CJUS 3201.001
CRIMINAL LAW
SPRING 2015

Curry Hall, Room 104
T/Th 9:30 - 10:50 a.m.
Office: Chilton Hall, Room 265
Office Hours: T/Th: 11:00 a.m. - 12:30 p.m.
& by appointment

Professor P.M. Tobolowsky
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COURSE DESCRIPTION: This course focuses on substantive criminal law: the basic crimes and criminal defenses. In this connection, we will explore the traditional and Texas and federal statutory definitions of the crimes and defenses, as well as cases that interpret these definitions.

COURSE OBJECTIVES: Through this course, students should gain:

1) an understanding of the constitutional, legislative, and judicial parameters of federal and Texas basic criminal law and

2) an awareness of judicial and legislative "outputs."

REQUIRED READING:
Lippman, Matthew. *Essential Criminal Law*. Los Angeles: Sage, 2014 and Statutory and Case Supplements.

COURSE REQUIREMENTS: Final course grades will be based on performance on the following activities: 4 examinations; 4 discussion boards; and class participation. *Each* of the exams will be evaluated on a 100-point scale and each exam will represent 20% of your final course grade. *Each* discussion board will be evaluated on a 20-point scale and each will represent 4% of your final grade. Your class participation will be evaluated on a 20-point scale and will represent 4% of your final grade.

GRADING SCALE (Maximum of 500 points):
A= 448 – 500 points
B= 398 – 447 points
C= 348 – 397 points
D= 298 – 347 points
F= 0 – 297 points

EXAMINATIONS: The 4 exams will consist of multiple choice, definitional, descriptive, listing, and/or short essay questions. The first examination is **Thursday, February 19, 2015**. The second examination is **Tuesday, March 24, 2015**. The third examination is **Tuesday, April 14, 2015**. The fourth examination will be given from **8:00 a.m. - 10:00 a.m.** on **Thursday, May 14, 2015**. There will generally be no make-up exams.

DISCUSSION BOARDS: During the course of the semester, there will be 4 Blackboard discussion boards. They are attached to this syllabus, along with their due dates and related

instructions. Your discussion board materials will be submitted through the class Blackboard site. Students can earn up to 20 points for *each* discussion board assignment (up to 15 points for your posting and up to 5 points for your response to another student's posting), for a maximum *total of 80 points* for these 4 activities. In the discussion board activities, students are expected to thoughtfully address the subject matter and to treat fellow students' postings with respect in their responses. No late postings will be accepted.

CLASS PARTICIPATION: The class participation component of each student's grade will be based on the number of times that the student actually participates in the discussions of class material. Students may volunteer to participate and they will be called upon to participate. A student will be awarded up to 4 points each time that the student participates in class, up to a maximum of 20 points for the semester. No points will be deducted from or added to the student's class participation score if the student gives an incorrect answer, is unable to respond to a question in class, or asks a question in class.

ATTENDANCE: No specific records will be kept regarding student attendance. Attendance, however, will strongly affect course grades because 1) at least 30% of each exam will be drawn from class presentations, 2) class presentations will elaborate on and review text materials, 3) class participation evaluations will be based on participation in class, and 4) each student will be responsible for the content of all class presentations, as well as for any announcements, schedule changes, etc. that are made in class.

PANOPTO LECTURE CAPTURE: We will be using the Panopto Lecture Capture system that makes an audio recording of the class presentations and preserves presented materials. These will be available to you via the class Blackboard site following the "captured" session(s). Your use of Panopto is designed to supplement your class attendance, such as if you have to miss a class, want to fill in class notes, or want to review class materials for an exam – not substitute for it. If use of Panopto has a serious negative impact on class attendance, Panopto will be terminated.

ACADEMIC HONESTY: The university rules and policies regarding cheating and plagiarism will be strictly enforced.

DISRUPTIVE BEHAVIOR: Disruptive behavior is not permitted in class. Students engaging in such behavior may be directed to leave the classroom and may be referred to the Center for Student Rights and Responsibilities for consideration of a violation of the Code of Student Conduct.

