

Intentional Torts

No class on Friday

Office Hours

Today from 12pm to 1pm

Student Evaluations

At end of class, from 9:50am to 10:00am

Structure

Intentional Torts:

~~— Battery~~

~~— Assault~~

--- False imprisonment

--- Intentional infliction of emotional distress

Defenses:

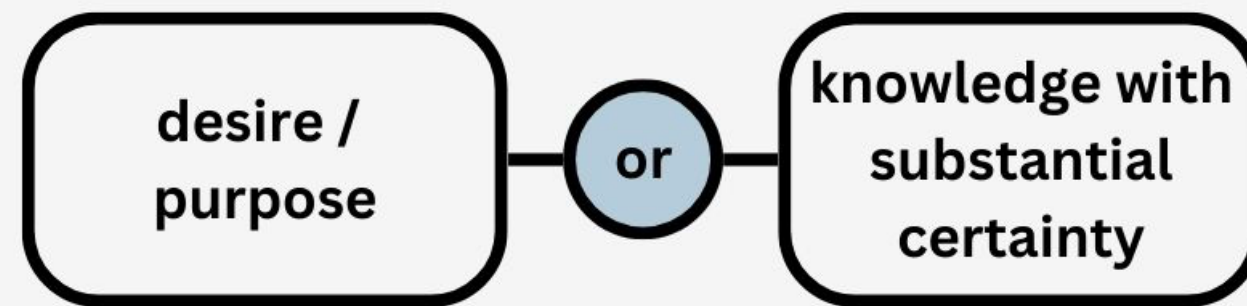
--- Consent

--- Self-defense

--- Defense of property

--- Necessity

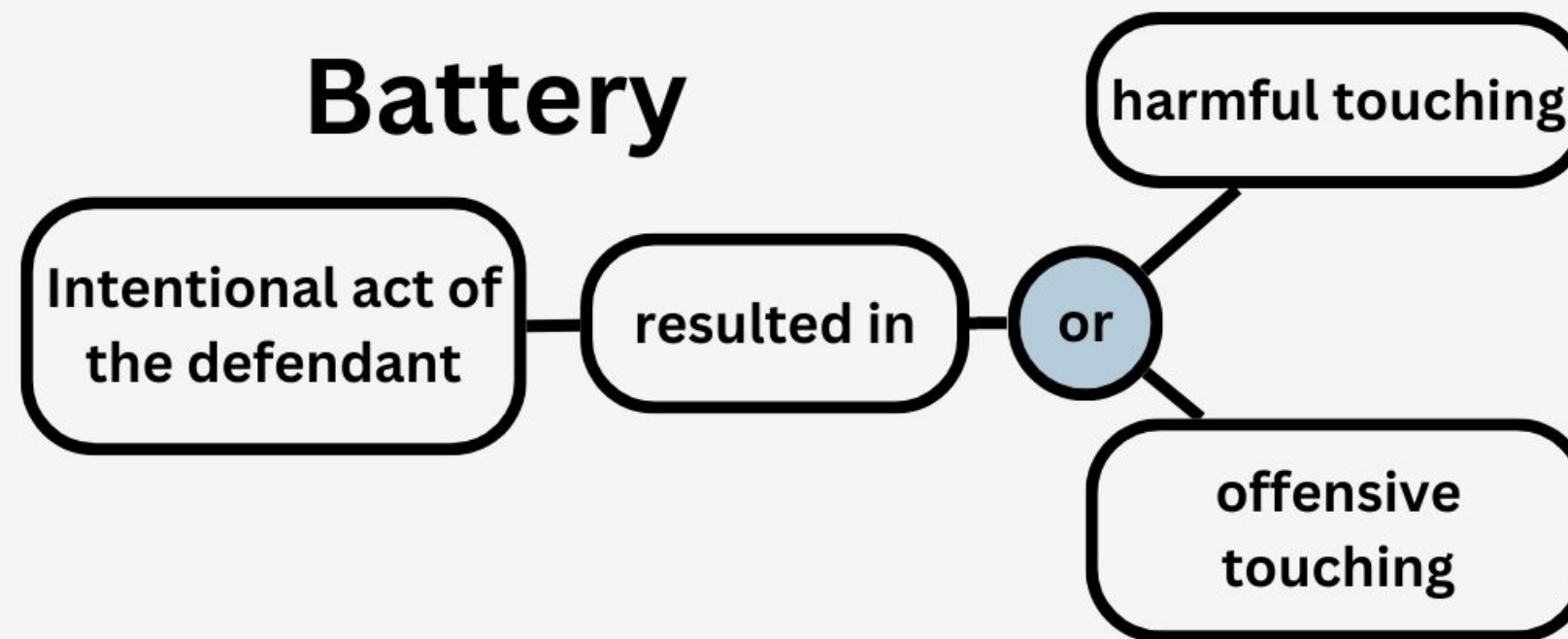
Intent



Abridged Definition from Restatement (Third) of Torts

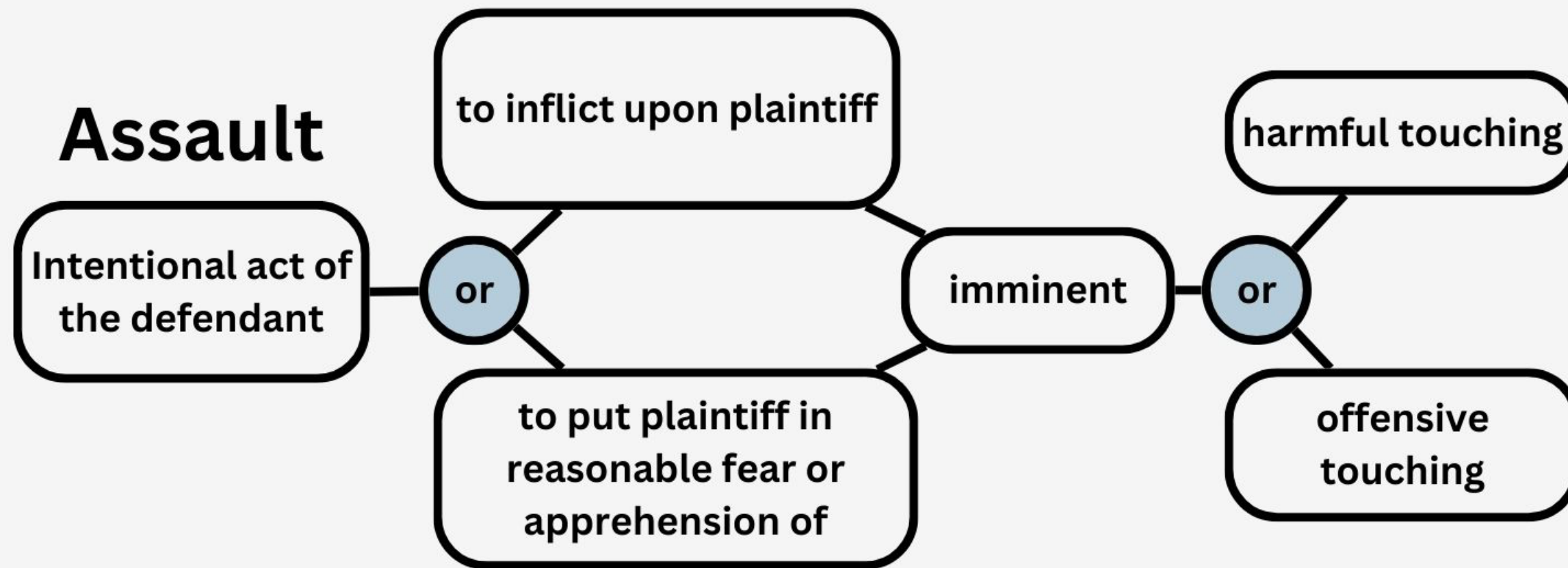
A person acts with the intent to produce a consequence if:

- (a) the person acts with the purpose of producing that consequence; or
- (b) the person acts knowing that the consequence is substantially certain to result.



Abridged Definition from Restatement (Second) of Torts

An actor is subject to liability to another for battery if he acts intending to cause a harmful or offensive contact with the person of the other or a third person, or an imminent apprehension of such a contact, and a harmful or offensive contact with the person of the other directly or indirectly results.



