

**University of North Florida
Department of Criminology and Criminal Justice
Spring 2009 Syllabus**

Criminal Law & Procedure I CJL 4310 11476

Mondays 6pm – 8:45pm Bldg 39/4075 Jan 5, 2009- Apr 24, 2009

Professor: Judith Revels, M.S.	Office Hours: By Appointment	jrevels@unf.edu Phone: 655-5197
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Department of Criminology and Criminal Justice Mission Statement

The Department of Criminology & Criminal Justice seeks to provide its students with the theoretical, practical and ethical foundations for understanding crime and the criminal justice system in its social context. The faculty is committed to excellence through development of focused and relevant scholarship. Through excellence in research and teaching in the areas of law creation, crime and deviance, and societal response to law violation, students develop a greater understanding of social control and its dynamic processes. Participation in research and internships assures relevance to current practice and further prepares students to apply their knowledge in the field, to conduct critical analyses of the system, and to undertake policy development and implementation. Students at the graduate level receive advanced instruction in research design and theory, helping students focus their skills for direct employment or more advanced studies. Rigorous commitment to peer-review and collegiality help assure that an ethic of continuous-improvement and self-reflection govern all departmental processes.

CJL 4310 - Criminal Law and Procedure I 3 credits

Prerequisite: CCJ 3023. This course covers the definition and concept of crime in Anglo-Saxon legal systems. It includes the common-law origins and subsequent statutory modification and amplification of representative substantive criminal offenses; law of search and seizure; and the exclusionary rule.

Course Objectives

1. To establish a foundation of knowledge about the criminal law and procedure and prepare students to apply such knowledge in academia and professional careers.
2. To facilitate student understanding of the logic of the law and prepare students to conduct legal reasoning and interpretation.
3. To develop the ability to think critically and to recognize personal bias.
4. To improve oral expression through the use of discussions and presentations.
5. To improve written expression through the completion of writing assignments.

Office Hours

The best way to reach me is via email, since as an adjunct, I do not have a UNF phone with voice mail. You may also leave a message with the Department of Criminology and Criminal Justice: 620-1724. Please do not hesitate to contact me with any questions or problems you may have

Shortcut (2) to show desktop.lnk during this course. I'm glad to meet with students outside of class by appointment.

Academic Integrity Code

Please consult your UNF Student Handbook—available at Student Affairs—in which violations of student academic behavior are outlined.

Required Text

Criminal Law, Samaha, Joel. 2008. (9th edition) Wadsworth Group/Thomson Learning: Belmont, CA. ISBN-10: 0-495-09539-7 **NOTE: An online student book companion site is available at [Samaha-Student Book Companion](#). (For the link address, put your cursor over the blue info and click it.)**

WARNING: Readings are to be completed prior to each class meeting time. Students are responsible for reading ALL assigned chapters. In addition to the text, students will also be responsible for periodic handouts, videos, and lecture material.

Students With Special Needs

I will do all I can to accommodate students with special needs. Individuals who require reasonable accommodations must contact the Disability Resource Center in Building 10, Room 1201; phone (904) 620-2769 as soon as possible.

Class Format

I don't lecture the entire time but encourage students to discuss the material. My students usually feel free to express opinions, critically examine issues, and thoughtfully verbalize views. The success of our class rests with both students and professor.

The course will be primarily organized around the material in the text; however, some of the course content will be derived from supplemental resources such as PowerPoint slides or videos.

A Midterm and a non-cumulative Final Exam will be given; each is worth 25 points. Students must also take 10 quizzes during the semester (during the last hour of a class) or write the same number of ****Reaction Papers**, which must be turned in by the following Monday. I may use an in-class exercise as a substitute for a 3-point quiz.

(*These papers must ONLY consist of 550 – 600 words. Emailing them is preferred so they can be submitted to turnitin.com and electronically checked for word count and typos.)

Tests will consist of objective multiple choice and true/false questions. Because of the professor's experience with these matters, tests, quizzes, and Reaction Papers can only be made up with medical documentation signed by a treating physician (not an EMT or RN) or an obituary listing the student as a family member of the deceased. Encounters with the law after an accident or which result in incarceration or court date must be proven in order to make up work.

Events which do not constitute an emergency include hangovers, car problems, stress, roommate problems, fatigue, oversleeping, insomnia, family commitments, vacations, and under-preparation. *Do not ask that your excuse for missing a Quiz become an exception to rules applicable to the entire class.*

Attendance:

Failure to attend class will result in missed material, potential loss of points for writing assignments, and an overall reduced understanding of the material, which ultimately will affect your grade in the course. Attendance is not taken; however, prior to celebrating this information, it should be abundantly clear from reading our Syllabus that attendance counts and a student's grade can be impacted by failing to attend class. I know who comes to class and who doesn't. When the student whose face was on a milk carton comes by around the 12th week expressing great concern over his/her performance in the class, I am unmoved.

Class decorum:

I can't make you listen but I can at least make you look as though you might be listening, rather than accepting the detachment implied when students eat, text, and doze in class. Thus: as you enter the classroom, turn off cell phones and have no electronic devices in your ears. No text messaging. No sleeping or eating. No side conversations with classmates during a lecture by the professor or a guest speaker. Drinks (non-alcoholic) are allowed.

