

# Criminal Law

## Criminal Justice 110/ item #5011

Instructor: Charlene Freyberg

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Office location: D-

Office Hours: online

Classroom: online

Class dates: 7/2/18 to 8/16/18

### **Required Text:**

***Criminal Law 11<sup>th</sup> Edition.* By Joel Samaha. ISBN #978128506191-7. Wadsworth Cengage Publishing, 2014.**

**\*\*\*You will use the textbook every week and quiz material will be from the textbook. You must read each chapter and have the book by day one of the class (this course is only 7 weeks long--meaning twice the amount of reading and work as a regular quarter). It is your responsibility to get the textbook on time and read it in accordance with the course outline below.**

**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.

**Online Course:** Since this class does not meet face to face on campus you are expected to attend the online classroom for AT LEAST one hour five times a week. To be successful in this class, you will need to be reading the textbook, viewing the PowerPoint, posts, and all other helps and guides posted on Canvas. You must also submit weekly discussion (which is similar to questions that would be asked in a classroom format). If you have never taken an online course I would recommend reviewing the online tutorial at: <https://bc.instructure.com/courses/411354> to familiarize yourself with Canvas.

**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 you did not read the announcement making the change.** The assigned readings, should be completed **prior** to the start of the week, and all quiz dates are in bold.

### **COURSE OUTLINE:**

#### **Week 1 7/2-7/8**

7/2 Introduction to course and expectations (syllabus)

**Read:** Chapter 1: Criminal Law and Criminal Punishment

**\*\*TUESDAY-JULY 4th--Holiday/No School**

**7/7 or 7/8 Quiz #1 (over chapter 1)**

**Week 2 7/9-7/15**

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

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

**7/14 or 7/15 Quiz #2 (over chapter 2-3)**

**Week 3 7/16-7/22**

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

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

**7/21 or 7/22 Quiz #3 (over chapter 4-5)**

**Week 4 7/23-7/29**

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

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

**7/28 or 7/29 Quiz #4 (over chapter 6-7)**

**Week 5 7/30-8/5**

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

**8/4 or 8/5 Quiz #5 (over chapter 8)**

**Week 6 8/6-8/12**

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

**8/11 or 8/12 Quiz #6 (over chapter 9)**

## **Week 7 8/13-8/16**

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

**8/16 (Thursday) Final exam (over chapters 1-10)**

### **COURSE EVALUATION:**

**Quizzes** 1@15 points & 5 @ 25 points = 140

**Final Exam** 1 @ 50 points= 50

**Various Assignments** 4-6 @ 15-25 points each= 60-150

**Class discussions & introduction** 70 points = 70

**Total Points** 320-410

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

## Help with Canvas

The following places are helpful for [Students \(Links to an external site.\)](#)[Links to an external site.](#) .

## Classroom Learning Atmosphere

### **• Instructor's Expectation**

**Netiquette:** What is Netiquette? Netiquette is the conduct or behavior that is expected when you are working on the internet or in cyberspace. Netiquette is a set of rules for

appropriate behavior. Respect for opinions voice in the online 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. I will post some rules about Netiquette during the first week of class for everyone to review.

**Attendance:** All students are expected to attend the online classroom 4 times a week for an average of 1-2 hours at a time. Obviously, if students do not attend the online classroom regularly, the opportunity to perform well in this course is greatly diminished.

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

**Make-up Policy:** *Any* make-up assignments or quizzes are **allowed only at the discretion of the instructor** and immediate notification from the student is imperative. Excused absences: death of immediate family member (death notification needed), medical emergency (ER discharge papers required) or other emergency with documentation.