SETE: As part of the university-wide assessment of teaching effectiveness, students are strongly encouraged to complete the Student Evaluation of Teaching Effectiveness (SETE) online evaluations for this and all of their classes. Your input is valued. This semester's SETE will be open from April 20 to May 10.

ADA STATEMENT: The University of North Texas complies with Section 504 of the 1973 Rehabilitation Act and with the Americans with Disabilities Act of 1990. The University of North Texas provides academic adjustments and auxiliary aids to individuals with disabilities, as defined under the law. Among other things, this legislation requires that all students with

disabilities be guaranteed a learning environment that provides for reasonable accommodation of their disability. If you believe that you have a disability requiring accommodations, please see me and/or contact the Office of Disability Accommodation at 940-565-4323 during the first week of class. Please notify me and your other instructors regarding any recommended accommodations as soon as possible.

COURSE SCHEDULE

The following reflects the approximate schedule for required readings in the Lippman text; the student should also read the cases and Texas Penal Code (TPC) provisions in the Statutory and Case Supplements that relate to each chapter in the text. Dates for examinations and other assignments are also included.

Date	Class Topic
January	
20	Introduction
22	Texas/Federal Court Systems
27*, 29	Crime Statistics
27*	*Blackboard Discussion #1; opens at 10:50 a.m. (end of class)
February	
3*	*Blackboard Discussion #1; closes at 9:30 a.m. (beginning of class)
3*, 5	Chs. 1, 2 (The Nature of Criminal Law and Constitutional Limitations); Winship; TPC 2.01, 2.03, 2.04, 12.01-12.35
10, 12, 17	Chs. 4, 3 (Parties to and Elements of a Crime); Sutton, Chadwell, Acosta; TPC chs. 6, 7
19**	** ***First Exam***
24, 26*	Ch. 7 (Homicide); Bingham, Thornton; TPC ch. 19, 22.08
26*	*Blackboard Discussion #2; opens at 10:50 a.m. (end of class)

March	
3	Ch. 7 (cont.)
5*	*Blackboard Discussion #2; closes at 9:30 a.m. (beginning of class)
5*	Ch. 8 (Assault, Battery, and Kidnapping); Mihas, Girdy; TPC 22.01, 22.02, ch. 20
10, 12	Ch. 8 (Sex-Related Offenses); Liberta, Bixler; TPC 22.011, 22.021, 21.01-21.08; Texas Rule of Evidence 412
17, 19	Spring Break
24**	** ***Second Exam***
24*	*Blackboard Discussion #3; opens at 10:50 a.m. (end of class)
26, 31*	Ch. 9 (Arson, Malicious Mischief, Burglary, Trespass); Reeves, Bruce; TPC 28.01-28.03, ch. 30 Ch. 9 (Theft, Robbery, and Remaining Property Crimes); Olivo, Robinson, Lattimore; TPC 31.01-31.03, ch. 29
31*	*Blackboard Discussion #3; closes at 9:30 a.m. (beginning of class)
April	
2	Ch. 9 (cont.)
7, 9	Ch. 11 (Public Order and Morality Offenses); Harwell; TPC ch. 43.01-43.05; TPC 42.01, 42.03
14**	** ***Third Exam***
16	Criminal Justice Career Day
16*	*Blackboard Discussion #4; opens at 10:50 a.m. (end of class)
21, 23*	Ch. 12 (Alcohol and Drug Crimes); Wynn; TPC ch. 49; Texas Alcoholic

	Beverage Code 106.01-106.071
23*	*Blackboard Discussion #4; closes at 9:30 a.m. (beginning of class)
28, 30	Pp. 83 - 87 (Attempt); TPC 15.01; Ch. 6 (Defenses); Graham, Jacobson, Ferrell; TPC chs. 8, 9; Texas Code of Criminal Procedure ch. 12
May	
5	Ch. 6 (cont.)
7	Conclude/Review
14**	** ***Fourth Exam***, 8:00 a.m. – 10:00 a.m.

