

Course Syllabus

NOTE: This syllabus is subject to change during the semester . Please check this syllabus on a regular basis for any updates.

Department : Law Enforcement - Credit
Course Title : Fundamentals of Criminal Law
Section Name : CRIJ_1310_12_730
Start Date : 01/18/2011
End Date : 05/13/2011
Modality : FACE-TO-FACE
Credits : 3

Instructor Information

Name : Geoffrey Schwende
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Course Description

Study of criminal law, its philosophical and historical development, major definitions and concepts, classifications and elements of crime, penalties using Texas statutes as illustrations, and criminal responsibility.

Prerequisites/Corequisites

None

[Scans](#)

1, 4, 6, 7, 9, 11

Course Objectives

The student will explain the historical and philosophical development of the nature of criminal law; describe definitions and concepts of criminal law and the classifications of crimes and penalties using Texas statutes as illustrations; list the elements of crimes using the Texas statutes as an illustration; and discuss criminal responsibilities as they apply to the criminal statutes. (SCANS 1, 4, 6, 7, 9, 11) Prerequisites: None.

PLEASE PUT YOUR DEPARTMENT SPECIFIC INFORMATION IN THIS AREA

Required Readings/Materials

Criminal Law Today, 4ed.

Schmallegger/Hall

Pearson/Prenice Hall

ISBN: 0-13-504261-5

Course Requirements (Lectures, Assignments and Assessments)

Week 1

Topic/Overview: This week focuses on

Summary of Week 1 Assignments & Activities

Item(Name)	Type	Description	Due
Week 1	Discuss	Introduction to course	TBA
		Chapter 1: The Nature and History of Criminal Law	
		<p>Define criminal law</p> <p>Trace development in Western society</p> <p>Describe the role of common law</p> <p>Explain the difference between procedural and substantive criminal law</p> <p>Identify the purposes served by criminal law</p> <p>Identify the various sources of criminal law, including (stare decisis)</p> <p>Describe the legal system in the U.S.</p>	
	Outside	Read Chapter 2	

Week 2

Topic/Overview: This week focuses on

Summary of Week 1 Assignments & Activities

Item(Name)	Type	Description	Due
Week 2	Discuss	Chapter 1: continue	
		<p>Explain the differences between an adversarial and an inquisitorial system of prosecution</p> <p>Expound on the "rule of law" and explain why due process is an integral part of the rule of law.</p>	
	Discuss	Chapter 2: Criminal Liability and the Essence of Crime	TBA
		<p>Identify three fundamental aspects of crime</p> <p>Define (actus reus) and describe its basic elements</p> <p>Expound upon the concept of (mens rea) and describe the different levels or types of this under the common law and the Model Penal Code</p> <p>Describe strict liability offenses and explain why some are punished on the basis of strict liability</p> <p>Describe how concurrence relates to mens rea and actus reus.</p>	
	Outside	Read Chapter 3	

Week 3

Topic/Overview: This week focuses on

Summary of Week 1 Assignments & Activities

Item(Name)	Type	Description	Due
Week 3	Disucss	Chapter 3: Expaning the Concept of Crime	TBA
		<p>Explain the concept of corpus delicti and describe the corpus delicti of murder</p> <p>Distinguish between causation in fact and proximate cause</p> <p>Described victimless crimes</p> <p>Explain social-order crimes</p> <p>Explain felon murder and describe how it differs from other forms of murder</p> <p>Illustrate the nature of an ex post facto law</p> <p>Explain why our legal system does not permit the creation of ex post facto criminal laws</p>	
	Outside	Read Chapter 4	

Week 4

Topic/Overview: This week focuses on

Summary of Week 1 Assignments & Activities

Item(Name)	Type	Description	Due
Week 4	Discuss	Chapter 4: Extending Criminal Liability: Inchoate Offenses and Parties to Crime	TBA
		<p>Explain the term "substantial step" as it relates to the commission of a crime</p> <p>Explain why courts are hesitant toward "evil thoughts" alone and its punishment</p> <p>Distinguish between a conspiracy and a criminal solicitation</p> <p>Distinguish between the principals of: first degree, second degree, and an accomplice</p> <p>Describe the conditions for a corporation and its liability for acts of its officers or employees</p>	
	Outside	Read Chapter 5	

Week 5

Topic/Overview: This week focuses on

Summary of Week 1 Assignments & Activities

Item(Name)	Type	Description	Due
Week 5	Exam	Written exam over Chapter 1-4	TBA
	Discuss	Chapter 5: Justifications as Defenses	
		<p>Explain the purpose of a defense to a criminal charge and the nature of affirmative defenses</p> <p>Describe the difference between justifications and excuses and give examples that might serve as defenses.</p> <p>Illustrate when force and deadly force may be used in self-defense</p> <p>Explain the execution of public duty defense and explain when and by who it might be used</p>	
	Outside	Read Chapter 6	

