

MINNESOTA STATE UNIVERSITY MOORHEAD
POL/CJ 335 - CRIMINAL LAW
FALL SEMESTER 2016

Instructor: Paul A. Kramer, J.D., Ph.D., Professor, Political Science
Office: 380 A MacLean Hall
Phone: (218) 477-4022
Office Hours: M: 7 a.m. to 12 Noon; T/TH: 7 a.m. to 9 a.m.; W: 11 a.m. to 12 Noon
Class Meets: TH: 9 a.m. to 10:15 a.m. MA 181
Electronic mail: paul.kramer@mnstate.edu
Website: www.mnstate.edu/kramerp

PLEASE NOTE: ALL MATERIALS FOR THIS COURSE (STUDY GUIDES AND SYLLABI) ARE ON THE ABOVE WEBPAGE. THEY ARE NOT ON D2L. I DO NOT USE D2L.

Course Catalog Description: Substantive criminal law; development of principles, meaning and applications of criminal law; current issues and institutions. Course offered: Fall Semester, all years.

Course Content: This course is intended to be an introduction to the history and purposes of criminal law as well the substantive laws and concepts that underlie the criminal law system in the United States. The student should establish a framework of knowledge and a method of thinking about criminal law that can be utilized in many different vocational areas, including law enforcement, law school, and corrections. Format is primarily lecture with class discussion.

Outline of Major Course Content Areas:

1. Nature, Purpose and Function of Criminal law
2. Constitutional limitations
3. Theories of punishment and sentencing policy
4. Elements of crimes---actus reus, mens rea and concurrence
5. Parties to crimes and vicarious liability
6. Inchoate crimes---attempt, conspiracy, solicitation
7. Defenses to crime---justifications and excuses
8. Crimes against persons---assault, battery, criminal sexual conduct, homicide, kidnapping, false imprisonment, robbery and extortion.
9. Crimes against property and habitation---burglary, arson, trespass, mischief, larceny, embezzlement, fraud
10. White collar crime---securities fraud, tax evasion, antitrust
11. Crimes against morality and public order---disturbing the peace, riot, unlawful assembly, breach of the public peace
12. Narcotics and alcohol related crime and punishment

Course Learning Objectives:

1. Students will understand the development of American criminal law as it evolved from British common law concepts and the process of codification occurring in the 19th and 20th centuries, as well as the development of the Model Penal Code and other scholarly attempts at a “unified” criminal code structure.
2. Students will understand the constitutional context of criminal law and criminal procedure both in federal and state constitutional development and the limitations placed on both federal and state government in the area of crime control.
3. Students will understand and appreciate the relevance of defining elements of crimes—act, intent, and legal concurrence and learn both the common law and modern statutory definitions of criminal prohibitions in all major subject areas.
4. Students will be able to categorize crimes by subject area----crimes against persons, property, morality and public order, white collar crime, crimes against habitation and understand the substantive peculiarities, origins and prosecutorial efforts sought within each subject area.

Texts: (Required)

Lippman, *Contemporary Criminal Law*, 4th ed. (Sage) An earlier edition of this textbook would probably work fine if you can find a cheaper copy.

Course Assignments: 4 Examinations each worth 100 points for a total of 400 points. Examinations will be multiple-choice questions and will cover both the assigned readings and the lectures. Exams will be “closed book.”

Grading:

Grades will be determined by the use of a class comparison rubric or “curve” where students’ overall scores will be placed in rank order with deviations between grades determined in part by the overall distribution of scores within a given class. The +/- grading scale in assigning final grades may be utilized at the instructor’s discretion. Periodic estimates of the grading curve will be provided to students throughout the semester after each examination.

Missed Examinations Policy: If you miss a regularly scheduled examination, you have two options:

- 1) Accept a zero for the exam.
- 2) Take a make-up exam scheduled just prior to the last two weeks of the semester. Your grade on that examination will replace the missing test in your overall grade computation.

