

Marshall University Course Syllabus

Course Title/Number	CJ 322: Criminal Law
Semester/Year	Fall, 2015
Days/Time	Section 101 (CRN 1691): TR 9:30 – 10:45 am Section 102 (CRN 1692): TR 2:00 – 3:15 pm
Location	Section 101: SH 418 Section 102: SH 418
Instructor	Margaret Phipps Brown
Office	Smith Hall 735, Marshall University, One John Marshall Drive, Huntington, WV 25755
Phone	304-696-3086; 304-696-3085 (fax)
E-Mail	brownmp@marshall.edu
Office/Hours	Tuesday & Thursday: 9:00 – 9:30 am; 11:00 – 11:30 am; 1:00 – 2:00 pm; 3:30 – 4:00 pm. Appointments at other hours are available by request.
University Policies	By enrolling in this course, you agree to the University Policies listed below. Please read the full text of each policy by going to www.marshall.edu/academic-affairs and clicking on “Marshall University Policies.” Or, you can access the policies directly by going to http://www.marshall.edu/academic-affairs/?page_id=802 Academic Dishonesty/ Excused Absence Policy for Undergraduates/ Computing Services Acceptable Use/ Inclement Weather/ Dead Week/ Students with Disabilities/ Academic Forgiveness/ Academic Probation and Suspension/ Academic Rights and Responsibilities of Students/ Affirmative Action/ Sexual Harassment

Course Description: From Catalog

This course covers the history and development of criminal law; elements of a crime; parties to a crime; and types of offenses. PR: Introduction to Criminal Justice, or permission.

The table below shows the following relationships: How each student learning outcomes will be practiced and assessed in the course.

Course Student Learning Outcomes	How students will practice each outcome in this Course	How student achievement of each outcome will be assessed in this Course
Students will be able to describe and explain the basic concepts of criminal law, including: <ul style="list-style-type: none"> • The decision to criminalize conduct • The various philosophies of punishment • Constitutional limits on criminal law • The concepts of <i>mens rea</i> and <i>actus reus</i> • Inchoate crime • Party liability (complicity) 	<ul style="list-style-type: none"> • Readings in the textbook • Classroom discussion • Case Briefs • Homework Assignments 	<ul style="list-style-type: none"> • Exam questions • Case Briefs

<ul style="list-style-type: none"> • Types and elements of criminal offenses • Types and elements of defenses to criminal conduct 		
Students will be able to analyze and apply appellate court opinions	Case Briefs	<ul style="list-style-type: none"> • Case Briefs • Exam questions
Students will be able to describe the types of arguments made by both sides in a criminal case	<ul style="list-style-type: none"> • Readings in the textbook • Class discussion • Case Briefs • Homework assignments 	<ul style="list-style-type: none"> • Case Briefs • Exam questions

Required Texts, Additional Reading, and Other Materials

Samaha, J. (2014). <i>Criminal Law</i> , 11 th ed. Belmont, CA: Wadsworth, Cengage Learning.

Course Requirements / Due Dates

<ol style="list-style-type: none"> 1. Case Briefs are due at the end of the class period on the day the case is discussed. In class work may be assigned. Late case briefs or in class assignments may not be made up and will not be accepted, without university excuse. 2. Exam 1 will take place on September 29, 2015. 3. Exam 2 will take place on October 27, 2015. 4. Final exam for Section 101 will take place on December 8, 2015 @ 8:00 am. 5. Final exam for Section 102 will take place on December 10, 2015 @ 12:45 pm.

Grading Policy

Exam 1 - 100 points	90-100% = A
Exam 2 – 100 points	80-89% = B
Final Exam (comprehensive) – 200 points	70-79% = C
Case Briefs – 100 points	60-69% = D
Homework, in-class assignments, participation – up to 100 points	Below 60% = F
<p>Once assignments/exams are returned to students, it is the responsibility of the students to maintain those documents in case there is a discrepancy between my grade book and your actual grade. Please maintain your graded papers until you receive your final grade.</p>	
<p>Academic Dishonesty All students must be familiar with the university’s policy concerning academic dishonesty. Academic dishonesty includes cheating, fabrication and falsification of data or information, plagiarism, bribes/favors/threats, and complicity with any of these activities. Students who violate this policy face sanctions included in the Academic Dishonesty Policy, including lowering of a grade on an assignment, lowering of a final grade, or failing the course.</p>	

Attendance Policy

Class attendance is not required. However, those students who want and/or expect to do well in the class should attend class regularly. If a student misses a class other than for a university excused absence, that student cannot make up any assignments completed in class or due on that day.