**You are responsible for any issues with Canvas (meaning don't wait until the last few minutes before an assignment is due) since you WILL NOT be able to make-up any assignment or quiz or paper due to technical issues. Give yourself time to complete the work and contact Canvas help (upper right corner of screen--submit a "ticket" listing your issue to Canvas techs) well before deadlines to make sure any issues are resolved BEFORE the deadline.**

**Please contact me via e-mail BEFORE the due date of any assignment you have technical issues with (along with a screenshot of the issue and your ticket request from Canvas) and we can work on a solution; AFTER the deadline I cannot accept any work.**

Any excused absence (with documentation) will be allowed to take the make-up the assignment and/or quiz without point penalty. Any un-excused or undocumented missing assignment and/or quiz will NOT be allowed to make-up. Since this is an online course you have plenty of time to work on the coursework around any emergencies, work obligations, family obligations, vacations, etc. **If you are planning a summer**

**vacation you need to make sure that you have access to Wi-Fi for any due dates (assignments or quizzes) during the quarter--I will not extend or let you make up for missed work due to camping, cruise, out of country trip--find Wi-Fi at your location to complete work (or complete before you go on your vacation/trip) since quizzes are open for 48 hours and discussions and homework is open for 7 days.**

**Discussion Threads:** Participation in the discussion forums maximizes your learning experiences and that of your classmates. You are required to participate in discussion threads online and in classroom activities and discussions. As part of an online and in class group you will have the opportunity to interact with others for deeper understanding of the materials offered. Most importantly, you have the opportunity to understand differing points of view and how they are arrived at by your classmates.

You may not agree with those points of view, and others may not agree with yours. There is no right or wrong answers in discussion forums. The focus of the discussion thread and classroom activities is to use resources from your book and on the internet to support your conclusions and more effectively understand the other person's point of view. Please be grammatically accurate and brief (1-3 paragraphs) in your responses. **You must have one initial post due EACH Thursday by 9am and at least one response post to another student's post (2 reply posts are ideal) by Sunday(s) at midnight. All the due dates listed for the discussion are for the initial post (Thursdays at 9am)--response post(s) after 9am on Thursdays is on time--Canvas just doesn't let us have two due dates for one assignment. You will still get points for your initial post if your post AFTER 9am on Thursdays but it will be considered late--see discussion rubric for points breakdown in the getting started module.**

**See discussion rubric on pages**

**link** <https://bc.instructure.com/courses/1147834/pages/discussion-rubric>

### **• 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 Bellevue College, and students, faculty, staff members, and administrators are to treat one another with dignity and respect.

- **Religious Holidays**

Students who expect to miss classes, examinations, or any other assignments as a consequence of their religious observance should be provided with a reasonable alternative opportunity to complete such academic responsibilities. It is the obligation of students to provide faculty with reasonable notice of the dates of religious holidays on which they will be absent, preferably at the beginning of the term. Students who are absent on days of examinations or class assignments should be offered an opportunity to make up the work without penalty (if they have previously arranged to be absent), unless it can be demonstrated that a makeup opportunity would constitute an unreasonable burden on a member of the faculty. Should disagreement arise over what constitutes an unreasonable burden or any element of this policy, parties involved should consult the department chair, or Dean.

- **College Anti-Discrimination Statement (Title IX)**

Bellevue College does not discriminate on the basis of race or ethnicity; color; creed; national origin; sex; marital status; sexual orientation; age; religion; genetic information; the presence of any sensory, mental, or physical disability; gender identity or veteran status in educational programs and activities which it operates.

For further information and contacts, please consult [College Anti-Discrimination Statements \(Links to an external site.\)](#)Links to an external site..

- **Division Statements**

**Incomplete:** If a student fails to complete all the required work for course, an instructor may assign the grade of Incomplete ("F"). 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 circumstances 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 designed by the instructor.

**Withdrawal from Class:** College policy states students must formally withdraw from a class (Registration Office, B125). If a student has not withdrawn by the date stated on the college calendar for the current quarter, 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 circumstances. Students may also contact the Enrollment Services office BEFORE grades are assigned in cases of hardship.

**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 online through Canvas.

**Return of Papers and Tests:** Paper and/or Scantron score sheet returns will be arranged in the following ways ONLY: by mail, if students 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.

