CRIMINAL LAW 110§A   **Fall 2022**
Professor Elizabeth N. Jones   **T & Th 1:00 pm – 2:30 pm**
enjones@wsulaw.edu
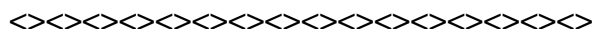
<><><><><><><><><><><><><><><>
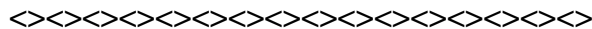**REQUIRED TEXT**

Dressler & Garvey, *Criminal Law Cases and Materials* (8th ed., West Publ.)

Students must enroll in the Lexis Classroom page titled "CrimLaw-F22-Jones-110A" with PassCode: **M74BEW**

<><><><><><><><><><><><><><><>

COURSE DESCRIPTION

This introductory course covers general principles and policies of criminal law as well as substantive "black letter" doctrine. Topics include the basic components required to criminalize behavior, crimes against the person, crimes against property, inchoate crimes, crimes of complicity, and affirmative defenses. Prosecuting and defending those accused of committing crime is a significant area of the law; this course provides the necessary foundation to understand and critically analyze this subject matter.

ATTENDANCE, EXAMINATIONS, & GRADES

Class attendance is mandatory. Students who miss more than four (4) class sessions are subject to administrative dismissal from the course per the WSCL Attendance Policy (reprinted in the Student Handbook).

Students earn a numeric grade for the course. The final course grade will consist of two "closed book" examinations: a midterm (during a regularly scheduled class) and a three-hour final examination. Final grades will be based on the midterm (15%), the final examination (70%), and P&P (participation & professionalism) (15%).

PARTICIPATION, PROFESSIONALISM, & PREPARATION

Participation & Professionalism (P&P): Law school success involves active learning. Please do the assigned reading (and re-read it you do not fully understand) prior to class, listen to what is said in class, and refrain from multi-tasking (checking social media, thinking about other courses, etc) during class. This Crim Law class only meets twice a week for 180 total minutes; devote yourself fully to this class time to derive its maximum benefits. You are an adult who chose to go to law school. Why wouldn't you give your undivided attention in class?

For volunteer participation, quality is valued over quantity, but being an active and engaged participant is important. All views are welcome.

15% of your final course grade will be based on the quality & quantity of your contributions to class discussions, preparation for class, attendance, punctuality, and conduct during class time.

You may not record this class without my prior approval. Students in violation of course policies may be referred to the Associate Dean for Academic Affairs.

Outside Preparation: Criminal Law is a bar-tested topic and a graduation requirement. You should anticipate that, on average, preparing your weekly reading and brief writing will take you a minimum of two hours for every one hour of class time. To repeat with specificity and at risk of redundancy: because Criminal Law is a three-unit class, you should estimate your preparation for class to require six (6) or more hours outside of class to complete.


LEARNING GOALS

After completion of this course, students should be able to:

- ♦ Understand the elements and policies of basic crimes and defenses.
- ♦ Identify the factual and legal issues implicated by a fact pattern.
- ♦ Apply and distinguish cases, with the ability to identify the salient features of an appropriate precedent case and to identify and explain legally significant similarities and differences between the precedent case and a fact pattern.
- ♦ Apply rules to facts, with the ability to articulate a rule implicated by the issue, to identify legally significant facts in a fact pattern, and to explain why the facts are significant by connecting the facts to the requirement(s) of the rule.

OFFICE HOURS

F22 Office Hours TBA

<div align="center"><><><><><><><><><><></div>
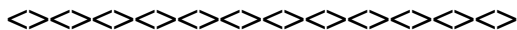
SYLLABUS

FOUNDATIONAL PRINCIPLES OF CRIMINAL LAW

WEEK 1: Thursday August 25

Introduction: Overview of Criminal Law Principles
pp. 6-11(thru n.2); 114-120(thru n.2); 144(n.2)

WEEK 2: Tuesday August 30 & Thursday September 1

Criminal Law Components
pp. 129-132; 140 (n.8 & n.9); 157-158; 161-178

WEEK 3: Tuesday September 6 & Thursday September 8

Criminal Law Components, continued
pp. 196-197(n.2); 233-242(thru n.7); 244-247

CRIMES AGAINST THE PERSON

WEEK 4: Tuesday September 13 & Thursday September 15

Homicide: Intentional Killings (1° Murder ←→ Voluntary Manslaughter)
pp. 251-256; 270-288

WEEK 5: Tuesday September 20 & Thursday September 22

Homicide: Unjustified Risk Taking (2° Murder ←→ Involuntary Manslaughter); Felony Murder
pp. 313-319(thru n.4); 322-327(thru n.7); 329-332; 354-357

WEEK 6: Tuesday September 27 & Thursday September 29

Rape
pp. 403; 436-445; 449-459; 473-476

CRIMES AGAINST PROPERTY

WEEK 7: Tuesday October 4 & Thursday October 6

Theft Offenses
pp. 947-957(thru n.5); 964-971; 977-982

WEEK 8: Tuesday October 11 & Thursday October 13

Review (Tuesday) & <mark>MIDTERM</mark> (Thursday)

INCOMPLETE CRIMES & CRIMES OF COMPLICITY

WEEK 9: Tuesday October 18 & Thursday October 20

Attempt
pp. 752-753; 767-772; 779-786(thru n.5); 803-806; 816(n.2)

WEEK 10: Tuesday October 25 & Thursday October 27

Solicitation; Conspiracy; Accomplice Liability
pp. 817-820; 822-830; 843-849; 877-883; 895-901

