

5011B784 - CJ& 110 Criminal Law

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CRIMINAL JUSTICE 110—INTRODUCTION TO CRIMINAL LAW

Spring Quarter 2018

Hours and Location:

Daily, 12:30 p.m. – 1:20 p.m.

D102

Office Hours: Tuesdays and Thursdays: 1:30-2:30, location to be determined (please reach out to professor for location)

Professor:

Maria Leininger, Esq. (I prefer Professor Leininger)

J.D., Seattle University School of Law

B.A., University of Washington, Seattle

Member, Washington State Bar Association*

Email: Maria.Leininger@bellevuecollege.edu (<mailto:Maria.Leininger@bellevuecollege.edu>)

Office: To be determined

Course Materials*:

The primary text for this course is *Criminal Law* by Joel Samaha (11th edition). Supplemental texts will be made available on our course website. To access the supplemental materials click on the “Modules” button and you will find them uploaded in the order in which they have been assigned. You are responsible for reviewing all supplemental materials as well as the primary text.. **Please note that you are responsible for downloading (and reading and/or watching) all supplemental materials as they are assigned.**

For those of you who do not have a printer at home you can print in the student computer lab in the N-Building or if you prefer you can just read the materials on-line. **Please also note that all assigned materials should be completed before the class session for which they are scheduled, so that you can participate in discussions and other activities that I have planned.**

Any material covered by an assigned reading/video may be included in examination questions, regardless of whether it is specifically discussed in lecture. If adjustments are made to the reading/viewing schedule, you will be informed via the announcement board on our class website. The assigned reading/viewing is the core of this class—if you don’t keep up you are going to find it hard to

succeed. Please review the modules section carefully and let me know if you have any questions or concerns so that we can address potential issues before they become problems.

Course Description:

This is an introductory course that is designed for students new to the study of criminal law. This course will survey theories and concepts of law pertaining to the criminal justice system. Topics include the Revised Code of Washington and specific state and federal constitutional amendments.

By the end of the quarter, I hope you will have a basic understanding of the criminal justice system in the United States and Washington state, and have an increased ability to critically reflect on this system. Specific topics of study include: theories of punishment and rehabilitation; constitutional limits on criminal law; defenses to criminal liability; and crimes against persons, property, and the state.

Course Objectives:

After completing this class, students should be able to:

- Use the basic vocabulary of law (e.g., culpability, mens rea, probable cause, rule of law, etc.)
- Distinguish between "Common Law", the "Model Code", and the "Revised Code of Washington"
- Paraphrase the categories and sources of criminal and civil law
- Accurately and informatively explain and give examples of the conceptual and statutory differences between "civil" and "criminal" law
- Illustrate why general knowledge of "criminal" and "civil" law is important in the daily lives of all citizens
- Identify, explain and discuss in writings and discussions the theory behind the development of "criminal" and "civil" laws
- Classify the key elements to specific criminal statutes in the Revised Code of Washington
- Identify, explain and discuss the major purposes of criminal law

Course Policies:

This is a college-level course, which means **you are responsible for your own learning**. I will do my best to facilitate our interactions and to assess your learning fairly. I expect you to do your best to complete assignments in a timely and appropriate fashion and to attend class each day. If you do not understand something you need to take the initiative to find out the answer. I cannot read minds, so it is up to you to try to seek clarity when it is lacking.

Technology Policy:

I do not allow laptops, cell phones, or any other technology in my classroom without prior approval or an accommodation request from the DRC. If a student is using technology during class without my prior approval, in my discretion, I may ask the student to leave for the day and the student will not be allowed to make up any participation points for that class period.

Electronics use during quizzes or other graded assignments without my express prior approval will be considered prima facie evidence that you are cheating, and I will, in my discretion, report this activity to the school.

Course Absences:

Because this course will be an opportunity for us to explore the materials together as a group, attending class is essential for both your ability to learn the material and your grade.

I do not allow quiz or assignment make-ups for unexcused absences. Absences will be excused for issues that include, but are not limited to: illness, death in the family, and school obligations. All excused absences will need to be requested, verified, and approved PRIOR to the date of the absence. If you have an excused absence, you will still be responsible for staying current with the reading schedule.

Rules of Engagement for Class Discussions:

This course involves the discussion of controversial issues. Remember that reasonable people often disagree. Your challenge and responsibility is to maintain civil discourse. We will achieve this by being respectful of each other and avoiding inflammatory, derogatory and insulting words, phrases and labels. Please use your common sense to avoid any other conduct that might distract or offend me or your classmates.

If you do not adhere to these rules of engagement for our discussions, I will, in my discretion, ask you to leave the class and I will not grade any in-class quizzes or assignments that were given for that class period.

