

5011B892 - CJ& 110 Criminal Law

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CRIMINAL JUSTICE 110—INTRODUCTION TO CRIMINAL LAW

Fall Quarter 2018

Hours and Location:

Monday-Thursday, 12:30 p.m. – 1:20 p.m.

D102

Office Hours: Tuesdays 11:30-12:20, Wednesdays 11:30-12:20

Professor:

Professor M. 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: Please email me on Canvas for course-related questions

Office: D110

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 and/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 awarded any participation points for that class period.

Electronics and or other materials used 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, fail you for that assignment and 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 where you see a doctor, death in the family, and school obligations. All excused absences will need to be requested, verified, and approved. 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 with your fellow students or with myself, I will, in my discretion, ask you to leave the class and you will not receive any points for class participation that day. Additionally, I may report you to the school or require you to meet with me individually.

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--and you may be asked to leave class with no points awarded for class participation.

E-Mail Policy:

Please only message me on Canvas—I set aside time specifically to respond to Canvas messages. I will **only** respond to messages on Mondays 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: "POLS 202—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

Assignments:

All assignment due dates are posted under the "Modules" section on Canvas. Updates to assignments, or supplementary materials will be posted in the "Announcements" section on Canvas. Assignments will be unlocked during the few weeks before their due dates.

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 the reading 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

Papers 1 and 2--35% of your overall course grade

You'll submit a two-to-four (2-4) page and a four-to-six (4-6) page, double-spaced response to your choice of topics from a list of topics I will provide the class with. You'll submit a total of two (2) papers throughout the quarter. Your first paper will be worth 15% of your overall course grade, and your second paper will be worth 20% 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 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 prior authorization.

Weekly Journals--20% of your overall course grade

We will be listening to *Serial*, Season 3 as it comes out. Students will be required to listen to that week's episode of the podcast and to write a one (1) page, double-spaced, response to that week's episode. Students who submit a mere synopsis of that week's episode without critical and original analysis will earn zero (0) points.

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 give advance notice for the quizzes, but you will know the quiz questions in advance. Additionally, periodically, in-class activities will be graded. *To receive credit for any in-class work, you must be present for the entire class period unless you have received prior authorization from me to leave class early.*

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.

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.

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.

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 9/13/18.

















**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**

Date	Details	
Mon Sep 17, 2018	 Course Overview and Syllabus Review (https://bc.instructure.com/courses/1626323/assignments/13463656)	due by 12:30pm
Tue Sep 18, 2018	 Canvas profile photo extra credit (https://bc.instructure.com/courses/1626323/assignments/13463653)	due by 11:59pm
Wed Sep 19, 2018	 Fake News Readings (https://bc.instructure.com/courses/1626323/assignments/13463660)	due by 12:30pm
Mon Sep 24, 2018	 Journal 1 DUE Sept. 24 before 11:59 p.m. (https://bc.instructure.com/courses/1626323/assignments/13463862)	due by 11:59pm
Wed Sep 26, 2018	 Read: Chapter 1: Criminal Law and Punishment (https://bc.instructure.com/courses/1626323/assignments/13463673)	due by 12:30pm
Mon Oct 1, 2018	 Journal 2 DUE Oct. 1 before 11:59 p.m. (https://bc.instructure.com/courses/1626323/assignments/13463908)	due by 11:59pm
Wed Oct 3, 2018	 Read: Chapter 2: Constitutional Limits on Criminal Law (https://bc.instructure.com/courses/1626323/assignments/13463674)	due by 12:30pm
	 Read: The United States Constitution (https://bc.instructure.com/courses/1626323/assignments/13463682)	due by 12:30pm
Mon Oct 8, 2018	 Read: Chapter 3: The Criminal Act (https://bc.instructure.com/courses/1626323/assignments/13463675)	due by 12:30pm
	 Journal 3 DUE Oct. 8 before 11:59 p.m. (https://bc.instructure.com/courses/1626323/assignments/13464063)	due by 11:59pm
Wed Oct 10, 2018	 Paper 1 DUE Wednesday, Oct. 10 before 11:59 p.m. (https://bc.instructure.com/courses/1626323/assignments/13463667)	due by 11:59pm
Thu Oct 11, 2018	 Read: Chapter 4: The General Principles of Criminal Liability (https://bc.instructure.com/courses/1626323/assignments/13463676)	due by 12:30pm
Mon Oct 15, 2018	 Journal 4 DUE Oct. 15 before 11:59 p.m. (https://bc.instructure.com/courses/1626323/assignments/13464141)	due by 11:59pm
Tue Oct 16, 2018	 Read: Chapter 5: Defenses to Criminal Liability: Justifications (https://bc.instructure.com/courses/1626323/assignments/13463677)	due by 12:30pm
Wed Oct 17, 2018	 Read: Chapter 7: Parties to Crimes: Vicarious Liability (https://bc.instructure.com/courses/1626323/assignments/13463679)	due by 12:30pm