Discussion Boards

General Instructions: Each discussion board assignment includes a *posting of at least 500 words and a response to another student's posting of at least 200 words*. Each assignment also requires *reference to at least 2 sources in each posting*, with the types of sources further described in each assignment. Although not all sources must be governmental or scholarly sources, Wikipedia is not an acceptable source for these assignments. Students should generally summarize or paraphrase any referenced material, with exact quotations indicated by quotation marks. Students should *identify their source material in the text of their postings and list their sources at the conclusion of their postings*. Examples of reference formats for your internal references and List of Works Cited are included on the attached document.

Blackboard Discussion Board #1: Opens January 27 at 10:50 a.m. and closes at February 3 at 9:30 a.m.

The criminal law evolves slowly over time. Some acts, like murder, have generally always been and will always be considered criminal acts. Other conduct has been considered criminal – or non-criminal – in different societies at different times. Choose 1 of the following categories of conduct and describe, in at least 500 words, why you think this conduct should be considered a crime and be subject to criminal punishment. Include in your posting 1) how this conduct harms the individual engaging in it or others and 2) what kind of punishment is appropriate for the conduct. Include in your posting a reference to at least 2 sources, at least 1 of which is a federal or state governmental source. In addition, respond to 1 other person's posting that has suggested criminalizing a category of conduct and describe, in at least 200 words, why you think that category of conduct should not be criminalized and how society should address the conduct other than through the criminal law.

Categories of Conduct:
Gambling
Prostitution
Bigamy
Public Intoxication
Obscenity/Pornography
Texting while Driving
Graffiti

Blackboard Discussion Board #2: Opens February 26 at 10:50 a.m. and closes at March 5 at 9:30 a.m.

Domestic violence continues to be a problem in this country. Look at some of the web sites that address this topic, such as the National Center for Victims of Crime, the Bureau of Justice Statistics, and the Department of Justice Office for Victims of Crime, or other sources. Discuss the

following: 1) How widespread is the problem of domestic violence? 2) What is the criminal justice system doing about it? 3) What could the justice system do more effectively to reduce domestic violence? Your posting should be at least 500 words and should include a reference to at least 2 sources, at least 1 of which is a federal or state governmental source or crime victim organization source. In addition, respond, in at least 200 words, to at least 1 other person's posting that has suggested a response to reduce domestic violence and discuss the strengths and weaknesses of that person's suggestions to reduce domestic violence.

Blackboard Discussion Board #3: Opens March 24 at 10:50 a.m. and closes at March 31 at 9:30 a.m.

Identity theft has become an increasingly large crime problem in this country. Look at some of the web sites that address this topic, such as those of the FBI and the Federal Trade Commission, or other sources. Discuss the following: 1) How widespread is the problem of identity theft? 2) What is the criminal justice system doing about it? 3) What could the justice system do more effectively to reduce identity theft? Your posting should be at least 500 words and should include a reference to at least 2 sources, at least 1 of which is a federal or state governmental source. In addition, respond, in at least 200 words, to at least 1 other person's posting that has suggested a response to reduce identity theft and discuss the strengths and weaknesses of that person's suggestions to reduce identity theft.

Blackboard Discussion Board #4: Opens April 16 at 10:50 a.m. and closes April 23 at 9:30 a.m.

Colorado, Washington, Alaska, Oregon, and the District of Columbia passed ballot initiatives that permit possession of small amounts of marijuana, and provide for its regulation and taxation. Look at the governmental web sites or other sources that address these initiatives. In a posting of at least 500 words, and with a reference to at least 2 sources including at least 1 federal or state governmental source, 1) describe one of these laws and 2) discuss its advantages and disadvantages, as well as 3) implementation problems you envision regarding the law. In addition, respond, in at least 200 words, to at least 1 other person's posting discussing one of the law's advantages/ disadvantages or implementation issues.

Documenting Sources

DOCUMENT ALL WORDS, IDEAS, INFORMATION OR ILLUSTRATIVE MATERIALS TAKEN FROM A SOURCE!!!!!!

