

COURSE DESCRIPTION

This advanced criminal law class queries whether, and to what extent, the criminalization of traditional “vice” behaviors (sexual practices, prostitution, drug and alcohol use, pornography, gambling) is warranted. It also explores the merits of government regulation in areas such as the food industry, prescription pharmaceuticals (e.g., opioids; “cognitive enhancements”), and end-of-life issues. Students will critically analyze laws and policies with an eye toward our country’s future legal landscape.

ATTENDANCE, GRADES, & UPPER LEVEL WRITING REQUIREMENT

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

This class satisfies the Western State College of Law upper level writing requirement (ULWR), and follows guidelines established by the American Bar Association. Each student will earn a numeric grade for the course. The final course grade consists of a draft (20%), P&P (participation & professionalism) (20%), and a 15-18 page research paper (60%).

You will work on the paper throughout the semester. In a WSCL ULWR course, you must earn a 2.0 or higher to obtain ULWR credit.

PARTICIPATION, PROFESSIONALISM, PRESENTATIONS, & PREPARATION

Participation & Professionalism (P&P): Success in law school involves an active learning environment. While learning online may not allow for the most effective engagement, Zoom classes should not be considered the same as passively watching Netflix. This class is most productive (and fun) if you have thought about the material and are willing to discuss it. For volunteer participation, quality is valued over quantity, and all views are welcome. 20% of your final course grade will be based on the quality and quantity of your contributions to class discussions, attendance, punctuality, conduct during class time, a presentation to the class, and overall professionalism.

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

Class Presentation: Every student must present a vice topic to the class; further details will be discussed during the first day of class, and a sign-up sheet will be circulated during the second week of class. I will also periodically present material regarding the ULWR and the final paper.

Outside Preparation: You should anticipate that, on average, preparing for class (including researching for and writing your paper) will take you a minimum of two hours for every one hour of class time. To restate with specificity and at risk of redundancy: because Vice 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:

- ◆ Make legal and policy-based arguments.
- ◆ Evaluate legal arguments, including the ability to assess the strengths and weaknesses of particular rules and policies.
- ◆ Advocate, in both oral and written formats, the legal, economic, and social strengths and weaknesses of a rule or policy and use case law, statutes, and policy to persuade others.
- ◆ Recognize ethical issues inherent in the way certain public policies interact with criminal laws.
- ◆ Acknowledge the existence of diverse ideological viewpoints when considering the social implications of criminalizing certain activities.

OFFICE HOURS

Spring 2022 Office Hours TBA

WEEK 10: Monday March 21 & Wednesday March 23

The Obesity Epidemic: Government Obligation v Personal Accountability
ULWR: Draft De-Brief & Return

WEEK 11: Monday March 28 & Wednesday March 30

Conferences (no class this week)

WEEK 12: Monday April 4 & Wednesday April 6

End of Life Issues: Reconciling the Hippocratic Oath with Physician-Assisted Suicide
ULWR: Work on Paper

WEEK 13: Monday April 11 & Wednesday April 13

Conferences (no class this week)

WEEK 14: Monday April 18 & Wednesday April 20

The Great Gun Debate
ULWR: Work on Paper

WEEK 15: Monday April 25 & Wednesday April 27

Course De-Brief & Wrap-Up: Should We Enforce Morals & Does “Victimless Crime” Exist?

Paper Due no later than Monday May 9 at 1 PM PST via email to enjones@wsulaw.edu

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.

Requirements for Students in Zoom Sessions:

- Find a dedicated quiet space to attend Zoom sessions, to minimize the chances that you will be disrupted during the session.
- Arrive to class early and dressed as you would to attend an in-person class.
- Your camera must be turned on for the duration of the class. If desired, you can use the background settings in Zoom to create an artificial background that blocks the view of your space while still allowing you to be seen on camera.
- Come prepared, as you would for an in-person class. Participation in Zoom classes is as important as it is during an in-person class session.
- Do not multitask – stay focused on the class discussion – do not wander in and out of the Zoom session.
- If you have to miss a Zoom session, or arrive late or leave early, notify the professor in advance, as you would for an in-person class.
- If you have connectivity issues, whether it be long-term or short-term, that impact your ability to participate (e.g., if you are limited to dial-in without video), notify your professor so other accommodations can be explored.
- Do not post screenshots or recordings of any Zoom classes on social media. Such actions would constitute a violation of the Student Honor Code. If you need access to a recording of the Zoom session, please contact your professor.