Week 6

Topic/Overview: This week focuses on

Summary of Week 1 Assignments & Activities

Item(Name)	Type	Description	Due
Week 6	Discuss	Chapter 6: Defenses: Excuses and Insanity	TBA
		<p>List the main features of an excuse</p> <p>Describe conditions need for defense of duress</p> <p>Explain voluntary intoaxication</p> <p>Explain the defense of mistake and explain</p> <p>Discuss the minimum age to be held criminally liable for their actions</p> <p>Elaborate upon the difference between the subjective and objective approaches to assessing entrapment</p>	

Week 7

Topic/Overview: This week focuses on

Summary of Week 1 Assignments & Activities

Item(Name)	Type	Description	Due
Week 7	Discuss	Continue with Chapter 7: Defenses: Excuses and Insanity	TBA
		<p>Describe syndrome-based defenses and provide examples</p> <p>Distinguish incompetency to stand trial from insanity at commission of crime</p> <p>Discuss the difference of mental disease or defect the defendant lacks Mens rea for a given crime</p> <p>Explain the difference between a finding of NGRI and one of CBMI</p> <p>Distinguish between legal "tests" for assessing insanity</p>	
	Outside	Read Chapter 7	

Week 8

Topic/Overview: This week focuses on

Summary of Week 1 Assignments & Activities

Item(Name)	Type	Description	Due
Week 8	Discuss	Chapter 7: Legal and Social Dimensions of Personal Crime: Homicide	TBA
		<p>Distinguish noncriminal homicide from criminal homicide</p> <p>Identify and describe three types of criminal homicide</p> <p>Provide a legal acceptable definition of death</p> <p>Identify causation problems in homicide prosecutions</p> <p>Explain corpus delecti</p> <p>Distinguish between murder and voluntary manslaughter</p> <p>Explain the concept of malice aforethought</p> <p>Explain the felony murder rule</p> <p>Summarize what is required to prove a charge of first-degree murder</p> <p>Explain the concept of assisted suicide and the liability</p>	
	Outside	Read Chapter 8	

Week 9

Topic/Overview: This week focuses on

Summary of Week 1 Assignments & Activities

Item(Name)	Type	Description	Due
Week 9	Discuss	Chapter 8: Legal and Social Dimensions of Personal Crime: Assault, Battery, and Other Personal Crimes	TBA
		<p>Explain the differences between the common law crimes of assault and battery</p> <p>Identify the two types of common law assault and list the elements of each</p> <p>Discuss how mayhem differs from other types of battery</p> <p>Explain the difference between common law rape and modern statutes of sexual assault</p> <p>Provide an example of false imprisonment</p> <p>Explain the differences between false imprisonment, kidnapping and false arrest</p>	
	Outside	Read Chapter 9	

Week 10

Topic/Overview: This week focuses on

Summary of Week 1 Assignments & Activities

Item(Name)	Type	Description	Due
Week 10	Exam	Written exam for Chapter 5 - 8	TBA
	Discuss	Chapter 9: Legal and Social Dimensions of Property and Computer Crimes	
		<p>Explain the differences between larceny and embezzlement and why they are important</p> <p>Describe the rules regarding the keeping of found property</p> <p>Explain the difference between embezzlement and false pretenses</p> <p>Expound on the "breaking bulk" doctrine</p> <p>Explain what this means: "only people you trust can embezzle from you"</p> <p>Summarize the advantages and disadvantages of consolidation the wrongful acquisition crimes into a single crime of theft</p> <p>Identify the test used by courts in robbery cases to determine if property was taken from the presence of the victim</p>	
	Outside	Read Chapter 10	

Week 11

Topic/Overview: This week focuses on

Summary of Week 1 Assignments & Activities

Item(Name)	Type	Description	Due
Week 11	Discuss	Continue with Chapter 9: Legal and Social Dimensions of Property and Computer Crimes	TBA
		<p>Distinguish between robbery and extortion</p> <p>Explain the concept of constructive entry as applied to burglary crimes</p> <p>Identify the common elements of modern-day arson statutes and distinguish the modern definition from the common law definition</p> <p>Identify the five types of computer crimes and list a unique feature of each</p>	
	Discuss	Chapter 10: Offenses against Public Order and the Administration of Justice	
		<p>Identify the three categories of social-order crimes and explain the differences</p> <p>Explain the concept of fighting words and distinguish this from protected forms of speech</p> <p>Explain the differences between riot, riot, and unlawful assembly</p> <p>Define vagrancy and why traditional law holds it to be unconstitutional</p> <p>Summarize arguments for and against regulation of handguns</p>	
	Outside	Read Chapter 11	

