

**Marshall University  
Course Syllabus**

Course Title/Number	<b>CJ 322: Criminal Law</b>
Semester/Year	Fall, 2014
Days/Time	Section 101 (CRN 1798): TR 9:30 – 10:45 am Section 102 (CRN 1799): 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	<a href="mailto:brownmp@marshall.edu">brownmp@marshall.edu</a>
Office/Hours	Tuesday & Thursday: 9:00 – 9:30 am; 11:00 – 11:30 am; 1:00 – 2:00 pm; 3:30 – 4:30 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 <a href="http://www.marshall.edu/academic-affairs">www.marshall.edu/academic-affairs</a> and clicking on “Marshall University Policies.” Or, you can access the policies directly by going to <a href="http://www.marshall.edu/academic-affairs/?page_id=802">http://www.marshall.edu/academic-affairs/?page_id=802</a>  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.

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

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

### Required Texts, Additional Reading, and Other Materials

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

### Course Requirements / Due Dates

- 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.
- Exam 1 will take place on September 30, 2014.
- Exam 2 will take place on October 28, 2014.
- Final exam for Section 101 will take place on December 9, 2014 @ 8:00 am.
- Final exam for Section 102 will take place on December 11, 2014 @ 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

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.

### 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.

### 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. 25	<p>Introduction</p> <p>Chapter 1 – Criminal Law &amp; Criminal Punishment</p> <p>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.</p> <p>BRIEF: <i>State v. Chaney</i></p> <p><i>Aug. 25 – Aug. 29: Late Registration and Schedule Adjustment</i></p> <p><i>Aug. 30 – Sept. 1: University Computing Services Unavailable</i></p>	2-39
Sept. 1	<p>Chapter 2 – Constitutional Limits on Criminal Law</p> <p>BRIEF: <i>State v. Metzger</i></p> <p><i>People v. Rokicki</i></p> <p><i>GeorgiaCarry.Org, Inc. v. Georgia</i></p> <p><i>Lawrence v. Texas</i></p> <p><i>Kennedy v. Louisiana</i></p> <p><i>State v. Ninham</i></p> <p><i>Ewing v. California</i></p> <p><i>Gall v. United States</i></p> <p><i>Sept. 1: Labor Day Holiday – University Closed</i></p> <p><i>Sept. 2 – Oct. 31: “W” Withdrawal Period</i></p>	40-91
Sept. 8	<p>Chapter 3 – The Criminal Act: The First Principle of Criminal Liability</p> <p>BRIEF: <i>State v. Burrell</i></p> <p><i>King v. Cogden</i></p> <p><i>People v. Decina</i></p> <p><i>Commonwealth v. Pestinakas</i></p> <p><i>Miller v. State</i></p>	92-121
Sept. 15	<p>Chapter 4 – The General Principles of Criminal Liability: <i>Mens Rea</i>, Concurrence, and Causation</p> <p>BRIEF: <i>Harris v. State</i></p> <p><i>State v. Stark</i></p> <p><i>State v. Jantzi</i></p> <p><i>Koppersmith v. State</i></p> <p><i>State v. Loge</i></p> <p><i>People v. Armitage</i></p> <p><i>State v. Sexton</i></p> <p><i>Sept. 19: Application for December Graduation Due in Academic Dean’s Office</i></p>	122-151
Sept. 22	<p>REVIEW FOR EXAM # 1</p> <p><i>Sept. 26: Last Day to Drop 1<sup>st</sup> 8 Weeks Courses</i></p>	

Sept. 29	<b>EXAM # 1 (9/30)</b> 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. 6	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. 13	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> Oct. 14: Mid-semester, 1 <sup>st</sup> 8 weeks Courses End Oct 15: 2 <sup>nd</sup> 8 Weeks Courses Begin	298-353
Oct. 20	REVIEW FOR EXAM # 2 Oct. 20: Deadline for Submitting Freshmen Mid Term Grades	
Oct. 27	<b>EXAM # 2 (10/28)</b> 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> Oct. 27: Students should schedule appointments with advisors to prepare for advance registration Oct. 31: Last day to drop individual classes with W grade	354-399