• **Student Code of Conduct and Academic Integrity**



Any act of academic dishonesty, including cheating, plagiarism (using the ideas or words of another as one's own without crediting the source), and fabrication 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 Success for investigation. Specific student rights, responsibilities, and appeal procedures are listed in the Student Code of Conduct at: [Student Code \(Links to an external site.\)](#)[Links to an external site.](#)

Information about Bellevue College's copyright guidelines can be found at: [College Copyright Policy \(Links to an external site.\)](#)[Links to an external site.](#)

This link provides a good, short summary of how to avoid plagiarism: [Avoiding Plagiarism \(Links to an external site.\)](#)[Links to an external site.](#)

## Important Links

### ▪ Bellevue College E-mail and access to MyBC

All students registered for classes at Bellevue College are entitled to a network and e-mail account. Your student network account can be used to access your student e-mail, log in to computers in labs and classrooms, connect to the BC wireless network and log in to MyBC. To create your account, go to: [Create Email \(Links to an external site.\)](#)[Links to an external site.](#)

BC offers a wide variety of computer and learning labs to enhance learning and student success. Find current campus locations for all student labs by visiting the [Technology Help Desk \(Links to an external site.\)](#)[Links to an external site.](#)

### ▪ **Disability Resource Center (DRC)**

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 us 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.

If you are a student with a documented autism spectrum disorder, there is an additional access program available to you. Contact [Autism Spectrum Navigators \(Links to an external site.\)](#)Links to an external site. Email and phone number is on the web page. ASN is located in the Library Media Center in D125.

The DRC office is located in B132 or you can call our reception desk at 425.564.2498.

Deaf students can reach us by Skype: the address is **DRCatBC** (NOTE: There is no @ sign...it is actually **DRCatBC**). Please visit our website at [Disability Resource Center \(Links to an external site.\)](#)Links to an external site. for application information into our program and other helpful links.

## **Accessibility**

The online elements of this course are designed to be welcoming to, accessible to, and usable by everyone, including students who are English-language learners, have a variety of learning styles, have disabilities, or are new to online learning. Be sure to let me know immediately if you encounter a required element or resource in the course that is not accessible to you. Also, let me know of changes I can make to the course so that it is more welcoming to, accessible to, or usable by students who take this course in the future

## **• Public Safety**

Public Safety is located in D-171 and can be reached at **425-564-2400** (easy to remember because it's the only office on campus open 24 hours a day—2400). Among other things, Public Safety serves as our Parking Permits, Lost and Found, and Emergency Notification center. Please ensure you are signed up to receive alerts through our campus alerting system by registering at [RAVE Alert Registration \(Links to an external site.\)](#)Links to an external site.

If you work late and are uneasy about going to your car, Public Safety will escort you to your vehicle. To coordinate this, please phone ahead and let Public Safety know when and where you will need an escort.

Please familiarize yourself with the emergency postings by the door of every classroom and know where to go in the event of an evacuation. Your instructor will be asked if anyone might still be in the building, so check in before you do anything else. Emergency responders will search for anyone unaccounted for.

**If a major emergency occurs, please follow these three rules:**

- 1) Take directions from those in charge of the response** -We all need to be working together.
- 2) Do not get in your car and leave campus (unless directed to)** - Doing so will clog streets and prevent emergency vehicles from entering the scene. Instead, follow directions from those in charge.
- 3) In an emergency, call 911 first, then Public Safety.**

Please do not hesitate to call Public Safety if you have safety questions or concerns at any time. You may also visit the [Public Safety \(Links to an external site.\)Links to an external site.](#) web page for answers to your questions.

▪ **Final Exam: Thursday, August 11<sup>th</sup> (open for 24 hours ONLY-12:01a-11:59p)**

**[Final Exam Schedule \(Links to an external site.\)Links to an external site.](#)**

▪ **Academic Calendar**

The Bellevue College Academic Calendar is separated into two calendars. They provide information about holidays, closures and important enrollment dates such as the finals schedule.

- [Enrollment Calendar \(Links to an external site.\)Links to an external site.](#) On this calendar you will find admissions and registration dates and important dates for withdrawing and receiving tuition refunds.

- [College Calendar \(Links to an external site.\)](#)[Links to an external site.](#) This calendar gives you the year at a glance and includes college holidays, scheduled closures, quarter end and start dates, and final exam dates.