Make-up exams will consist of an alternate form of the exam regularly given to the class for a given section of the course and will probably consist of different multiple choice questions on similar topics, and may contain some essay/short answer questions at the instructor's discretion. Because I am providing this option for those who miss a regularly scheduled examination, there will be no opportunity to "make up" a regular exam other than this alternative. If a student must miss a regularly scheduled exam for a school sponsored event, alternate arrangements must be made as far in advance as possible and the instructor should be made aware of potential conflicts within the first two weeks of the semester. As a consequence of this arrangement, any student missing two or more regularly scheduled examinations will accept a zero for the second and all subsequent examinations missed, irrespective of the reason cited for the absence. There will be no accepted excuses for missing the final examination. Students may appeal to make-up a missed final examination after the semester ends. Any such make-up examination will be administered at the sole discretion of the instructor and at a time convenient to said instructor. To even be considered for a makeup examination, I need DOCUMENTATION of your absence. Illness, child care emergency, family emergency or significant family commitment are the ONLY reasons I will accept for excusing an absence from an examination and I will require some form of written proof of why you were not in class to take the test.

Attendance: Attendance is required at lectures but roll will not be taken.

Weather Emergencies: We live in a cold and snowy climate. Many of us drive in to work/school every day. This creates the potential for problems with course attendance. For the record, you should note that MSUM's weather policies are not very forgiving for the commuter. Classes are rarely cancelled even in the harshest conditions. As a result, I am expected to be here to teach when the University deems it possible to have classes. Therefore, if the University is open, you can virtually guarantee (though it is not an absolute certainty) that I will be here for class. I understand that there are times when weather conditions will make it legitimately impossible or impractical for you to attend class. You must use your own judgment in these situations. I will never penalize a student for missing class due to weather related contingencies, including missing an examination due to weather. Your life and well-being are more important than this class. I trust you will not abuse the privilege.

Special Accommodations: Students with disabilities who believe they may need an accommodation in this class are encouraged to contact Greg Toutges, Director of Disability Services at 477-4318 (Voice) or 1-800-627-3529 (MRS/TTY), Flora Frick 154 as soon as possible to ensure that accommodations are implemented in a timely fashion.

Academic Honesty: Students are expected to conform with the requirements of the MSUM student Academic Honesty Policy as documented in the Student Handbook.

Study Guides: Study guides providing key terms and concepts that may appear on examinations will be posted on my website and can be printed out at your convenience. Additional copies of this syllabus may also be obtained at that site.

Make-Up Work and Reasonable Accommodations:

Generally, I intend to discourage the practice of “make-up” work or examinations. If, however, you have a documented family emergency or long term illness, I will accommodate in rescheduling an examination. In no circumstances, however, will I give an examination BEFORE a scheduled date.

Reading Assignments/Semester Schedule of Lectures/Discussion: Generally I expect to cover one chapter in the textbook every 1 to 1 1/2 class periods throughout the term.

Tuesday August 23 Introduction to the Course Syllabus and Policies

Section 1:

August 25 – September 13	6 classes	Lippman, Chs. 1 –3
Thursday, September 15		Exam 1 in class

Section 2:

September 20 – October 6	6 classes	Lippman, Chs. 4-5, 10
Tuesday, October 11		Exam 2 in class

Section 3:

October 13 – November 1	6 classes	Lippman, Chs. 11, 6 - 9
Thursday, November 3		Exam 3 in class

Section 4:

November 8 – December 1

6 classes

Lippman, Chs. 12 – 15.

NOTE: NO REGULAR CLASS Tuesday, Nov 22 MAKE UP EXAM DAY

NOTE: NO SCHOOL Thursday, Nov. 24 THANKSGIVING BREAK

December 6 will be held in reserve in case we fall behind at some point in the semester.

Exam 4 is the “Final Examination” which will be held at the time/place indicated in the Fall 2016 MSUM Final Examination Schedule. This is the fourth unit exam of the course and is NOT a comprehensive final examination. As of this writing, the date I have recorded for the fourth CJ 335 exam is Thursday, December 8 at 9 a.m. in MA 181.

STUDENTS ARE SOLELY RESPONSIBLE FOR CHECKING THIS DATE AND COMPLYING WITH THE DATE AND TIME ASSIGNED BY THE UNIVERSITY IN THE OFFICIAL WEBSITE, AND MAY NOT RELY ON THIS SYLLABUS FOR THE DEFINITIVE WORD ON THE TIMING OF THE FOURTH (FINAL) EXAM.

***Please Note: This syllabus is NOT an enforceable “contract” between student and professor. The professor reserves the right to alter this syllabus at any time in the semester by writing or via in-class notification.