A Note About Ideology:

I have no intention of trying to convert you to my belief system. The issues we will be exploring are often contentious and sometimes there will be no right or wrong answers. That said, there are good and bad arguments. Good arguments will be entertained (i.e., those that are logically sound and supported by the available evidence); bad arguments will be discouraged. Racist, derogatory, sexist, offensive inflammatory, and/or insulting arguments will not be tolerated.

E-Mail Etiquette:

Please only message me on Canvas—I set aside time specifically to respond to Canvas messages. I will **only** respond to messages on Tuesdays and Thursdays. **Importantly, I will not answer any substantive questions about an assignment 48 hours before the due date.**

You should strive to use professional-grade, typo-free writing when drafting electronic messages. Your attention to detail reflects your professionalism; I don't take typos personally, I just want to prepare you for the real world.

Please include in Canvas message subject lines: 1) an identification of both the class; and 2) the matter (example: "CJ 110—Week 3 Quiz; NOT "question"). Most professionals receive dozens—if not hundreds—of e-mails every day. The subject line provides an opportunity to summarize your request and allows the reader to appropriately triage your question.

If I do not respond, please feel free to send me another message to ensure that I've received your message. **You are responsible for confirming receipt of any message.** Consequences for any

glitches resulting from not following these or any other instructions are your responsibility—you are training for a college-educated career and should act as if every responsibility is your own.

Grades will be awarded as follows:

GRADE	POINTS	PERCENTAGE
A	4.0	95-100
A-	3.7	92-94.99
B+	3.3	88-91.99
B	3.0	85-87.99
B-	2.7	81-84.99
C+	2.3	77-80.99
C	2.0	73-76.99
C-	1.7	69-72.99
D+	1.3	65-68.99
D	1.0	61-64.99
F	0.0	BELOW 60

All assignment due dates are posted under the "Modules" section on Canvas. All assignment descriptions are posted under the "Assignment" section on Canvas, and in the "Modules" section. Assignments will be unlocked during the few weeks before their due dates.**Assignments:**

All due dates are posted in the "Modules" section of the course. Assignment descriptions are posted under the "Assignments" tab and are unlocked during the few weeks prior to the assignment due date. We'll also be discussing assignment details during class--it is therefore your responsibility to attend class and/or seek clarification from me about the assignments.

Importantly, it is your responsibility to ensure that you are turning in the correct assignment that you wish to be graded. I will grade only the latest, on-time submission uploaded to the

appropriate space in Canvas without exception. This policy is to help prepare you for other college courses and the workplace, where attention to detail, learning how to use the required technology correctly, and turning in the correct assignment is incredibly important.

Writing conventions

With the exception of daily quizzes, I expect all writing assignments turned in to follow these conventions. We will discuss the writing conventions in detail during the course. It is your responsibility to ensure that your submissions follow the required writing conventions.

- Times New Roman font
- 12-point size
- Double-spaced throughout (2.0 spacing)
- Normal margins (1" on all sides)
- Indentation no more than 0.5" for the beginning of paragraphs
- Page numbers are optional, but if you use them, please put them in the footer on the right side (Times New Roman font, 10-point size)
- Cover pages, tables of contents, works cited pages, or any other additional non-assignment pages do not count toward your total number of pages; however, you are welcome to use them to provide additional clarity

Substantive papers--40% of your overall course grade

You'll submit two papers on your choice of topics chosen from a list of topics I will provide to the class. You'll submit a total of two (2) reading responses throughout the quarter.

Your first substantive paper will be two-to-four (2 to 4) pages long, and will be worth 15% of your overall course grade.

Your second substantive paper will be four-to-six (4 to 6) pages long, and will be worth 25% of your overall course grade. I weight the later assignment more heavily so you have a chance to "warm up" to my expectations and the course.

More details about the assignment will be unlocked on Canvas during the second week of class under the "Assignments" section.

Paper 1 and paper 2 must follow all of the writing conventions (above). I will only grade the latest, on-time submission in the appropriate space on Canvas—so please ensure that you are turning in the assignment you would like me to grade.

Paper 1 and Paper 2 cannot be turned in late without an excused absence and/or prior authorization.

Midterm Examination--20% of your overall course grade

We will have an in-class midterm examination that we will discuss in detail a few weeks prior to the examination.

The midterm examination cannot be turned in late without prior authorization.

Class participation and quizzes--20% of your overall course grade

Periodically throughout the quarter, I'll conduct a brief quiz to test your understanding of the assigned class materials for that day. I will not announce the quiz days beforehand, but you will know what the quiz questions will be. Additionally, periodically, in-class activities will be graded.

In-class activities and quizzes do not have to follow the writing conventions unless otherwise required.

In-class participation quizzes and activities cannot be made up without an excused absence.

Final examination--20% of your overall course grade

The final examination will be a take-home essay examination and there will be no need to come to school to get the questions, complete the final examination, or turn in the final examination.