For example, the citation examples below have been updated from citations taken from Gibaldi, Joseph, and Walter S. Achtert. *MLA Handbook for Writers of Research Papers*. 3rd ed. New York: Modern Language Association, 1988; Fowler, H. Ramsey. *The Little, Brown Handbook*. 3rd ed. Boston: Little, Brown: 1986; Gefvert, Constance J. *The Confident Writer*. New York: Norton, 1985, as well as more recent examples from Purdue OWL. "MLA Formatting and Style Guide." *Purdue OWL*. Purdue U Online Writing Lab. n.d. Web. 12 Jan. 2015. <https://owl.english.purdue.edu/owl/resource/747/15/>.

All paraphrased or quoted material that requires documentation of its source should be followed by a parenthetical including the source's author's last name(s) and the page(s) on which the referenced information appears (Lakoff 123). If the author's name appears in the text, only the page number(s) on which the referenced information appears goes in the parenthetical: Lakoff emphasizes the role of language in the socialization process (123-24). If you are using 2 or more works by the same author, include a shortened version of the title in the parenthetical (Lakoff, *Language* 24). For internet references, use the author, title, or site information that begins your entry in the List of Works Cited. If you are referencing multiple sources, list them in alphabetical order in your parenthetical.

Quotations

Short quotations should be enclosed in quotation marks in the text of your paper. Long quotations (generally over 4 lines of text in length) should be indented from the left margin of your text.

List of Works Cited

List entries alphabetically by author's last name/initial information in entry. Indent the second line of any entry.

Books by a single author:

Gleick, James. *Chaos: Making a New Science*. New York: Penguin, 1987. Print.

Books by 2 or 3 authors:

Wimsatt, William K., and Cleanth Brooks. *Literary Criticism: A Short History*. Chicago: U of Chicago P, 1978. Print.

Books by more than 3 authors:

Nilsen, Alleen Pace, et al. *Thought and Language*. Urbana: National Council of Teachers of English, 1977. Print.

Later edition of a book:

Bollinger, Dwight L. *Aspects of Language*. 2nd ed. New York. Harcourt Brace Jovanovich, 1975. Print.

Parts of book by a single author:

Wilson, Edward O. "Heredity." *On Human Nature*. Cambridge: Harvard UP, 1978. 15-53. Print.

Parts of collections of works by different authors:

Foerster, Loisanne. "Regardless of Sex: Toward Communication Free of Bias." *Without Bias: A Guidebook for Nondiscriminatory Communication*. Ed. Judy E. Pickens. 2nd ed. New York: Wiley, 1982. 23-44. Print.

Signed article in journal with continuous pagination:

Lever, Janet. "Differences in the Games Children Play." *Social Problems* 23 (1976): 478-87. Print.

Signed article in journal with separate pagination:

Duvall, John N. "The (Super) Marketplace of Images: Television as Unmediated Mediation in DeLillo's White Noise." *Arizona Quarterly* 50.3 (1994): 127-53. Print.

Signed article in monthly or weekly magazine:

Buchman, Dana. "A Special Education." *Good Housekeeping* Mar. 2006: 143-48. Print.

Walsh, John. "U.S. – Japan Study Aim Is Education Reform." *Science* 16 Jan. 1987: 274-75. Print.

Government Documents:

United States. Dept. of Labor. Bureau of Statistics. *Dictionary of Occupational Titles*. 4th ed. Washington GPO, 1977. Print.

Internet Sources that have no print version:

Provide as much of the following information that is available: author/editor/compiler. "Article Name." *Name of Site*. Version Number. Name of institution/organization affiliated with site (sponsor or publisher), Date of last update. Web. Date of access.url (required by instructor)

Felluga, Dino. *Guide to Literary and Critical Theory*. Purdue U, 28 Nov. 2003. Web. 10 May 2006. <http://www. insert url>.

"How to Make Vegetarian Chili." *eHow.com*.eHow, n.d.Web. 24 Feb. 2009. <http://www.insert url>.