

Marshall University Course Syllabus

Course Title/Number	CJ 322: Criminal Law
Semester/Year	Spring, 2018
Days/Time	Section 201 (CRN 2680): TR 9:30 – 10:45 am
Location	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: 11:00 am – 12:00 noon; 2:00 – 4:00 pm. Appointments at other hours or on other days 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.

Program Learning Outcomes

1. Students will *identify* the components, roles, and practices that are integral to the criminal justice system using specialized terminology.
2. Students will *interpret* scholarly research in the field of criminal justice/criminology and *describe* the limitations and/or potential policy implications.
- 3. Students will *examine* the principles of substantive, procedural, and evidentiary criminal law that regulate and guide the criminal justice system and its primary actors.**
4. Students will *explain* the nature, extent, causation, and prevention of crime using theoretical foundations in criminal justice/criminology.
5. Students will *incorporate* information from relevant media sources to support a written product with citations that follow the *APA Publication Manual*.

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) • Types and elements of criminal offenses • Types and elements of defenses to criminal conduct 	<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
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. (2018). <i>Criminal Law</i> , 12 th ed. Boston: Cengage Learning.

Course Requirements / Due Dates

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| <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. Case briefs are collectively worth 100 points toward each student's final grade. The grade for case briefs is calculated as follows: # of case briefs submitted ÷ # of case briefs possible. 2. Exam 1 will take place on February 13, 2018. 3. Exam 2 will take place on March 14, 2018. 4. Final exam for Section 101 will take place on May 1, 2018 @ 8:00 am. 5. Each student must complete 4 YOU Decide Assignments. Each YOU Decide assignment is worth 10 points. YOU Decide Assignments are due on the date they are covered in class. 6. Students will complete Assessment Exercises prior to each exam. Assessment Exercises are worth 10 points each. |
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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 150 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.

Classroom Rules

1. Be on time.
2. Be prepared.
3. Respect each other.
4. Never, ever cheat.
5. Put your cell phones away. This includes earphones.
6. Do not sleep in my class.

Violation of any of these rules will result in you being asked to leave the classroom for the remainder of the class period.

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
Jan. 8	<p>Introduction</p> <p>Chapter 1 – Criminal Law & 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>Bond v. United States</i></p> <p><i>Jan. 8 – 12: Late Registration and Schedule Adjustment</i></p>	2-37
Jan. 15	<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>Commonwealth v. Johnson</i></p> <p><i>Wollard v. Gallagher</i></p> <p><i>Lawrence v. Texas</i></p> <p>ASSIGNMENT: YOU Decide (pp. 66-67). Is shaming right?</p> <p>BRIEF: <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>Jan. 15: Martin Luther King, Jr. Day – University Closed</i></p> <p><i>Jan. 16 – Mar. 16: “W” Withdrawal Period</i></p>	38-93
Jan. 22	<p>Chapter 3 – The Criminal Act: The First Principle of Criminal Liability</p> <p>BRIEF: <i>State v. Burrell</i></p> <p><i>State v. Newman</i></p> <p><i>People v. Levy</i></p> <p>ASSIGNMENT: YOU Decide (pp. 108-110). Did he kill during “insulin shock?”</p> <p>BRIEF: <i>Commonwealth v. Pestinakas</i></p> <p><i>Williams v. State</i></p> <p><i>Miller v. State</i></p> <p>ASSIGNMENT: YOU Decide (pp. 121-122). Did she possess alcohol?</p>	94-123
Jan. 29	<p>Chapter 4 – The General Principles of Criminal Liability: <i>Mens Rea</i>, Concurrence, and Causation</p> <p>BRIEF: <i>State v. Fleck</i></p> <p><i>State v. Stark</i></p> <p>ASSIGNMENT: YOU Decide (p. 137). Which court’s decision. . . ?</p> <p>BRIEF: <i>State v. Jantzi</i></p> <p><i>Koppersmith v. State</i></p> <p><i>State v. Bauer</i></p> <p><i>State v. Jacobson</i></p> <p>ASSIGNMENT: YOU Decide (pp. 158-159). Who’s entitled to the . . . defense?</p> <p><i>Feb. 2: Application for December Graduation Due in Academic Dean’s Office</i></p>	122-151
Feb. 5	<p>REVIEW FOR EXAM # 1</p> <p><i>Feb. 9: Last Day to Drop 1st 8 Weeks Courses</i></p>	