Week 12

Topic/Overview: This week focuses on

Summary of Week 1 Assignments & Activities

Item(Name)	Type	Description	Due
Week 12	Discuss	Continue with Chapter 10: Offenses against Public Order	TBA
		<p>Discuss the differences between treason and espionage</p> <p>Summarize the differences between perjury, bribery, and contempt and explain how criminal contempt differs from civil contempt</p> <p>Identify several of the most significant federal environmental crimes</p>	
	Discuss	Chaper 11: Terrorism and Human Trafficking	
		<p>Define and distinguish these: terrorism, treason, and sedition</p> <p>Explain how the same act may be both a traditional crime and terrorism</p> <p>Identify the most significant feral terrorism laws</p> <p>Identify several acts of terrorism in the U.S. have led to changes in the laws of surveillance, detection, and detention and describe the constitutional issues raised by those changes</p> <p>Distinguish between human smuggling and human trafficking</p>	
	Outside	Read Chaper 12 and 13	

Week 13

Topic/Overview: This week focuses on

Summary of Week 1 Assignments & Activities

Item(Name)	Type	Description	Due
Week 13	Exam	Written exam covering chapters 9 - 11	
		See grading policy	
	Discuss	Chapter 12: Offenses against Public Morality	TBA
		<p>Describe victimless crimes and give examples</p> <p>Define prostitution and assess its legal status within certain jurisdictions</p> <p>Identify the conditions under which marijuana might be legalized</p> <p>Summarize the notion of a "crisis of over criminalization" and assess whether a crisis exists</p>	
	Discuss	Chapter 13: Victims and the Law	
		<p>Define the term victim and discuss its limitations</p> <p>Describe the Golden Age of the Victim and explain how it differs today</p> <p>Explain what is meant by victims' rights and assess whether today's crime victims have sufficient rights</p> <p>Summarize the impact of a victims' rights amendment to the U.S. Constitution</p> <p>Describe what information a victim-impact statement might contain</p>	
	Outside	Read Chapter 14	

Week 14

Topic/Overview: This week focuses on

Summary of Week 1 Assignments & Activities

Item(Name)	Type	Description	Due
Week 14	Discuss	Chapter 14: Punishment and Sentencing	TBA
		<p>List and explain the purposes of criminal sentencing</p> <p>Describe these purposes are served by indeterminate and determinate sentencing strategies and which is most appropriate today</p> <p>Summarize the features of three-strikes laws and their effectiveness</p> <p>Explain restorative justice and how it differs from retribution</p> <p>Expound on the pros and cons of capital punishment</p> <p>Explain how habeas corpus appeals are limited in capital cases</p>	
	Discuss	Appendix A, B, and C	
	Review	Review chapters 1 - 7 for final exam	

Week 15

Topic/Overview: This week focuses on

Summary of Week 1 Assignments & Activities

Item(Name)	Type	Description	Due
Week 15	Review	Review chapters 8 - 14 for final exam	TBA

Week 16



Topic/Overview: This week focuses on

Summary of Week 1 Assignments & Activities

Item(Name)	Type	Description	Due
Week 16	Exam	Final Exam	TBA

Grading Policy

Each week, I will provide grades or scores and comments on assignments within 6 days of when they were submitted. After I send feedback each week, I will post a notification in the **Main** forum.

Late assignments receive a 10% deduction for each day they are late if assignments are not posted by 11:59 p.m. central on the day they are due. Assignments more than 5 days late will not be accepted. Technological issues will not be considered as valid grounds for late assignment submission. In the event of a server outage, students should submit assignments to the instructor.

Percentage %	Grade
Instructors: please enter grade percentage.	Instructors: enter letter grade.

Special Needs

Odessa College complies with Section 504 of the Vocational Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. If you have any special needs or issues pertaining to your access to and participation in this or any other class at Odessa College, please feel free to contact me to discuss your concerns. You may also call the Office of Disability services at 432-335-6861 to request assistance and accommodations.

Learning Resource Center (Library)

The Library, known as the [Learning Resources Center](#), provides research assistance via the [LRC's catalog \(print books, videos, e-books\)](#) and [databases \(journal and magazine articles\)](#). [Research guides](#) covering specific subject areas, [tutorials](#), and the ["Ask a Librarian"](#) service provide additional help.

Student E-mail

Please access your [Odessa College Student E-mail](http://www.odessa.edu/gmail/), by following the link to either set up or update your account: <http://www.odessa.edu/gmail/>. **All assignments or correspondence will be submitted using your Odessa College email.**

Student Portal



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Technical Support

For Blackboard username and password help and for help accessing your online course availability and student email account contact the Student Success Center at 432-335-6878 or online at https://www.odessa.edu/dept/ssc/helpdesk_form.htm.

Important School Policies

For information regarding student support services, academic dishonesty, disciplinary actions, special accommodations, or student's and instructors' right to academic freedom can be found in the [Odessa College Student Handbook](#).