

11.05A
Definition Of Insulting Or Provoking Contact

A contact is insulting or provoking when a reasonable person under the circumstances would find the physical contact insulting or provoking in nature. The law does not say what a reasonable person would find insulting or provoking. That is for you to decide.

Committee Note

720 ILCS 5/12-3 (West 2023).

The question of whether the contact is insulting or provoking is an objective inquiry. *People v. Davidson*, 2023 IL 127538, ¶ 16. The *Davidson* court explained, “it is the nature of the contact, not the actual impact on the victim, that must be established. Consequently, we hold that the trier of fact is asked to determine whether a reasonable person under the circumstances would find the physical contact insulting or provoking in nature.” *Id.*