



Course Syllabus

**CJ 431.001
Criminal Law
Spring 2015
Tuesday and Thursday 12:30– 1:45 p.m.
(Web-enhanced))**

Professor: Elvira White-Lewis, JD/Ph.D.

Office Location: Ferguson Social Science 204

Office Hours: Tuesday/Thursday, 11am-12noon and 1:45-2:30pm and by appointment

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Class Location: Ferguson SS310

COURSE INFORMATION

Materials – Textbooks, Readings, Supplementary Readings:

Textbook Required: Wallace, Harvey and Roberson, Cliff. (2012). *Principals of criminal law*. Prentice Hall. ISBN: 9780135121580

Books should be available in the University bookstore.

Course Description:

This course examines the basic concepts of substantive criminal law in the United States. Topics include principles of criminal law, principles of criminal liability, complicity, inchoate crimes, defenses, justifications, excuses, crimes against persons, crimes against property, and crimes against public order.

Upon successful completion of this course, you will:

1. Understand key cases, legal terms, clauses, and chronologies in criminal law
2. Understand the criminal elements of crimes against person, property, order, and state
3. Examine the historical evolution of criminal law maxims, doctrines, and principles to be better prepared for an interconnected world

4. Analyze both early and contemporary judicial thinking and legal reasoning with the ability/skill to apply knowledge of the interconnectedness of global dynamics issues, processes, trends and systems.
5. Articulate your informed opinion over important, controversial issues in criminal law
6. Recognize important considerations dealing with the rights of criminal defendants
7. Appreciate the scholarly study of criminal law and its application
8. Be encouraged me to view yourself as an engaged citizen within an interconnected and diverse world

COURSE REQUIREMENTS

Instructional / Methods / Activities Assessments

This course will provide a variety of activities and assessments to assist you in achieving the outcomes/objectives for the course. Each week you will work toward achieving these outcomes through homework assignments, in-class activities, and quizzes/exams. Below is an explanation of each course requirement including due date, assignment instructions, and other information.

Please note that a core competency of this course is critical thinking. Critical thinking requires students to think through situations, facts, and issues in an open-minded and objective way in an effort to analyze and evaluate information in an informed manner. Qualities of a critical thinker (and of arguments that embody critical thinking) include:

- **Certainty is not always necessary for a critical thinker; possibility and probability should always be a consideration**—in other words, just because the book tells you it is true, doesn't mean that there may not be another solution or possibility to consider. The way that facts relate to one another—and not just fact alone—should be used to determine truth.
- **Critical thinkers are not only independent thinkers; they are also fair-minded in that they are willing to consider all points of view, and they are careful to take every aspect of an argument into consideration**—your way of thinking may not necessarily be the only way or the right way of thinking. Consider other perspectives
- **Consider evidence (facts), source (from what source did your evidence come from), and motivations (what might be the underlying motivation behind these facts)**—in other words, gather information from credible sources and evaluate these sources/factual information in the context of what you have been asked to discuss/evaluate.

When posting discussions preparing homework assignments, and taking exams, use the following to help you critically think through the question being asked. You will be graded (in part) on how well you perform these tasks.

- Determine the problem/issue you are trying to solve. Make sure you remain open-minded and objective and be aware of your own biases on the subject and put them aside
- Develop a hypothesis and/or possible solution to the problem/issue. Brainstorm other possible solutions. Think about the pros and cons of the problem/issue
- Gather information on the problem/issue that may support or contradict your position
- Analyze your facts. Do not assume anything. Evaluate the facts objectively
- Determine a reasonable conclusion based on all of the facts
- Make sure your facts (and the reporting of the facts) are accurate. You may assume a causal relationship but there might be other possible conclusions to be drawn based on other factors. Be sure to evaluate what those might be

CLASS FORMAT: Every effort will be made to provide the best possible learning experience for students by blending lectures, discussions, and appropriate reading assignments. We will be discussing many current, interesting, and often controversial subjects. Thus, a mature attitude is assumed of all students. **Do NOTHING that will interfere with anyone else's opportunity to learn in this class. Disruptive Behavior of any kind will not be tolerated.**

EXPECTATION: This is a 400 level course and I expect senior-level work from you. If you feel you are not yet ready to tackle this level of coursework, then I advise you to enroll for this class at a later date. There will be writing assignments due throughout the semester. I expect clear writing with adequate style, correct grammar, and (when applicable) proper use of scholarly references. **All** submitted written assignments must be typed in 12 point, Times New Roman font, double spaced, on standard paper with one inch margins. All assignments are to be submitted via drop-box in the e-college system.