If you are employed as an EMT, a firefighter, a police officer, etc. and are required by your job to keep a texting device, please excuse yourself from the class and take care of your business in the hall.

Refrain from arriving late to class, leaving early, and reading non-CJL 4310 material in class. The subject of criminal procedure often raises deeply seated beliefs regarding personal rights and effective crime control policies. In lieu of personal attacks, strong debates are encouraged.

Grading Scale and Structure

- Two (2) examinations (a Midterm and a Final Exam) will be given during the course; each is worth 25% of the final grade. If a student prefers, these examinations MAY be taken online.
- **10 Quizzes** or 10 Reaction Papers @ 3 points each. Again: THERE ARE NO MAKEUP QUIZZES unless previously-mentioned criteria re: emergency absences has been met.

Therefore:

- 10 quizzes (or 10 Reaction Papers) @ 3 points each =30 points
- Midterm =25 points
- CJL 4310 Paper = 20 points (includes 10 points for mandatory, anonymous peer review)
- Final Exam = 25 points
- Total =100 points

Grading Scale:

93-100 = A
90- 92 = A-
87- 89 = B+
83- 86 = B
80- 82 = B-
77- 79 = C+
76- 70 = C
69- 60 = D
Below 60 = F

Extra Credit Opportunities

Rarely, and usually only alert students catch on.

Use of Blackboard for Criminal Law and Procedure I

Blackboard (<http://blackboard.unf.edu>) will be used to disseminate grades and to post landmark judicial opinions. Therefore, all students will be required to learn how to access their e-mail and Blackboard accounts if you don't already know how to do so. **It is your responsibility to keep track of your grades. If you need assistance in this regard, read "Quick FAQs for Students" at <http://blackboard.unf.edu>**

CAREFUL:

- (1) I frequently email items of interest from our BlackBoard site <http://blackboard.unf.edu>
No, our class is not an online class, nor is it even a blended or hybrid class; nevertheless, (in addition to your grades appearing in BB), it is in your best interests to know how to use BB, your **UNF student email** account and to check your inbox at least once a week. Remember: you've been given a heads-up.
- (2) When you cannot come to class, neither email me nor ask me before or after class what you missed. Email class members or get with a "study buddy" for this info.
- (3) Print out our syllabus if you need a copy because, in the interest of our environment, I rarely print out copies of any material for my classes. However, such material can be found within our Blackboard site.

Paper for CJL4310

Brief this Jacksonville, Florida capital murder case: David Jones v. State of Florida found at <http://www.law.fsu.edu/library/flsupct/90664/op-90664.pdf> To help you write your case brief, we'll use the acronym FIRAC—facts, issue, rule, analysis, conclusion. That's an oversimplification and meant to serve only as a guide. (5 extra points for finding the official citation and applicable Florida statute for Jones.) The paper will be in *APA format and contain a minimum of 1500 words. (*1" margins, double-spaced text, title page without your name until after peer review.)

Complete info about the Paper will be on our class site and discussed the first night we meet.

COURSE SCHEDULE

DATE	ASSIGNED READINGS for a SPECIFIC date:
Jan 5	Course info; Chap 1 "Nature and Limits of Criminal Law in U.S. Society"
Jan 12	Chapter 2 "Constitutional Limits on Criminal Law"
Jan 19	MLK Birthday No Class
Jan 26	Chapter 3 "The General Principles of Criminal Liability: <i>Actus Reus</i> "
Feb 2	Chapter 4 "The General Principles of Criminal Liability: <i>Mens Rea</i> , Concurrence, and Causation"
Feb 9	Chapter 5 "Defenses to Criminal Liability: Justifications"
Feb 16	Chapter 6 "Defenses to Criminal Liability: Excuse"
Feb 23	MIDTERM on Chapters 1 – 6 Online Option
Mar 2	Chapter 7 "parties to Crime and Vicarious Liability"
Mar 9	Chapter 8 "Inchoate Crimes: Attempt, Conspiracy, and Solicitation"
Mar 16	Spring Break
Mar 23	Chapter 9 "Crimes Against Persons I: Criminal Homicide" <u>Mandatory Peer Review of draft Case Briefs</u>
Mar 30	Chapter 10 "Crimes Against Persons II: Criminal Sexual Conduct, Bodily Injury, and Personal Restraint"
Apr 6	Chapter 11 "Crimes Against Property" <u>Deadline to turn in Case Briefs</u>
Apr 13	Chapter 12 "Crimes Against Public Order & Morals" Chapter 13 "Crimes Against the State"
Apr 20	FINAL EXAM on Chapters 7 - 13 Online Option

Concluding Remarks:

The syllabus is subject to change due to extenuating circumstances (such as availability of guest speakers) or by mutual agreement between the instructor and the students. Students with any questions about this course or the requirements should contact the instructor as soon as possible to resolve any concerns.

- **If you don't show up for class, it will be difficult to pass this course.**
- Tardiness and early exits are disruptive to the class. Also, let me know at the beginning of class if you absolutely must leave early.