

# Criminal Law

Criminal Justice 110/ item #5015

**Instructor:** Charlene Freyberg  
**Dates:** 1/2/13-3/20/13  
**Class:** D103  
**Daily:** 12:30-1:20pm

**Office:** D-100 C  
**Hours:** M/T/W/Th 11:30am-12:30pm and by appt.  
**Phone:** 425-564-2698  
**E-mail:** charlene.freyberg@bellevuecollege.edu

## **Required Text:**

*Criminal Law 10<sup>th</sup> Edition.* By Joel Samaha. ISBN #0495807494. Wadsworth Cengage Publishing, 2010.

**Course Description:** In this course, students will learn how to identify the elements of crime and to categorize crimes by type, including homicide, crimes against the person, crimes against property, and habitation. Students learn about criminal capacity, different defenses, and who may be parties to crime. Upon successful completion of the course, students should be able to:

- Distinguish between criminal law and civil law, common law and statutory law.
- Distinguish between simple and aggravated assault, forcible and statutory rape, larceny and embezzlement, robbery and burglary, blackmail and bribery, and criminal and non-criminal homicides.
- Explain the concepts of corpus delicti, mens rea, stare decisis, vicarious liability, McNaughton rule, non-feasance, misfeasance, obstructing justice, and criminal contempt.
- Identify how crimes are classified and how legal jurisdiction is determined.
- Describe the elements needed to form a criminal act.
- Distinguish between crimes of intent and recklessness or negligence.
- Argue under what circumstances a defendant could employ the defense of diminished capacity, insanity, immunity, entrapment, duress, necessity, or double jeopardy.
- Explain the benefits and drawbacks of decriminalizing mala prohibita traffic offenses, including on what grounds the Uniform Motor Vehicle Code makes recommendations in this regard.
- Describe how RICO statutes have assisted the prosecution of organized crime.

**Schedule:** The following schedule is **tentative** and may be modified **with** notice. **Students are responsible for ANY and ALL changes that are made to this schedule, even if not present when changes are discussed.** The assigned readings, which should be completed **prior** to class, and all test dates are in bold.

**Case briefs:** Students will be responsible for 10 case briefs by the 11th week of the quarter (6/15). The list of cases will be given in the first week of class. The case briefs must follow the I.R.A.C. format (given in class). These must be typed up (approximately 1 page each) and turned in by 6/15. These briefs are worth 100 points (10 points each).

## **COURSE OUTLINE:**

### **Week 1 1/2-1/4**

1/2 Introduction to course and expectations (syllabus)  
**Read:** Chapter 1: Criminal Law and Criminal Punishment

**Week 2 1/7-1/11**

**Read:** Chapter 2: Constitutional Limits on Criminal Law

**Read:** Chapter 3: The General Principles of Criminal Liability: Actus Reus

**Week 3 1/14-1/18**

**Read:** Chapter 4: The General Principles of Criminal Liability: Mens Rea, Concurrence, Causation, and Ignorance and Mistake

**1/18 NO CLASS**

**Week 4 1/21-1/25**

**1/21 NO SCHOOL-Martin Luther King Jr. Day**

**Read:** Chapter 5: Defenses to Criminal Liability: Justifications

**Read:** Chapter 6: Defenses to Criminal Liability: Excuse

**Week 5 1/28-2/1**

**Read:** Chapter 6: Defenses to Criminal Liability: Excuse

**Read:** Chapter 7: Parties to Crime and Vicarious Liability

**Week 6 2/4-2/8**

**Read:** Chapter 7: Parties to Crime and Vicarious Liability

**Read:** Chapter 8: Inchoate Crimes: Attempt, Conspiracy, and Solicitation

**2/7 and 2/8 NO SCHOOL**

**Week 7 2/11-2/15**

**Read:** Chapter 9: Crimes Against Persons I: Murder and Manslaughter

**Week 8 2/18-2/22**

**2/18 NO SCHOOL-President's Day**

**Read:** Chapter 10: Crimes Against Persons II: Criminal Sexual Conduct, Bodily Injury, and Personal Restraint

**Week 9 2/25-3/1**

**Read:** Chapter 11: Crimes Against Property

**Week 10 3/4-3/8**

**Read:** Chapter 12: Crimes Against Public Order and Morals

**Week 11 3/11-3/15**

**Review for Mock Court and final quiz (3/14 Thursday)**

**Week 12 3/18-3/20 FINALS WEEK**

**11:30am-1:20pm 3/20 (Wednesday) Final exam- Mock Court Case**

**COURSE EVALUATION:**

<b>Total Points</b>	<b>400</b>
<b>Quizzes</b>	<b>7 @ 20 points = 140</b>
<b>Case Briefs</b>	<b>10 @ 10 points=100</b>
<b>Mock Court</b>	<b>1 @ 60 points= 60</b>

<u>Participation/Class Attendance/Assignments</u>				<u>100 points = 100</u>	
A	94-100%	A-	90-93%	B+	87-89%
B	84-86%	B-	80-83%	C+	77-79%
C	74-76%	C-	70-73%	D+	67-69%
D	60-66%	F	0-59%		

**Academic Etiquette:** Class begins promptly at 12:30pm. Please make every effort to be in class and to be here on time. If it is unavoidable that you arrive late- or even leave early- please do not disrupt the class. Respect for opinions voiced in class is essential, and I expect all students to treat each other courteously. **Any type of disruptive or discourteous behavior is unacceptable and will not be tolerated; these types of behaviors will result in the student(s) being asked to leave the class.**  
**Class “No No’s”:** laptops (only allowed in last row of class) cell phones (do not text or have your phone ring or out during class or you may be leading a class discussion up front!)