Course Schedule

Week	Subject	Pages
Aug. 24	Introduction Chapter 1 – Criminal Law & Criminal Punishment ASSIGNMENT: Read instructions on pages 4, then review the 8 cases on pages 4-5 and assign each case to one of the five categories listed in the instructions. BRIEF: <i>State v. Chaney</i> <i>Aug. 24 – Aug. 28: Late Registration and Schedule Adjustment</i>	2-39
Aug. 31	Chapter 2 – Constitutional Limits on Criminal Law BRIEF: <i>State v. Metzger</i> <i>People v. Rokicki</i> <i>GeorgiaCarry.Org, Inc. v. Georgia</i> <i>Lawrence v. Texas</i> <i>Kennedy v. Louisiana</i> <i>State v. Ninham</i> <i>Ewing v. California</i> <i>Gall v. United States</i> <i>Aug. 31 – Oct. 30: "W" Withdrawal Period</i>	40-91
Sept. 7	Chapter 3 – The Criminal Act: The First Principle of Criminal Liability BRIEF: <i>State v. Burrell</i> <i>King v. Cogden</i> <i>People v. Decina</i> <i>Commonwealth v. Pestinakas</i> <i>Miller v. State</i> <i>Sept. 5 – 7: University Computing Services unavailable</i> <i>Sept. 7: Labor Day – Classes Dismissed</i>	92-121
Sept. 14	Chapter 4 – The General Principles of Criminal Liability: <i>Mens Rea</i> , Concurrence, and Causation BRIEF: <i>Harris v. State</i> <i>State v. Stark</i> <i>State v. Jantzi</i> <i>Koppersmith v. State</i> <i>State v. Loge</i> <i>People v. Armitage</i> <i>State v. Sexton</i> <i>Sept. 18: Application for December Graduation Due in Academic Dean's Office</i>	122-151
Sept. 21	REVIEW FOR EXAM # 1 <i>Sept. 25: Last Day to Drop 1st 8 Weeks Courses</i>	

Sept. 28	EXAM # 1 (9/29) Chapter 7 – Parties to Crime and Vicarious Liability BRIEF: <i>State v. Ulvinen</i> <i>State v. Chism</i> <i>State v. Zeta Chi Fraternity</i> <i>State v. Tomaino</i> <i>State v. Akers</i>	228-255
Oct. 5	Chapter 8 – Inchoate Crimes: Attempt, Conspiracy, and Solicitation BRIEF: <i>People v. Kimball</i> <i>George Lee Mims, Sr., v. U.S.</i> <i>State v. Damms</i> <i>LeBarron v. State</i> <i>U.S. V. Garcia</i> <i>Alexander v. U.S.</i> <i>State v. Schleifer</i>	256-297
Oct. 12	Chapter 9 – Crimes against Persons I: Criminal Homicide BRIEF: <i>State v. Snowden</i> <i>Duest v. State</i> <i>People v. Thomas</i> <i>People v. Phillips</i> <i>People v. O'Neil</i> <i>Commonwealth v. Schnopps</i> <i>Commonwealth v. Carr</i> <i>State v. Mays</i> <i>Oct. 12: Mid-semester, 1st 8 weeks Courses End</i> <i>Oct 13: 2nd 8 Weeks Courses Begin</i>	298-353
Oct. 19	REVIEW FOR EXAM # 2 <i>Oct. 20: Deadline for Submitting Freshmen Mid Term Grades</i>	
Oct. 26	EXAM # 2 (10/27) Chapter 10 – Crimes against Persons II: Criminal Sexual Conduct, Bodily Injury, and Personal Restraint BRIEF: <i>People v. Evans</i> <i>Commonwealth v. Berkowitz</i> <i>State in the Interest of M.T.S.</i> <i>Hamilton v. Cameron</i> <i>State v. Hoying</i> <i>People v. Allen</i> <i>Oct. 26: Students should schedule appointments with advisors to prepare for advance registration</i> <i>Oct. 30: Last day to drop individual classes with W grade</i>	354-399

Nov. 2	<p>Chapter 11 – Crimes against Property BRIEF: <i>People v. Gasparik</i> <i>U.S. v. Maze</i> <i>Sonnier v. State</i> <i>Commonwealth v. Mitchell</i> <i>Jewell v. State</i> <i>Remsburg v. Docusearch, Inc.</i> <i>U.S. v. Ancheta</i></p> <p><i>Nov. 2: Recommended Date to Apply for May 2015 Graduation</i> <i>Nov. 2 – Dec. 4: Complete withdrawals only</i></p>	400-443
Nov. 9	<p>Chapter 12 – Crimes against Public Order and Morals BRIEF: <i>Joyce v. City and County of San Francisco</i> <i>City of Chicago v. Morales</i> <i>City of St. Paul v. East Side Boys & Selby Siders</i> <i>Interactive Digital Software Association v. St. Louis County</i> <i>Commonwealth v. An Unnamed Defendant</i></p> <p>Chapter 13 – Crimes against the State BRIEF: <i>Holder v. Humanitarian Law Project</i> <i>Humanitarian Law Project v. Holder</i></p> <p><i>Nov. 9 – Nov. 20: Advance Registration for Spring Semester for Currently Enrolled Students</i> <i>Nov. 13: Last Day to Drop 2nd 8 Weeks Courses</i></p>	444-481 482-508
Nov. 16	<p>Chapter 5 – Defenses to Criminal Liability: Justifications BRIEF: <i>U.S. v. Haynes</i> <i>People v. Goetz</i> <i>State v. Stewart</i> <i>Toops v. State</i> <i>State v. Shelley</i></p>	
Nov. 23	<p>THANKSGIVING BREAK – CLASSES DISMISSED <i>Nov. 23– Nov. 27: Thanksgiving Break – Classes Dismissed</i> <i>Nov. 26 – Nov. 27: University Closed</i></p>	152-191
Nov. 30	<p>Chapter 6 – Defenses to Criminal Liability: Excuses BRIEF: <i>United States v. Hinkley</i> <i>People v. State v. Odell</i> <i>State v. K.R.L.</i> <i>Oliver v. State</i> <i>DePasquale v. State</i> <i>State v. Phipps</i></p> <p><i>Nov. 30 – Dec. 4: Dead Week</i> <i>Dec. 4: Last Day of Classes and Last Day to Completely Withdraw</i></p>	192-227
Dec. 7 FINALS	<p>322-101: 12/8/15 @ 8:00 am 322-102: 12/10/15 @ 12:45 pm</p>	