## SECTION 4.00 – OTHER AND SPECIFIC TORTS

### IDJI 4.10 – False arrest and false imprisonment

INSTRUCTION NO. \_\_\_\_\_

The plaintiff has the burden of proving each of the following propositions:

1. The defendant by the exercise of force or by an express or implied threat of force [arrested plaintiff] [restrained, confined, or detained plaintiff’s personal liberty] [caused plaintiff to be (arrested) (confined) (detained)];

2. Defendant acted intentionally in [arresting] [restraining] [confining] [detaining] plaintiff;

3. Defendant acted unlawfully;

4. The [arrest] [restraint] [confinement] [detention] was against the will and without the consent of the plaintiff;

5. The nature and extent of the damages, if any, and the amount thereof.

If you find from your consideration of all the evidence that each of these propositions has been proved, then your verdict should be for the plaintiff; but, if you find from your consideration of all the evidence that any of these propositions has not been proved, then your verdict should be for the defendant.