

BATTERY

A battery is the unauthorized touching of another person. In Florida, the charge of battery can be aggravated if certain facts are proven, like the fact that the victim was pregnant, the battery was with a weapon, or the battery caused harm to the victim. It is important to note that for a battery charge to be proven, the defendant must have had an intent to touch or strike the person. Below, you will find some of the types of battery. A battery can be a misdemeanor or a felony depending on the situation.

If you have been charged with battery, please contact our office to schedule your free confidential consultation.

BATTERY **§ 784.03, Fla.Stat.**

To prove the crime of Battery, the State must prove one of the following elements beyond a reasonable doubt:

1. Defendant intentionally touched or struck victim against his or her will; or
2. Defendant intentionally caused bodily harm to victim.

AGGRAVATED BATTERY

§ 784.045, Fla. Stat.

To prove the crime of Aggravated Battery, the State must prove the following two elements beyond a reasonable doubt. The first element is a definition of battery.

1. Defendant intentionally touched or struck victim against his or her will or Defendant intentionally caused bodily harm to (victim).
2. Defendant in committing the battery
 - a. intentionally or knowingly caused great bodily harm to victim, permanent disability to victim, or permanent disfigurement to victim or
 - b. used a deadly weapon.

A weapon is a “deadly weapon” if it is used or threatened to be used in a way likely to produce death or great bodily harm.

AGGRAVATED BATTERY (Pregnant Victim)

§ 784.045, Fla. Stat.

To prove the crime of Aggravated Battery, the State must prove the following three elements beyond a reasonable doubt. The first element is a definition of battery.

1. Defendant intentionally touched or struck victim against her will or intentionally caused bodily harm to victim.
 2. The victim was pregnant at the time.
1. Defendant in committing the battery knew or should have known that victim was pregnant.

FELONY BATTERY

§ 784.041, Fla.Stat.

To prove the crime of Felony Battery, the State must prove the following two elements beyond a reasonable doubt:

1. Defendant actually and intentionally touched or struck victim against his or her will; and
2. Defendant caused victim great bodily harm, permanent disability, or permanent disfigurement.