EXAMINATIONS: There will be three (3) major examinations worth 100 points each. The exams will include multiple choice, true/false and short answer questions. The exams are scheduled in the course outline. Adjust your schedule now--do not make plans that conflict with exam dates! If you miss one of the exams for an **excused** reason, you will take the make-up exam immediately following the final exam on the same date.

All grades will be posted on e-college.

You will have a choice of writing a critical thinking paper or preparing a Mock trial for presentation. You must elect your option by the first day of week 2 in writing via e-College.

CRITICAL THINKING PAPER: Students will write a 10 page (typed, double-spaced, 12 pt. font) critical thinking paper on a subject of criminal law based on the comprehensive course content and focused on a topic that **you must provide to me in advance of midterm**. The paper will address one of the major components of criminal law and will indicate the pros and cons of your topic based on literature and research and data (this is **NOT** an opinion paper). Where criminal law principles/rules are found to be weak or lacking, the student will offer a “counter proposal” that is better. The paper is worth 100 points and is due at via e-college drop box by **11:59 PM CST on April 9, 2015**. APA formatting is expected. You will be given prohibited websites.

OR

Mock Trial:

Students will participate in the investigation, research and preparation of a case for trial. Groups will be randomly selected by the professor and each group will be given a hypothetical case to litigate on the date(s) listed in this syllabus. This project will require substantial out of class work.

Late Work

In principle, I do not accept late work and do not believe in allowing students to turn in work after the due date. My position is that everyone knows the rules of engagement at the beginning of the term and that it is the student’s responsibility to ensure that they plan accordingly to submit their assignments in a timely manner. However, I also do understand that sometimes there are circumstances outside one’s control that may impact timely submission of assignments. To that end, I have developed a policy on late work. Please note that this policy **applies ONLY to your research paper** assignments and not to quizzes and exams. Late papers will be accepted after the due date and time up to 1 day (24 hours) late. Twenty (20) points will be deducted from all late assignments. Late is anytime after **11PM CST** on the date the assignment is due. Assignments submitted more than one day late and emailed assignments **will not** be accepted/graded.

Academic Honesty

Students who violate University rules on scholastic dishonesty are subject to disciplinary penalties, including (but not limited to) receiving a failing grade on the assignment, the possibility of failure in the course and dismissal from the University. Since dishonesty harms the individual, all students, and the integrity of the University, policies on scholastic dishonesty will be strictly enforced. In **ALL** instances, incidents of academic dishonesty will be reported to the Department Head. Please be aware that academic dishonesty includes (but is not limited to) cheating, plagiarism, and collusion.

Cheating is defined as:

- Copying another's test or assignment

- Communication with another during an exam or assignment (i.e. written, oral or otherwise)
- Giving or seeking aid from another when not permitted by the instructor
- Possessing or using unauthorized materials during the test
- Buying, using, stealing, transporting, or soliciting a test, draft of a test, or answer key

Plagiarism is defined as:

- Using someone else's work in your assignment without appropriate acknowledgement
- Making slight variations in the language and then failing to give credit to the source

Collusion is defined as:

- Collaborating with another, without authorization, when preparing an assignment
If you have any questions regarding academic dishonesty, ask. Otherwise, I will assume that you have full knowledge of the academic dishonesty policy and agree to the conditions as set forth in this syllabus.

Students should also reference the following link for more detailed information.

<http://web.tamuc.edu/academics/colleges/artsSciences/departments/sociologyCriminalJustice/frequentlyAskedQuestions/academicHonesty/default.aspx>

APA Citation Format Policy

It is very important that you learn how to cite properly. In some ways, citations are more important than the actual text of your paper. Therefore, you should take this task seriously and devote some time to understanding how to cite properly. If you take the time to understand this process up front, it will save you a significant amount of time in the long run (not to mention significant deductions in points).

