STATE UNIVERSITY OF NEW YORK
COLLEGE OF TECHNOLOGY
CANTON, NEW YORK

COURSE OUTLINE

JUST 112 – CRIMINAL LAW AND PROCEDURE

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SCHOOL OF SCIENCE HEALTH AND CRIMINAL JUSTICE
CENTER FOR CRIMINAL JUSTICE, INTELLIGENCE AND CYBERSEURITY
DECEMBER 2019

A. **TITLE**: Criminal Law and Procedure

B. **COURSE NUMBER:** JUST 112

C. **CREDIT HOURS:** 3 credit hours/3 contact hours per week for 15 weeks.

D. **WRITING INTENSIVE COURSE**: No

E. **GER CATEGORY:** N/A

F. **SEMESTER(S) OFFERED:** Fall, Spring

G. **COURSE DESCRIPTION:** This course comprises a study of the fundamentals of criminal law and procedure. Topics covered include: specific constitutional amendments; actus reus and mens rea; searches and seizures; the use of search and arrest warrants, self-incrimination; criminal responsibility; constitutional principles that regulate the balance of power between government and the rights of individual citizens; critical stages of criminal proceedings in the United States; and major US Supreme Court precedents concerning substantive and procedural criminal law.

H. **PRE-REQUISITES/CO-REQUISITES:** N/A

I. **STUDENT LEARNING OUTCOMES:**

Course Student Learning Outcome [SLO]	*PSLO*	*GER*	*ISLO*
a. Describe the legal limits on government in relation to crime and democracy including due process of law and the basic constitutional principles that govern the criminal process.	2. Students will be able to demonstrate the ability to organize complex topics in the form of court cases to gain a better understanding of them (inquiry) while documenting and analyzing results as informed conclusions.		1. Communication Skills [O]
b. Apply the general principles of liability to the criminal act including mens rea, actus reus, concurrence, causation. and elements of crimes.	2.		2. Critical Thinking [CA/PS]
c. Summarize the purpose of warrants when conducting a search, warrant requirements, and the exceptions to the warrant requirement.	2.		2. Critical Thinking [CA/PS]
d. Differentiate between the lawful and unlawful use of lethal and less than lethal force.	2.		2. Critical Thinking [CA/PS]

e. Explain the bright line rules established by the US Supreme Court re: interrogations.			1. Communication Skills [O]
f. Describe the "critical stages" of the criminal prosecution.	2.		1. Communication Skills [O]
g. Discuss and understand the rule of law, ex post facto laws, void-for-vagueness doctrine, equal protection under the law, free speech, right to privacy, and cruel and unusual punishment.	2.		2. Critical Thinking [CA]
h. Discuss the most common defenses to criminal liability.	2.		1. Communication Skills [O]
i. Describe the most common categories of crimes and their elements including inchoate crimes, assaultive offenses, homicidal offenses, property crimes, and vice crimes.	2.		1. Communication Skills [O]

KEY	Institutional Student Learning Outcomes [ISLO 1 – 5]
ISLO #	ISLO & Subsets
1	**Communication Skills** Oral [O], Written [W]
2	**Critical Thinking** *Critical Analysis [CA] , Inquiry & Analysis [IA] , Problem Solving [PS]*
3	**Foundational Skills** *Information Management [IM], Quantitative Lit,/Reasoning [QTR]*
4	**Social Responsibility** *Ethical Reasoning [ER], Global Learning [GL], Intercultural Knowledge [IK], Teamwork [T]*
5	**Industry, Professional, Discipline Specific Knowledge and Skills**

J.   **APPLIED LEARNING COMPONENT:**   Yes_____   No___X____

K.   **OPTIONAL TEXTBOOK:** Scheb, J. M. & Scheb, J. M. II (2014) *Criminal Law and Procedure, (*8th Ed.) Cengage Learning: Wadsworth CA. [Print Edition or E-Book/Digital Edition]

L.   **REFERENCES:** United States Supreme Court Cases, various appellate court cases.

M.   **EQUIPMENT:** Technology-enhanced classroom

N.   **GRADING METHOD:** A-F

O.   **SUGGESTED MEASUREMENT CRITERIA/METHODS:**
- Examinations (Unit Exams and Final Exam)
- Written Assignments (Case Briefs, Short Essays, and Discussion Boards)
- Class Participation and Professionalism

P.   **DETAILED COURSE OUTLINE:**

I. Fundamentals of Criminal Procedure
- A. Origins of Law
- B. Structure of Government
- C. The US Constitution and
  Bill of Rights
- D. Due Process

II. Organization of the Criminal Justice System
- A. Legislature
- B. Law Enforcement
- C. Courts
- D. Juvenile Justice

III. Constitutional Limitations on the Prohibition of Criminal Conduct
- A. Enacting laws
- B. Bill of Rights

IV. Elements of Crimes and Parties to Crime
- A. Actus Reus and Mens Rea
- B. Strict Liability
- C. Parties to Crime

V. Inchoate Crimes
- A. Attempt
- B. Conspiracy
- C. Solicitation

VI. Homicidal Offenses
- A. Homicide
- B. Manslaughter
- C. Murder
- D. Prosecutorial Burdens

VII. Other Offenses Against Persons
- A. Assaultive Offenses
- B. Sex Crimes
- C. Kidnapping and False Imprisonment

VIII. Property Crimes
- A. Larceny/Theft
- B. Robbery
- C. Burglary

IX. Vice Crimes
- A. Prostitution
- B. Gambling

C. Alcohol-Related Offenses
D. Drug Offenses

X. Criminal Responsibility and Defenses
    A. Negative and Affirmative Defenses
    B. Lack of Capacity
    C. Excuse and Justification

XI. Search and Seizure
    A. Fourth Amendment
    B. Warrant Requirements
    C. Exceptions to Warrants
    D. Probable Cause
    E. Exceptions to Probable Cause
    F. The Exclusionary Rule and Fruit of the
       Poisonous Tree Doctrine

XII. Arrest, Interrogation, and Identification Procedures
    A. Arrest
    B. Detention
    C. Interrogation and Confessions
    D. Identification Procedures

XIII. The Pretrial Process
    A. Formal Charging
    B. Grand Jury
    C. Extradition
    D. Jurisdiction
    E. Venue
    F. Joinder and Severance
    G. Arraignment / Plea Bargaining

XIV. The Criminal Trial
    A. Constitutional Rights
    B. The Voir Dire/Jury Selection
    C. Rules of Evidence
    D. Trial Process

XV. Sentencing and Punishment
    A. Forms of Punishment
    B. Death Penalty
    C. Sentencing
    D. Probation
    E. Incarceration
    F. Prisoner Rights

XVI. Appeal and Post-Conviction Relief
    A. Right of Appeal
    B. Appeal Process
    C. Post-Conviction Relief

Q.   <u>**LABORATORY OUTLINE**</u>**:** N/A