Feb. 12	<p>EXAM # 1 (2/13) 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>City of Waukesha v. Boehnen</i> <i>State v. Akers</i> ASSIGNMENT: YOU Decide (pp. 267-268). Is it wise public policy to make . . . ?</p>	242-269
Feb. 19	<p>Chapter 8 – Inchoate Crimes: Attempt, Conspiracy, and Solicitation BRIEF: <i>Dabney v. State</i> <i>State v. King</i> <i>George Lee Mims, Sr., v. U.S.</i> <i>State v. Damms</i> <i>LeBarron v. State</i> <i>Griffin v. Gipson</i> <i>Alexander v. U.S.</i> <i>State v. Schleifer</i></p>	270-319
Feb. 26	<p>Chapter 9 – Crimes against Persons I: Criminal Homicide BRIEF: <i>State v. Snowden</i> <i>Duest v. State</i> ASSIGNMENT: YOU Decide (p. 343). Was beating him to death with . . . ? <i>People v. Thomas</i> <i>People v. O'Neil</i> ASSIGNMENT: YOU Decide (pp. 354-355). Murder or manslaughter? <i>Commonwealth v. Schnopps</i> <i>Commonwealth v. Carr</i> <i>State v. Mays</i> <i>Feb. 26: Deadline for Submitting Freshman Midterm Grades</i> <i>Feb. 28: Mid-semester, 1st 8 weeks Courses End</i> <i>Mar. 1: 2nd 8 Weeks Courses Begin</i></p>	320-379
Mar. 5	REVIEW FOR EXAM # 2	
Mar. 12	<p>EXAM # 2 (3/13) 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>In the Interest of S.M.I.</i> <i>State v. Triestman</i> <i>Hamilton v. Cameron</i> ASSIGNMENT: YOU Decide (p. 424). Is criminal law the best response . . . ? BRIEF: <i>State v. Hoying</i> ASSIGNMENT: YOU Decide (p. 421). Should cyberbullying be a crime? <i>People v. Allen</i> <i>Mar. 12: Students should schedule appointments with advisors to prepare for advance registration</i> <i>Mar. 16: Last day to drop individual classes with W grade</i></p>	380-429
Mar. 19	SPRING BREAK – CLASSES DISMISSED	

Mar. 26	<p>Chapter 11 – Crimes against Property</p> <p>BRIEF: <i>People v. Lee</i> <i>U.S. v. Maze</i> <i>State v. Rolon</i> <i>Sonnier v. State</i> <i>Commonwealth v. Mitchell</i> <i>Jewell v. State</i> <i>Flores-Figueroa v. U.S.</i> <i>U.S. v. Ancheta</i> <i>U.S. v. Ulbricht</i></p> <p><i>Mar. 26 – 30: Advance Registration for Summer Sessions (currently enrolled students only)</i> <i>Mar 26: Recommended Date to Apply for Dec. 2018 Graduation</i> <i>Mar. 26 – Apr. 27: Complete withdrawals only</i></p>	430-482
Apr. 2	<p>Chapter 12 – Crimes against Public Order and Morals</p> <p>BRIEF: <i>City of Chicago v. Morales</i> <i>City of St. Paul v. East Side Boys & Selby Siders</i> <i>U.S. Department of Justice v. Civil Rights Division</i></p> <p>Chapter 13 – Crimes against the State</p> <p>BRIEF: <i>U.S. v. Walli, et al.</i> <i>U.S. v. Khan</i></p>	484-517 518-543
Apr. 9	<p>Chapter 5 – Defenses to Criminal Liability: Justifications</p> <p>BRIEF: <i>State v. Batie</i> <i>U.S. v. Haynes</i> <i>People v. Goetz</i> <i>State v. Stewart</i></p> <p>ASSIGNMENT: YOU Decide (p. 191). Do the New Castle Laws protect . . . ? BRIEF: <i>Toops v. State</i></p> <p>ASSIGNMENT: YOU Decide (p. 196). Was burglary the lesser evil? <i>State v. Shelley</i></p> <p>ASSIGNMENT: YOU Decide (pp. 201-202). Can she/he consent to being assaulted? <i>Apr. 9 – Apr. 28: Advance Registration for Fall Semester (currently enrolled students only)</i> <i>April 10: Last Day to Drop 2nd 8 Weeks Classes</i></p>	162-203
Apr. 16	<p>Chapter 6 – Defenses to Criminal Liability: Excuses</p> <p>BRIEF: <i>Myers v. State</i> <i>State v. K.R.L.</i></p> <p>ASSIGNMENT: YOU Decide (p. 226). Is it ethical policy to try an 8 year old . . . ? <i>Oliver v. State</i> <i>DePasquale v. State</i> <i>State v. Belew</i></p>	204-241
Apr. 23	<p>Review for Final Exam</p> <p><i>Apr. 23 – 27: Dead Week</i> <i>Apr. 27: Last day to completely withdraw from fall semester</i></p>	
Apr. 30	5/1/18 @ 8:00 am: FINAL EXAM	