In the social and behavioral sciences (including Criminal Justice), we use APA (American Psychological Association) format. As a rule of thumb, one cites whenever they are paraphrasing other people's words or when they quote other's words directly. You may choose to access the following websites:

www.apastyle.org

<http://owl.english.purdue.edu/owl/resource/560/02/>

www.library.cornell.edu/resrch/citmanage/apa

ATTENDANCE/PARTICIPATION: It is essential to attend all classes to do well in this course. Lectures and discussions are designed to supplement the book, not repeat it. Many items will be discussed in class that is not in the book. While students can copy someone's lecture notes, and complete reading assignments, there is no way to gain the information lost by missing class discussions. Study guides are not provided for any exams. Your study guides are your notes from your reading and class discussions.

Attendance will be taken each class period and you can receive up to 3 points per for each day you attend and participate or up to 100 points. If you miss more than one week's worth of classes (2 class sessions or more) you may want to consider dropping the course. There will be an automatic dropping of one letter grade for absences in excess of four (4) without an official documented excuse.

TARDINESS: Being on time is almost as important as being present. Class will begin **promptly** at the scheduled time. If you are not present when attendance is taken you will be counted absent. Tardiness is extremely rude and disruptive, and reflects a "don't care attitude" on your part. If for some reason beyond your control you must be late, enter the room as quickly and quietly as possible to minimize disruption. Repeated tardiness absolutely will not be tolerated. **If you cannot make it to class on time or have just taken employment/internship during the scheduled class time, please drop the course.**

GRADES: Final grades will be based on the three exams (100 points ea. =300 pts.); critical thinking paper or Mock Trial (100 pts.); and attendance/participation (100pts.). The following grading scale will be used to calculate final grades:

Assignment Type	# of Assignments	Point Value	Total Points
Examinations	3	100	300
Critical Thinking paper or Mock Trial	1	100	100
Attendance/participation	40	2-3	100
		TOTAL	500

Grades earned on each assignment will be added together and will be divided by the total number of points possible in the course. Below is the overall point scale for the course.

Total points possible for the semester = 500

A = 90% - 100% (500-450 pts)
B = 80% - 89% (449-400 pts)
C = 70% - 79% (399-350 pts)
D = 60% - 69% (349-300 pts)
F = Below 60% (<299 pts)

You will find your course grades in the grade book located in eCollege. This gradebook will keep a 'real-time' accounting of the points you earn on assignments for this class. In this way, you may track your progress in this course throughout the course of the semester.

Grades will be posted on e-college

EXTRA CREDIT: Do not ask, there will not be any. Two types of students usually want to do extra credit work: those who would like to make an even “higher” A; and those who are failing the course. In either case, extra credit makes no sense. Put in the time, energy, and effort on the “regular” work and you will not need any “extra” credit.

(See syllabus tool for content suggestions)

TECHNOLOGY REQUIREMENTS

This course is taught as a face-to-face class but is web-enhanced. Students need access to a computer (there are computer labs all over campus) in order to check e-mails and to check grades and take examinations on e-college.

- Students need to have ready access to a broadband connection to the internet such as Cable, DSL, or the TAMU-C campus network. (Dial-up, satellite, or other non-broadband internet connections will not function sufficiently with eCollege.)
- A computer with a 2.0Ghz or better processor and 1 GB of RAM. MAC computers with similar configurations will also work.
- Windows XP, Vista, or 7 operating system. MAC with the OS 9 or X operating system.
- Microsoft Office or similar package with a word processor, Power Point type presentation application, and a spreadsheet application. (OpenOffice is a free, open source application that is very similar to the Microsoft Office applications and is available for download at www.openoffice.org)

COMMUNICATION AND SUPPORT

Interaction with Instructor Statement:

The most effective way to communicate with the professor will be to come to class. The professor will be in her office during posted office hours and by appointment. The best way to make an appointment is to communicate directly with the professor immediately prior to or after class. Appointments can also be made via e-mail.

The professor will periodically communicate with the entire class or selected individual students by using the student’s MyLeo e-mail address. Students should check their MyLeo account regularly for e-mails from the university and/or the professor.

If you encounter any technological difficulties with e-college contact the e-college help desk immediately.

COURSE AND UNIVERSITY PROCEDURES/POLICIES

Course Specific Procedures:

Assigned readings should be completed BEFORE coming to class. Students will be called upon in class to discuss/explain material from the reading assignments. This is not intended to be punishment or to single anyone out in front of the rest of the class, but could prove to be embarrassing if you are unprepared.