**Academic Integrity:** *Plagiarism or cheating of ANY kind will not be tolerated and will result in failing the test and/or the course as well as other disciplinary action (see Bellevue College Handbook, Academic Dishonesty).* If you are at any time unclear about what constitutes plagiarism or cheating, see me ASAP. In all instances, you must do your own work.

**Attendance:** All students are expected to attend every class. Obviously, if students do not attend class regularly, the opportunity to perform well in this course is greatly diminished.

**Veterans:** I thank you for your service to our country and let me know if you need help in any way (tutoring, advising, job opportunities, or any other services at the college).

**Running Start Students:** If this is your first class please plan on meeting with me in person for a short chat (e-mail me at [charlene.freyberg@bellevuecollege.edu](mailto:charlene.freyberg@bellevuecollege.edu)) during the first two weeks of class. I want to help make this college transition successful for you.

**Student Complaints:** If you have a viable complain about the class material, videos, assignments, or exams please see the instructor for a private meeting. If you do not feel comfortable going to the instructor, please see the Dean of Social Science in D110.

**Students with Disabilities:** I am committed to providing assistance to help you be successful in this course. If you require accommodation based on a documented disability, have emergency medical information to share, or need special arrangements in case of emergency evacuation, please make an appointment with DRC (Disability Resource Center.) If you would like to inquire about becoming a DRC student, you may call 564-2498 or go in person to the DRC program office in B132.

**Course Requirements:** All students are expected to read the required chapters of the textbook as outlined in the schedule section of this syllabus. Students are also expected to attend class regularly, take notes, ask questions, and participate in class discussions.

**Make-up Policy:** Any make-up tests or quizzes are allowed *only at the discretion of the instructor* and immediate notification from the student is imperative. If you have documentation AND notify me prior to the quiz/exam/assignment, then you can take the same quiz/exam as other students. Additionally, *all* make-up exams or quizzes (for *any un-excused* circumstance) will adhere to the following criteria: 1) administered *only* by the instructor during office hours/or instructor’s choosing 2) *cumulative* in

nature; and 3) given in an *all-essay* format.

**Extra Credit:** As a general rule, there is usually no extra credit available in this introductory level course. I may, however, **at any time during the quarter** provide in-class extra credit opportunities. Obviously, if you are not in class on these days, you are not eligible for these opportunities.

### **Cheating, Stealing and Plagiarizing\***

Cheating, stealing and plagiarizing (using the ideas or words of another as one's own without crediting the source) and inappropriate/disruptive classroom behavior are violations of the Student Code of Conduct at Bellevue College. Examples of unacceptable behavior include, but are not limited to: talking out of turn, arriving late or leaving early without a valid reason, allowing cell phones/pagers to ring, and inappropriate behavior toward the instructor or classmates. The instructor can refer any violation of the Student Code of Conduct to the Dean of Student Services for possible probation or suspension from Bellevue College. Specific student rights, responsibilities and appeal procedures are listed in the Student Code of Conduct, available in the office of the Dean of Student Services.

### **Incomplete**

If a student fails to complete all the required work for a course, an instructor may assign the grade of Incomplete ("I"). The student must complete the coursework by the end of the next quarter, or receive the assigned letter grade (usually an "F").

### **F Grade**

Students who fail a course will receive a letter grade of "F."

### **Final Examination Schedule**

The Social Science Division will adhere to the final examination schedule as stated in the BC Schedule. Final examinations will be held at the end of each quarter at fixed times. Instructors will not give examinations in advance of the regular schedule. A student who is absent from any examination held at any time during the quarter may forfeit the right to make up the examination. If, for illness or some other circumstance beyond the student's control, the student is unable to be present at any scheduled examination and has contacted the instructor on a timely basis, the student may be permitted to take such examination at a time designated by the instructor.

### **Withdrawal From Class**

College policy states that students must formally withdraw from a class by the end of the seventh week of the quarter (Registration Office, B125). If a student has not withdrawn by that date, an appropriate letter grade will be assigned for the course.

### **Hardship Withdrawal**

Instructors may assign the grade of "HW" (hardship withdrawal) at their discretion in the event that a student cannot complete the coursework due to extreme and exceptional circumstances. Students may also contact the Enrollment Services office BEFORE grades are assigned in cases of hardship.

### **Students Who Require Disability Accommodations**

Students with disabilities who have accommodation needs are encouraged to meet with the Disability Resource Centre (DRC) office located in B132 (telephone 425.564.2498 or TTY 425.564.4110), to establish their eligibility for accommodation. The DRC office will provide each eligible student with an accommodation letter. Students who require accommodation in class should review the DRC accommodation letter with each instructor during the first week of the quarter.

Students with mobility challenges who may need assistance in case of an emergency situation or evacuation should register with Disability Resource Centre, and review those needs with the instructor as well.

**Distribution of Grades**

Grades will not be posted in the Social Science Division or in faculty offices, and secretaries will not give out grades. Students should access their grades through the BC Web site.

**Return of Papers and Tests**

Paper and/or Scantron score sheet returns will be arranged in the following ways ONLY: by mail, if student supplies the instructor with stamped, self-addressed envelope (with appropriate postage); or by the instructor designating a time and place whereby the student may retrieve his/her papers. Unclaimed papers and/or Scantron score sheets must be kept by the instructor for a minimum of sixty (60) instructional days following the end of the quarter.

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*\*If you are accused of cheating, stealing exams and/or plagiarism, there is a Bellevue College Student Discipline and Appeals Procedure (the right to due process) which you may pursue. Contact the office of Division Chair (D110), the Dean of Student Services (B231A) or the Associated Student Body (C212) for information regarding the appeals process.*