You will be given the questions approximately two weeks in advance. We will discuss the examination in detail in-class week eight of the quarter.

The Final Examination must follow all of the writing conventions (above). I will only grade the latest, on-time submission in the appropriate space on Canvas—so please ensure that you are turning in the assignment you would like me to grade.

The Final Examination cannot be turned in late without an excused absence and prior authorization.

Academic Integrity:

If you choose to cheat, steal, or plagiarize, then you will receive a zero (0) for the assignment. You might also receive a failing grade for the course. Additionally, the professor may, in her discretion, report your cheating to Bellevue College.

Cheating includes, but is not limited to, copying answers on exams, glancing at nearby exams, turning in assignments or papers that have been used in other classes, and giving or receiving help during an exam. Cheating includes, but is not limited to, purchasing or selling notes, assignments, or examination materials.

Stealing includes, but is not limited to, using the text, notes, exams, library books or other personal property of others without their permission.

Plagiarism is presenting the words, ideas, and/or work of others as your own. It includes, but is not limited to, using other's papers as one's own and including parts of published works without giving credit where credit is due.

Extension Policy:

I will allow each student a single one-day (24-hour) extension on one of their papers if the student emails me on Canvas *at least* 24-hours prior to the due date requesting the extension.

Importantly, I must approve the extension in writing for it to be valid. If you request an extension and do not receive approval, it is your responsibility to check in with me prior to the due date. If I do not respond in writing to an extension request, that functions as a denial of your request.

I will only grant extensions for written papers, and will not grant extensions for any quizzes, journals, midterm examinations, final examinations, or other assignments.

Late Policy:

All graded assignments are due on the dates specified unless you are notified otherwise in class or via Canvas. **Late assignments receive zero (0) points without at least 24-hours' pre-approval.**

If you are experiencing difficulties comprehending or completing the material, are experiencing personal hardship, or otherwise need to make any other arrangements, please contact me as soon as possible. **In order for me to grant an exception to the standard grading policies, you must e-mail me on Canvas 24 hours BEFORE the due date of the particular assignment with documentation of an excuse (e.g., a doctor's note, etc.).**

Affirmation of Inclusion:

Bellevue College is committed to maintaining an environment in which every member of the campus community feels welcome to participate in the life of the college, free from harassment and discrimination. We value our different backgrounds at BC, and students, faculty, staff members, and administrators are to treat one another with dignity and respect.

Code of Honor:

By being a student in this course you acknowledge that you are a part of a learning community at Bellevue College that is committed to the highest academic standards. As a part of this community, you pledge to uphold the fundamental standards of honesty, respect, and integrity, and accept the responsibility to encourage others to adhere to these standards.

Bellevue College Non-Discrimination Policy:

Bellevue College does not discriminate on the basis of race, color, national origin, language, ethnicity, religion, sex, sexual orientation, including gender identity or expression, disability, or age in its programs and activities. Please see policy 4150 at www.bellevuecollege.edu/policies/ (<http://www.bellevuecollege.edu/policies/>). The following people have been designated to handle inquiries regarding non-discrimination policies: Title IX Coordinator, [425-564-2641](tel:425-564-2641), Office C227, and EEOC/504 Compliance Officer, [425-564-2266](tel:425-564-2266), Office R130.

Accommodations:

If you need a religious accommodation during the quarter, please reach out at least one week in advance of an assignment due date or missed class day.

The Disability Resource Center serves students with a wide array of learning challenges and disabilities. If you are a student who has a disability or learning challenge for which you have documentation or

have seen someone for treatment, and if you feel you may need accommodations in order to be successful in college, please contact DRC as soon as possible.

If you are a person who requires assistance in case of an emergency situation, such as a fire, earthquake, etc., please meet with your individual instructors to develop a safety plan within the first week of the quarter.

The DRC office is located in B 132 or you can call at 425-564-2498. Deaf students can reach us by video phone at 425-440-2025 or by TTY at 425-564-4110. Application information and other helpful links are available at www.bellevuecollege.edu/drc.

Public Safety:

The Bellevue College Public Safety services provide personal safety, security, crime prevention, preliminary investigations, and other services to the campus community, 24 hours per day, 7 days per week. Their phone number is 425-564-2400. Public Safety is located in K100 and on the web at <http://bellevuecollege.edu/publicsafety/> for campus emergency preparedness information, campus closure announcements, and critical information in the event of an emergency.

Bellevue College Counseling Center

The Bellevue College Counseling Center assists students with a wide variety of personal life challenges. They assist with concerns that may be impacting academic performance, assist students with exploring college majors and career choices, among other things. Students have access to six (6) free counseling sessions.


Their phone number is 425-564-5747, you can email them at askacounselor@bellevuecollege.edu (<mailto:askacounselor@bellevuecollege.edu>), or you can visit their office, which is located on the 2nd floor of the Student Affairs building (B-Building).
