Abridged Definition from Restatement (Second) of Torts

An actor is subject to liability to another for assault if

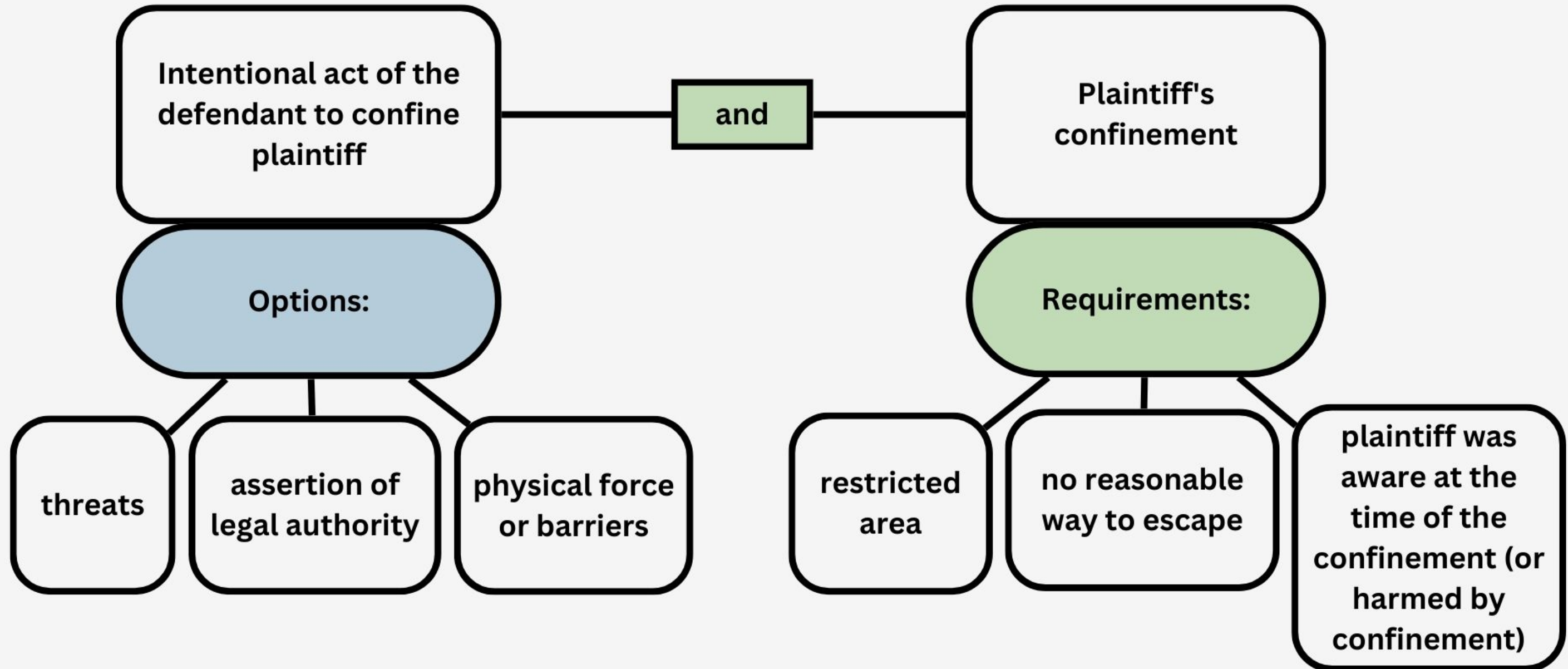
- (a) he acts intending to cause a harmful or offensive contact with the person of the other or a third person, or an imminent apprehension of such a contact, and
- (b) the other is thereby put in such imminent apprehension.

False Imprisonment

Lopez v. Winchell's Donut House

“The Accused Employee Who Freely Left”

