pi$  or a third person in imminent apprehension of such a contact.

[1]. The intent is satisfied if the  $\delta$ :

[a].

[b]. Knows with a substantial certainty that the apprehension will result.

**II. ACTION/RESULT:**

[A]. The  $\delta$  must actually [1] cause a [2] contact to result and [3] the contact must be harmful or offensive.

[1]. The  $\delta$  can cause the contact either directly or indirectly.

[2]. An actual contact must occur with the  $\pi$ 's body or with items closely associated with the  $\pi$ 's body or personhood.

[3]. The contact must be [a] harmful or [b] offensive; [and [c] tangible?].

[a]. Harm is any physical impairment of another's body, or physical pain or illness.

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[i]. Even if the contact would not offend a reasonable person's sense of personal dignity, and the  $\pi$  is hypersensitive, if the  $\delta$  is aware of the hypersensitivity that is sufficient and the contact becomes offensive.

**Case(s) and Notes:** Snyder v. Turk + TGA; Cohen v. Smith; Leichtman v. WLW Jacor; Garratt v. Dailey; Hall v. McBryde

**I. INTENT:**  $\delta$  must intend either:

[A]. To [1] cause a contact with the  $\pi$  or a third person [2] that is harmful or offensive; OR

[1]. The intent to contact is satisfied if the  $\delta$  has either:

[a]. A desire to cause the contact; or

[b]. Knowledge with a substantial certainty that a contact will occur.

[2].

[B]. To put the  $\pi$  or a third person in imminent apprehension of such a contact.

[1]. The intent is satisfied if the  $\delta$ :

[a].

[b]. Knows with a substantial certainty that the apprehension will result.

**II. ACTION/RESULT:**

[A]. The  $\delta$  must actually [1] cause a [2] contact to result and [3] the contact must be harmful or offensive.

[1]. The  $\delta$  can cause the contact either directly or indirectly.

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[i]. Even if the contact would not offend a reasonable person's sense of personal dignity, and the  $\pi$  is hypersensitive, if the  $\delta$  is aware of the hypersensitivity that is sufficient and the contact becomes offensive.

**Case(s) and Notes:** Snyder v. Turk + TGA; Cohen v. Smith; Leichtman v. WLW Jacor; Garratt v. Dailey; Hall v. McBryde; White v. Muniz + TGA

**I. INTENT:**  $\delta$  must intend either:

[A]. To [1] cause a contact with the  $\pi$  or a third person [2] that is harmful or offensive; OR

[1]. The intent to contact is satisfied if the  $\delta$  has either:

[a]. A desire to cause the contact; or

[b]. Knowledge with a substantial certainty that a contact will occur.

[2]. The intent to cause a contact that is [a] harmful or [b] offensive is shown if either:

[a]. The  $\delta$  desires to harm, or is substantially certain that the contact will harm, the  $\pi$ ;

[b]. The  $\delta$  knows or appreciates that the contact would offend a reasonable sense of personal dignity—i.e., it would be offensive to an ordinary, reasonable person under the circumstances.

[i]. Even if the contact would not offend a reasonable person's sense of personal dignity, and the  $\pi$  is hypersensitive, if the  $\delta$  is aware of the hypersensitivity that is sufficient and the contact becomes offensive.

[B]. To put the  $\pi$  or a third person in imminent apprehension of such a contact.

[1]. The intent is satisfied if the  $\delta$  has:

[a]. A desire to cause the apprehension; or

[b]. Knows with a substantial certainty that the apprehension will result.

**II. ACTION/RESULT:**

[A]. The  $\delta$  must actually [1] cause a [2] contact to result and [3] the contact must be harmful or offensive.

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