**12.03D ASSAULT — WORDS ALONE**

Words can constitute an assault when used in combination with acts or circumstances that cause another person to reasonably believe that [he][she] is about to be touched in a harmful or offensive way.

**Use Note**

Use in cases where the issue of words alone is raised. This instruction should be given following Instruction 12.01.

# **Comment**

There are no Alaska cases that discuss this issue. The instruction is based on Restatement (Second) of Torts § 31.