

Assault vs. Battery vs. Aggravated Assault

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The legal description of “battery” and “assault” in Utah is as follows:

What is Assault?

Assault in Utah is committed when a threat of violence is made against a person to cause bodily harm unlawfully, or an act that causes injury or creates a substantial risk of harm to another person. It is not a defense against assault, that the accused caused serious bodily injury to another. The penalty for an assault charge in Utah could attract severe punishment depending on the circumstances, the degree of the victim’s injuries, and especially if the victims were a protected citizen such as a school worker, a healthcare provider, or a police officer.

What is Battery?

Battery in Utah is the act of physically attacking someone. Sexual battery if the person intentionally touches, whether or not through clothing, the anus, buttocks, or any part of the genitals of another person, or the breast of a female, and the actor understands that his conduct will likely cause affront or alarm to the person touched.

What is Aggravated Assault?

Aggravated assault in Utah is the same as assault but accompanied by a substantial risk of bodily injury to another; and that includes the use of a dangerous weapon, any act that impedes the breathing or the circulation of blood of another person by the actor’s use of unlawful force or violence that is likely to produce a loss of consciousness; and other means or force likely to produce death or serious bodily injury. An offender may cause serious bodily injury that results in grave harm, or legally “serious bodily injury” is deemed as an injury causing long-term or permanent disability, loss of limbs, or any other body part or a huge risk of death.

Both simple and aggravated assault attract severe criminal charges, mostly aggravated assault. Under the Utah

criminal act, simple assault is treated as a misdemeanor while aggravated assault as a felony.

The use of [dangerous weapons](#) as described Under the Utah Law § 76-1-601(5), is any item capable of causing grave injury or death. Counterfeit weapons used against victims who believe them to be a real threat also fall into this category.

If you are charged with assault or battery in Utah, you could be facing years in prison, substantial fines, and a criminal record that limits your future prospects. Don't face it alone. ***Call the assault and battery defense attorneys at Wasatch Defense Lawyers***. Our dedicated attorneys will provide you with exceptional personal attention and legal representation. We endeavor to serve all our clients with ***favorable verdicts at affordable legal rates***.