Note: Class time needs to be focused on the academics. Please do not bring food into the classroom. Eat your snacks and meals before or after class. You may not leave your cell phones on when you enter the classroom absent an emergency which you should inform me about in advance. Any student caught texting while class is in session will have two (2) points deducted from the final grade for each documented infraction.

University Specific Procedures:

Students with Disabilities:

The Americans with Disabilities Act (ADA) is a federal anti-discrimination statute that provides comprehensive civil rights protection for persons with disabilities. Among other things, this legislation requires that all students with disabilities be guaranteed a learning environment that provides for reasonable accommodation of their disabilities. If you have a disability requiring an accommodation, please contact:

Office of Student Disability Resources and Services

Texas A&M University-Commerce

Gee Library

Room 132

Phone (903) 886-5150 or (903) 886-5835

Fax (903) 468-8148

StudentDisabilityServices@tamuc.edu

Student Conduct

All students enrolled at the University shall follow the tenets of common decency and acceptable behavior conducive to a positive learning environment. (See *Code of Student Conduct from Student Guide Handbook*).

A&M-Commerce will comply in the classroom, and in online courses, with all federal and state laws prohibiting discrimination and related retaliation on the basis of race, color, religion, sex,

national origin, disability, age, genetic information or veteran status. Further, an environment free from discrimination on the basis of sexual orientation, gender identity, or gender expression will be maintained.

POLICIES ON ENROLLMENT, "X's", AND WITHDRAWAL: All policies regarding last day for enrollment, withdrawal from class, and the use of "X" will be rigidly adhered to in this course. Students should check the student handbook, current semester schedule, and the appropriate bulletin boards, which indicate the specific deadlines for withdrawing from courses without penalty. Seeing that all university procedures are followed is the students' responsibility.

Schedule:

This schedule is tentative and I reserve the right to modify it, with notice, as needed during the semester. Please be advised that we will cover approximately one chapter every week in the order they appear in your text. All alterations to the schedule will be announced in class and posted as an announcement in e-college and it is your responsibility to be aware of these changes.

WEEK #1—January 20-22

Review Syllabus
Sources of Criminal Law- Chapter 1

WEEK #2—January 27-29

Limitations of Criminal Liability- Chapter 2

WEEK #3—February 3-5

Basic Requirements of a Criminal Act- Chapter 3

WEEK #4—February 10-12

Inchoate or Anticipatory Crimes- Chapter 4

WEEK #5—February 17-19

Exam 1

Defenses- Chapter 5

OPTIONAL: Wednesday, February 18th-11:00 AM - 1:00 PM Mock Trial presentation for visit from Texas A&M Law School representatives: RSC Traditions Room

WEEK #6—February 24-26

Homicide- Chapter 6
Sex Offenses- Chapter 7

WEEK #7—March 3-5

Sex Offenses -Chapter 7
ACJS Conference

WEEK #8—March 10-12

Midterm Week
Other Crimes against Persons-Chapter 8

WEEK #9—March 17-19

NO CLASS—SPRING BREAK

WEEK #10—March 24-26

Robbery, Extortion, and Bribery- Chapter 9
Theft and other Crimes involving Property- Chapter 10

WEEK #11—March 31-April 2

Crimes against Habitation- Chapter 11
Mock Trial #1 April 2nd * This is a class day and your attendance is required**

WEEK #12—April 7-9

Crimes against Public Morals – Chapter 12
Critical Thinking Paper DUE via eCollege week 12 by 11:00PM on April 9th

WEEK #13—April 14-16

Mock Trials # 2 and 3- April 14th and April 16th* These are required class days**

WEEK #14—April 21-23

Narcotic and Alcohol Offenses- Chapter 13

WEEK #15—April 28-30

Special Crimes and Offenses- Chapters 14/15

WEEK #16—May 5-7

Sentencing and Punishment –

*****Final Exam: Cumulative: May 14th 10:30-12:30p.m. per University Schedule**

Make-up exams immediately following final exam via e-college

Note: Instructor intends to follow syllabus but reserves the right to make revisions as deemed necessary and appropriate and will notify students in writing.