Date	Details	
Thu Oct 18, 2018	 Read: Chapter 6: Defenses to Criminal Liability: Excuses (https://bc.instructure.com/courses/1626323/assignments/13463678)	due by 12:30pm
Mon Oct 22, 2018	 Journal 5 DUE Oct. 22 before 11:59 p.m. (https://bc.instructure.com/courses/1626323/assignments/13464196)	due by 11:59pm
Mon Oct 29, 2018	 Mid-Course Review Session (https://bc.instructure.com/courses/1626323/assignments/13463665)	due by 12:30pm
	 Journal 6 DUE Oct. 29 before 11:59 p.m. (https://bc.instructure.com/courses/1626323/assignments/13464291)	due by 11:59pm
Thu Nov 1, 2018	 Movie reflection DUE Thursday, Nov. 1 before 11:59 pm (https://bc.instructure.com/courses/1626323/assignments/13463683)	due by 11:59pm
Mon Nov 5, 2018	 Final Examination Study Guide DO NOT TURN IN FINAL HERE (https://bc.instructure.com/courses/1626323/assignments/13463661)	due by 12:30pm
	 Read: Chapter 8: Inchoate Crimes (https://bc.instructure.com/courses/1626323/assignments/13463680)	due by 12:30pm
	 Journal 7 DUE Nov. 5 before 11:59 p.m. (https://bc.instructure.com/courses/1626323/assignments/13464371)	due by 11:59pm
Wed Nov 7, 2018	 Paper 2 DUE Wednesday, Nov. 7 before 11:59 p.m. (https://bc.instructure.com/courses/1626323/assignments/13463668)	due by 11:59pm
Mon Nov 12, 2018	 Read: Chapter 12: Crimes Against Public Order and Morals (https://bc.instructure.com/courses/1626323/assignments/13463671)	due by 12:30pm
Tue Nov 13, 2018	 Journal 8 DUE Nov. 13 before 11:59 p.m. (https://bc.instructure.com/courses/1626323/assignments/13464566)	due by 11:59pm
Wed Nov 14, 2018	 Read: Chapter 9: Murder and Manslaughter (https://bc.instructure.com/courses/1626323/assignments/13463681)	due by 12:30pm
Mon Nov 19, 2018	 Read: Chapter 10: Sex Offenses, Bodily Injury, and Personal Restraint (https://bc.instructure.com/courses/1626323/assignments/13463669)	due by 12:30pm
	 Guest lecture: Honorable Roger Rogoff (https://bc.instructure.com/courses/1626323/assignments/13463663)	due by 11:59pm
	 Journal 9 DUE Nov. 19 before 11:59 p.m. (https://bc.instructure.com/courses/1626323/assignments/13464634)	due by 11:59pm
Tue Nov 20, 2018	 Read: Chapter 11: Crimes Against Property (https://bc.instructure.com/courses/1626323/assignments/13463670)	due by 12:30pm

Date	Details	
Thu Nov 22, 2018	 Guest lecture: Honorable Veronica Galvan (https://bc.instructure.com/courses/1626323/assignments/13463664)	due by 11:59pm
Mon Nov 26, 2018	 Read: Chapter 13: Crimes Against the State (https://bc.instructure.com/courses/1626323/assignments/13463672)	due by 12:30pm
	 Journal 10 DUE Nov. 26 before 11:59 p.m. (https://bc.instructure.com/courses/1626323/assignments/13464653)	due by 11:59pm
Wed Nov 28, 2018	 Course Review and Final Exam Prep (https://bc.instructure.com/courses/1626323/assignments/13463657)	due by 12:30pm
Fri Nov 30, 2018	 Course Evaluation Extra Credit (https://bc.instructure.com/courses/1626323/assignments/13463655)	due by 11:59pm
Thu Dec 6, 2018	 Final Examination, Thursday, December 6 11:30 am - 1:20 pm (TURN IN FINAL HERE) (https://bc.instructure.com/courses/1626323/assignments/13463662)	due by 1:20pm