

ICJI 1203 BATTERY DEFINED

INSTRUCTION NO.

A "battery" is committed when a person:

- (1) willfully and unlawfully uses force or violence upon the person of another; or
- (2) actually, intentionally and unlawfully touches or strikes another person against the will of the other; or
- (3) unlawfully and intentionally causes bodily harm to an individual.

Comment

I.C. § 18–903. This instruction should be used when the commission of a battery is an element of another crime, e.g., Battery with the intent to commit a serious felony defined, ICJI 1210. The definition should be tailored to fit the allegations in the charging document. *State v. Brazil*, 136 Idaho 327, 33 P.3d 218 (Ct. App. 2001); *State v. Sherrod*, 131 Idaho 56, 951 P.2d 1283 (Ct. App. 1998).