False Imprisonment



Intentional Infliction of Emotional Distress

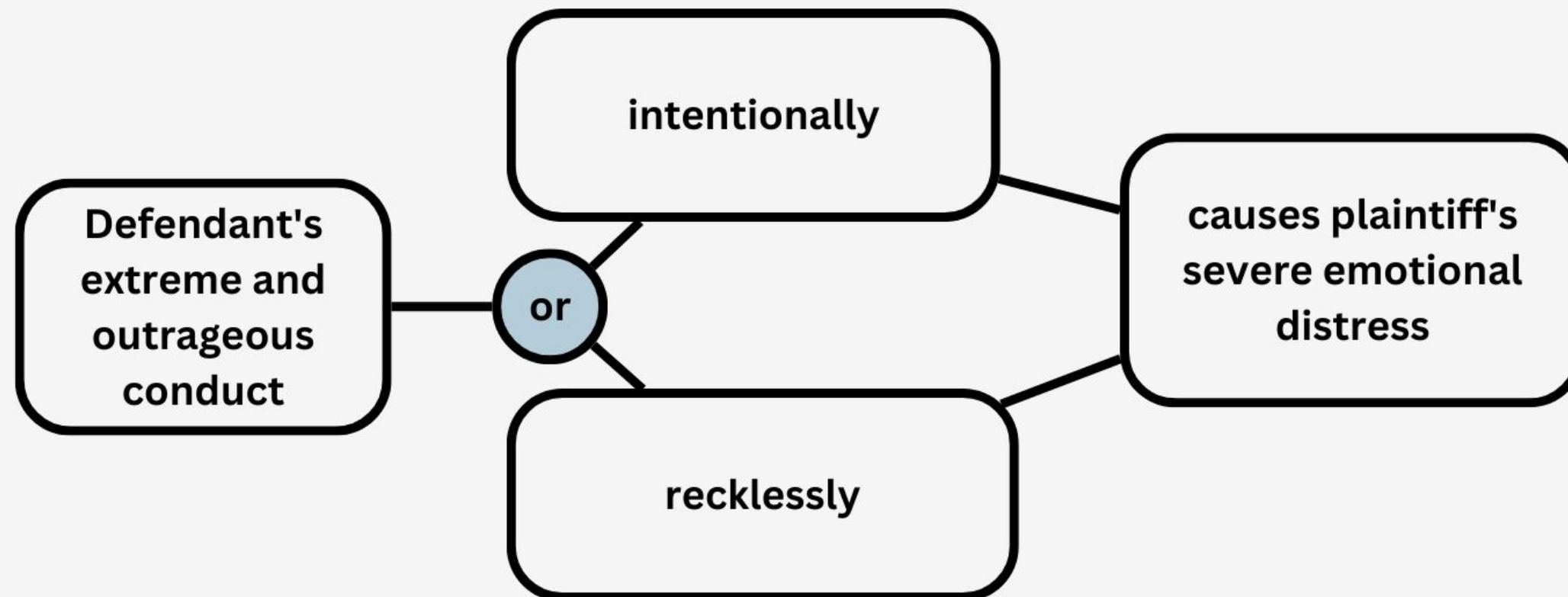
Womach v. Eldridge

“The Distressing Accusation of Molestation”

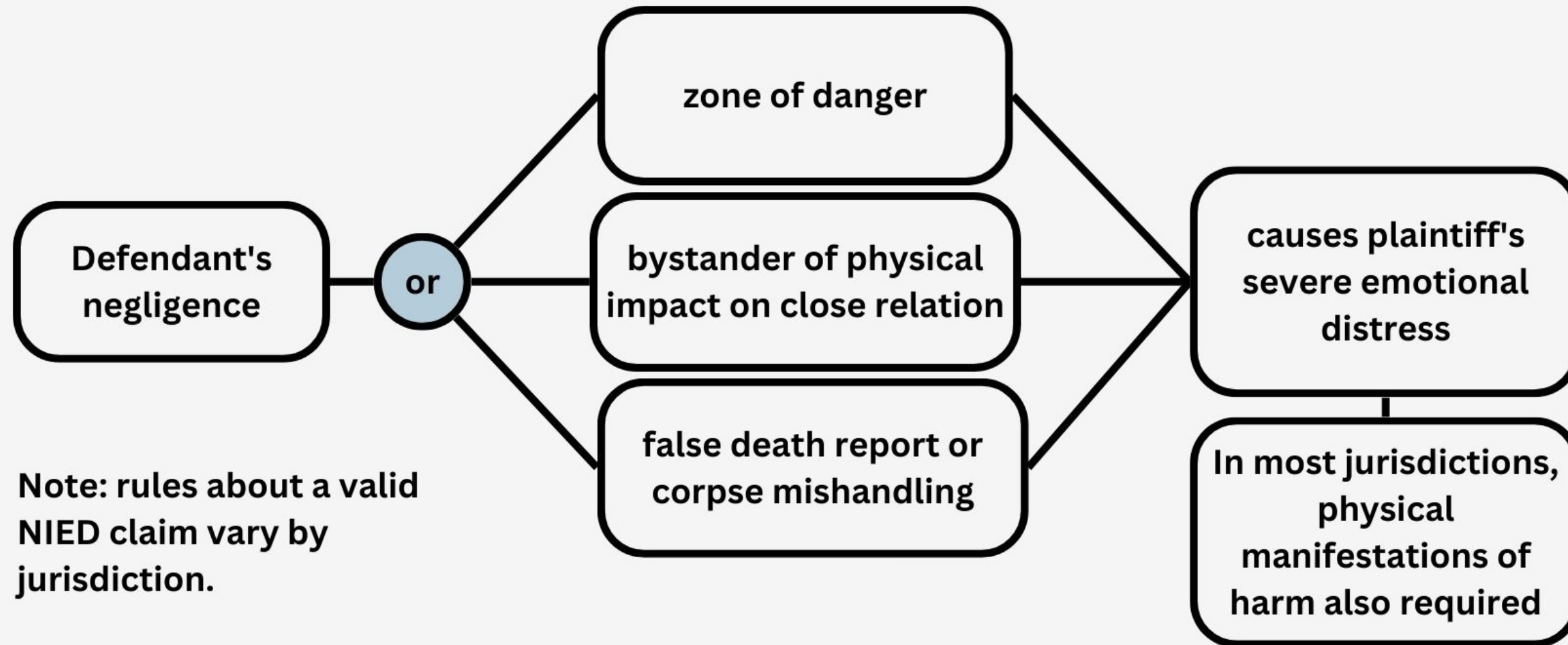
Second Restatement

“One who by extreme and outrageous conduct intentionally or recklessly causes severe emotional distress to another is subject to liability for such emotional distress, and if bodily harm to the other results from it, for such bodily harm.”

Intentional Infliction of Emotional Distress



Negligent Infliction of Emotional Distress



Note: rules about a valid NIED claim vary by jurisdiction.

Snyder v. Phelps

“Protesting Soldiers’ Funerals”