Syllabus subject to change. Syllabus updated 3/20/18.










*The instructor is a lawyer licensed to practice in Washington State, but neither the course, nor lectures, nor anything else related to the course constitutes legal advice.

* The syllabus and classroom policies are borrowed in part from Dr. Michael S. Brown and Dr. Timothy Jones.

Course Summary:

Date	Details
Mon Apr 2, 2018	 Course Overview and Syllabus Review https://bc.instructure.com/courses/1587856/assignments/11931027
	due by 12:30pm

Date	Details	
Tue Apr 3, 2018	 Read: The United States Constitution (https://bc.instructure.com/courses/1587856/assignments/11931056)	due by 12:30pm
Wed Apr 4, 2018	 Fake News Readings (https://bc.instructure.com/courses/1587856/assignments/12146715)	due by 12:30pm
Fri Apr 6, 2018	 Read: Chapter 1: Criminal Law and Punishment (https://bc.instructure.com/courses/1587856/assignments/11931043)	due by 12:30pm
Tue Apr 10, 2018	 Read: Chapter 2: Constitutional Limits on Criminal Law (https://bc.instructure.com/courses/1587856/assignments/11931044)	due by 12:30pm
Thu Apr 12, 2018	 Discuss Paper 1 (https://bc.instructure.com/courses/1587856/assignments/11931033)	due by 12:30pm
Mon Apr 16, 2018	 Read: Chapter 3: The Criminal Act (https://bc.instructure.com/courses/1587856/assignments/11931045)	due by 12:30pm
Wed Apr 18, 2018	 Read: Chapter 4: The General Principles of Criminal Liability (https://bc.instructure.com/courses/1587856/assignments/11931047)	due by 12:30pm
Mon Apr 23, 2018	 Read: Chapter 5: Defenses to Criminal Liability: Justifications (https://bc.instructure.com/courses/1587856/assignments/11931048)	due by 12:30pm
Fri Apr 27, 2018	 Paper 1 DUE Friday, April 27 at 11:59 p.m. (https://bc.instructure.com/courses/1587856/assignments/11931053)	due by 11:59pm
Mon Apr 30, 2018	 Read: Chapter 6: Defenses to Criminal Liability: Excuses (https://bc.instructure.com/courses/1587856/assignments/11931049)	due by 12:30pm
Wed May 2, 2018	 Read: Chapter 7: Parties to Crimes: Vicarious Liability (https://bc.instructure.com/courses/1587856/assignments/11931050)	due by 12:30pm
Fri May 11, 2018	 Read: Chapter 8: Inchoate Crimes (https://bc.instructure.com/courses/1587856/assignments/11931051)	due by 12:30pm
	 Reflection journal DUE Friday, May 11 at 11:59 pm (https://bc.instructure.com/courses/1587856/assignments/11931057)	due by 11:59pm
Mon May 14, 2018	 Mid-Course Review Session (https://bc.instructure.com/courses/1587856/assignments/11931038)	due by 12:30pm
Thu May 17, 2018	 Paper 2 DUE Thursday, May 17 at 11:59 p.m. (https://bc.instructure.com/courses/1587856/assignments/11931054)	due by 11:59pm

Date	Details	
Fri May 18, 2018	 Discussion of Final Examination (https://bc.instructure.com/courses/1587856/assignments/11931032)	due by 12:30pm
Mon May 21, 2018	 Read: Chapter 9: Murder and Manslaughter (https://bc.instructure.com/courses/1587856/assignments/11931052)	due by 12:30pm
Mon May 28, 2018	 Read: Chapter 12: Crimes Against Public Order and Morals (https://bc.instructure.com/courses/1587856/assignments/11931041)	due by 12:30pm
Tue May 29, 2018	 Read: Chapter 10: Sex Offenses, Bodily Injury, and Personal Restraint (https://bc.instructure.com/courses/1587856/assignments/11931039)	due by 12:30pm
Thu May 31, 2018	 Midterm Examination (https://bc.instructure.com/courses/1587856/assignments/12147124)	due by 12:30pm
Fri Jun 1, 2018	 Final Examination Study Guide DO NOT TURN IN FINAL HERE (https://bc.instructure.com/courses/1587856/assignments/11931036)	due by 12:30pm
Tue Jun 5, 2018	 Read: Chapter 11: Crimes Against Property (https://bc.instructure.com/courses/1587856/assignments/11931040)	due by 12:30pm
Thu Jun 7, 2018	 Read: Chapter 13: Crimes Against the State (https://bc.instructure.com/courses/1587856/assignments/11931042)	due by 12:30pm
Mon Jun 11, 2018	 Course Review (https://bc.instructure.com/courses/1587856/assignments/11931028)	due by 12:30pm