

COURSE OUTLINE **Criminal Law**

Course Description

AJ 204. Criminal Law. 3 hours credit. This course will enable the student to engage in an intensive study of the laws which legal officers must uphold. Laws are categorized into major areas such as crimes against person, against property, and against society. The student will explore each of these areas by studying specific crimes under each type, describing what constitutes a violation and showing the evidence the law agency needs to support a charge in court. The student will also learn about the rights of citizens as interpreted by courts. In addition students will hear invited speakers from the county attorney's office, attorneys from the bar association, officers from KBI, FBI, and local law agencies.

Course Relevance

This course provides a comprehensive basis for understanding substantive criminal law. It represents an overall study of the legal basis for the criminal justice system. Students majoring in criminal justice will acquire the background knowledge necessary to understand the statutory and codified law in federal, state and local jurisdictions.

Required Materials

Samatha, J. (2011). *Criminal law*, (10^h ed.). Belmont, CA: Wadsworth Group.

Learning Outcomes

The intention is for the student to be able to:

1. Obtain an introduction and understanding of the nature, origin and purpose of criminal law.
2. Understand the general principals of criminal liability, complicity and vicarious purposes of criminal law.

Learning PACT Skills that will be DEVELOPED and/or documented in this course

Through the student's involvement in this course, he/she will develop his/her ability in the following PACT skill areas:

Analytical Thinking Skills

1. Critical thinking
 - The student will develop critical thinking and analytical skills through written assignments and other activities conducted in class.

Major Summative Assessment Task(s)

These learning outcomes and the Learning PACT skills will be demonstrated by

1. Using critical thinking skills to describe in writing and present in class the briefing/preparation of a case

Course Content

- I. Themes – Key recurring concepts that run throughout this course:
 - A. The legal basis of the criminal justice system
 - B. Diversity – the impact of race, ethnicity, class, religion and gender on who goes to jail or prison
 - C. Ethical behavior in criminal justice agencies
- II. Issues – Key areas of conflict that must be understood in order to achieve the intended outcome:
 - A. The purposes of punishment
 - B. The impact of economics on treatment in the criminal justice system
 - C. The impact of race and ethnicity and its ramifications
 - D. The principle of legality which consist of four values, fairness, liberty, democracy and equality
- III. Concepts – Key concepts that must be understood to address the issues:
 - A. The general principles and scope of criminal law
 - B. The meaning of punishment within the criminal justice system
 - C. The criminal process, including the criminal courts
 - D. Sources of criminal law and the justification
- IV. Skills/Competencies – Actions that are essential to achieve the course outcomes:
 - A. Writing
 - B. Reading
 - C. Computer literacy
 - D. Analytical thinking
 - E. Ability to compare and contrast
 - F. Memorization of terms
 - G. Application of concepts

Learning Units

- I. Describe the nature and purposes of criminal law
 - A. Explain how criminal law defines, prohibits, grades, and punishes socially harmful behavior
 - B. Discuss how criminal law is distinguishes from other types of law
 - C. Distinguish between the general and special part of the criminal law
 - D. Describe the general purposes of criminal punishment
 - E. Identify the sources of criminal law
- II. Explain the constitutional limits on criminal law
 - A. Describe the rule of law
 - B. Discuss the concepts related to *ex post facto* laws
 - C. Describe the void-for-vagueness doctrine
 - D. Explain equal protection of the laws
 - E. Discuss the principles of the first amendment and the right to privacy
 - F. Describe the cruel and unusual punishment clause of the U.S. Constitution
- III. Discuss the general principles of criminal liability and the concept of *actus reus*
 - A. Describe the three essential elements of criminal conduct

- B. Describe the five essential elements of crime requiring the causation of a particular result
 - C. Explain the principles of voluntariness, omission, and possession
- IV. Discuss the general principles of criminal liability associated with *mens rea*
- A. Explain how *mens rea* is determined
 - B. Identify the four levels of *mens rea*
 - C. Discuss the concepts of concurrence and causation
 - D. Describe the importance of *mens rea* in grading crimes
- V. Explain the doctrine of parties to crime and the concept of vicarious liability
- A. Describe the doctrine of complicity
 - B. Identify the four parties to crime recognized under common law
 - C. Discuss the doctrine of vicarious liability
- VI. Discuss the doctrine of incomplete crimes and their imposition of criminal liability
- A. Identify the three categories of incomplete (inchoate) offenses
 - B. Discuss the principle of voluntary abandonment
 - C. Distinguish between legal and factual impossibility
- VII. Describe the defenses to criminal liability associated with justifications
- A. Identify the three general types of defenses
 - B. Distinguish between perfect and imperfect defenses
 - C. Explain the application of self-defense
 - D. Discuss the execution of public duties and the concept of resisting unlawful arrest
 - E. Describe the choice-of-evils defense and defense of consent
- VIII. Describe the defenses to criminal liability associated with excuses
- A. Explain the three test to determine insanity
 - B. Discuss the diminished capacity defense
 - C. Distinguish between voluntary and involuntary intoxication
 - D. Identify irrebuttable and rebuttable presumptions as they relate to age
 - E. Describe the defense of duress of compulsion
 - F. Compare and contrast mistake of fact with mistake of law
 - G. Explain the two requisite conditions for the entrapment defense
 - H. Discuss novel defenses including the junk food defense, post traumatic stress disorder, premenstrual syndrome defense and the battered spouse syndrome
- IX. Explain the law of criminal homicide
- A. Describe the history of criminal homicide law
 - B. Discuss the elements of criminal homicide
 - C. Discuss the various degrees of murder
 - D. Distinguish between the categories of manslaughter
- X. Discuss the law relating to various sex offenses and other crimes against persons

- A. Explain the history of criminal sexual conduct
 - B. Describe the elements of the crime of rape and other sex crimes
 - C. Distinguish between assault and battery
 - D. Discuss the law as it applies to false imprisonment and kidnapping
- XI. Describe the laws regulating crimes against habitations
- A. Identify the elements of the crime of burglary
 - B. Distinguish between burglary and criminal trespass
 - C. Discuss the law of arson
- XII. Explain the law relating to crimes against property
- A. Describe the history of theft law
 - B. Identify the elements of theft (larceny)
 - C. Discuss the law against embezzlement
 - D. Describe the elements of false pretenses
 - E. Explain the law of forgery
 - F. Distinguish between robbery and extortion
- XIII. Discuss various form of crime against public order and morals
- A. Identify elements of crimes including DUI, public drunkenness, disorderly conduct, harassment, lewd behavior, vandalism, prostitution etc.
 - B. Discuss the laws regulating street gangs

Learning Activities

Lecture, instructor-led class discussion, group study, field trips, library research, audio/visual aids, case studies, guest speakers, student presentations, and the examination of professional journals

Grade Determination

The student will be graded on assessment tasks, research papers, tests, daily work, class participation, out-of-class assignments and other methods of evaluation at the discretion of the instructor.