AFFIRMATIVE DEFENSES

WEEK 11: Tuesday November 1 & Thursday November 3

Self Defense
pp. 513; 516-532; 540(n.8)-541(thru n.9)

WEEK 12: Tuesday November 8 & Thursday November 10

Intoxication (Voluntary & Involuntary); Necessity; Duress
pp. 626-629; 632-633(n.6); 580-583; 585(n.2); 594-601; 605-609
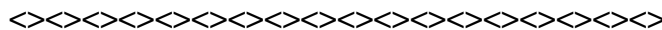
WEEK 13: Tuesday November 15 & Thursday November 17

Insanity; Infancy
pp. 633-648(thru n.4); 690-697

WEEK 14: No Classes Thanksgiving Week

WEEK 15: Thursday December 1 (note: no class T 11/29)
Wrap-Up & Review

<><><><><><><><><><><><><><><><>

Disability Services Statement: Western State College of Law provides accommodations to qualified students with disabilities. The Disabilities Services Office assists qualified students with disabilities in acquiring reasonable and appropriate accommodations and in supporting equal access to services, programs, and activities at Western State College of Law. To seek reasonable accommodations, a student must contact Senior Assistant Dean Donna Espinoza, Student Services Director and Disabilities Services Coordinator, whose office is in the Students Services Suite #111. Dean Espinoza's phone number and email address are: (714) 459-1117; despinoza@wsulaw.edu. When seeking accommodations, a student should notify Dean Espinoza of her or his specific limitations and, if known, her or his specific requested accommodations. Students who seek accommodations will be asked to supply medical documentation of the need for accommodation. Classroom accommodations are not retroactive but are effective only upon the student sharing approved accommodations with the instructor or professor. Therefore, students are encouraged to request accommodations as early as feasible with Dean Espinoza to allow for time to gather necessary documentation. If you have a concern or complaint in this regard, please notify Dean Espinoza; or please notify Dean Allen Easley at aeasley@wsulaw.edu or (714) 459-1168. Complaints will be handled in accordance with the College of Law's "Policy against Discrimination and Harassment."

Western State College of Law Programmatic Learning Outcomes: Western State College of Law's curriculum is designed so that every student achieves a level of competency prior to graduation in each of the eight Programmatic Learning Outcomes listed below:

(1) Doctrinal Knowledge: Students will demonstrate knowledge of substantive and procedural law in the core curriculum subjects, including Contracts, Criminal Law, Criminal Procedure, Torts, Property, Business Associations, Evidence, Civil Procedure, Constitutional Law, Estates, Community Property, Remedies, and Professional Responsibility.

(2) Practice Skills: Students will demonstrate the development of other law practice skills. Each student's chosen outcomes within this category will be varied based on the student's particular interests, coursework and work experiences. They may include, but are not limited to, the following topics: oral presentation and advocacy; interviewing; counseling; client service and business development; negotiations, mediation, arbitration, or other alternate dispute resolution methods; advanced legal research and writing (excluding purely academic papers and the first four units earned in introductory first-year legal research and writing class); applied legal writing such as drafting contracts, pleadings, other legal instruments; law practice management or the use of technology in law practice; cultural competency; collaboration or project management; financial analysis, such as accounting, budgeting project management, and valuation; cost benefit analysis in administrative agencies; use of technology, data analyses, or predictive coding; business strategy and behavior; pre-trial preparation, fact investigation, such as discovery, e-discovery, motion practice, assessing evidence, or utilizing experts; trial practice; professional civility and applied ethics; a law clinic that includes a classroom component; or a legal externship that includes a classroom component.

(3) Legal Analysis: Students will demonstrate the ability to identify the factual and legal issues implicated by a fact pattern and to appropriately use cases (including identifying the salient features of an appropriate precedent case, identifying legally significant similarities or differences between the precedent case and a fact pattern and explaining why those are legally significant) and rules (including the ability to connect legally significant facts in a fact pattern to the rule) to predict how a court would decide the issue. Students will also demonstrate the ability to identify and evaluate the public policies of a precedent case or rule, and be able to evaluate how public policy can impact the application of a rule to the legal issue.

(4) Legal Research: Students will demonstrate the ability to locate relevant legal authority using a variety of book and electronic resources, and to properly cite to such legal authority.

(5) Communication: Students will demonstrate the ability to communicate both orally and in writing in a manner appropriate to a particular task to effectively convey the author or speaker's ideas. This includes audience sensitivity in written and oral communication (the ability to adopt a tone, style and level of detail appropriate to the needs, knowledge and expertise of the audience); and written communication basic proficiency (the ability to use the conventions of grammar, spelling, punctuation, diction and usage appropriate to the task and sufficient to convey effectively the author's ideas).

(6) Advocacy of Legal Argument: Students will demonstrate the ability, in both oral and written formats, to evaluate the legal, economic and social strengths and weaknesses of a case and use case and statutory authority as well as public policy to persuade others. Making policy-based arguments includes the ability to identify and evaluate the public policies of a precedent case or rule and their implications, and be able to assert such appropriate arguments to support a particular application or distinction of a precedent case to a legal controversy or a particular resolution of the application of a rule to the legal controversy.

(7) Client Sensitivity and Cultural Competency: Students will demonstrate an awareness of clients' needs and goals, including a sensitivity to clients' background and circumstances (including, but not limited to, socio-economic, gender, race, ethnicity, educational, disability and/or religious background(s)), the ability to make decisions that reflect an appropriate focus on those needs and goals, and awareness that cultural issues may affect the relevance of facts and application of the law.

(8) Legal Ethics: Students will demonstrate the ability to identify ethical issues in law practice contexts and make appropriate decisions to resolve such issues.