

Las Positas College
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Course Outline for AJ 60

CRIMINAL LAW

Effective: Fall 2014

I. CATALOG DESCRIPTION:

AJ 60 — CRIMINAL LAW — 3.00 units

Historical development, philosophy of law and constitutional provisions; definitions, classification of crime and their application to the system of administration of justice; frequently used Penal and other code sections; case law, methodology and concepts of law as a social force

3.00 Units Lecture

Grading Methods:

Letter Grade

Discipline:

	<u>MIN</u>
Lecture Hours:	54.00
Total Hours:	54.00

II. NUMBER OF TIMES COURSE MAY BE TAKEN FOR CREDIT: 1

III. PREREQUISITE AND/OR ADVISORY SKILLS:

IV. MEASURABLE OBJECTIVES:

Upon completion of this course, the student should be able to:

- A. explain the cultural evolution of law;
- B. discuss issues pertaining to the philosophical and historical development of law;
- C. research assigned legal cases and analyze and prepare a case brief;
- D. demonstrate basic legal research skill by synthesizing the facts of a given crime, researching the appropriate codes and statutes, and reducing the crime to reportable code(s), statute(s) and subsection(s);
- E. satisfactorily complete the six parts of the legal case brief;
- F. demonstrate the use of basic English grammatical rules in writing legal briefs;
- G. discuss the classification of crimes, the principle of Corpus Delicti, and the capacity to commit a crime.

V. CONTENT:

- A. Philosophical and historical development
 1. General and specific sources of law
 2. Development of common law
 3. The concept of Stare Decisis
 4. Pre-emption
 5. Repeal
 6. Mala in Se vs. Mala prohibits crime
 7. Crimes without victims
 8. Federal constitutional provisions
 9. Police power
 10. Substantive vs. procedural law
- B. The nature of criminal law
 1. Definition of crime and criminal
 2. Conflicts between statutes
 3. Distinction between crimes and torts
 4. Criminal and civil liability
 5. Judicial review
- C. Case law
 1. Orientation to case citations
 2. Outline of the legal brief
 3. Use of the law library
 4. Attorney general opinions
- D. Classification of crimes
 1. Distinction between felonies, misdemeanors, and infractions
 2. Punishments
 3. Prior convictions
 4. Lesser and included offenses
 5. Double jeopardy

- E. Corpus Delicti – Elements of crime
 - 1. Role of corpus delicti
 - 2. Act and intent – negligence
 - 3. Proximate cause
 - 4. General intent
 - 5. Specific intent
 - 6. Transferred intent
- F. Capacity to commit crime
 - 1. Exemptions to criminal liability
 - 2. Diminished capacity
 - 3. Capital crimes
 - 4. Malice
 - 5. Motive
 - 6. Intoxication
 - 7. Parties to a crime
 - 8. Attempts
 - 9. Conspiracy
- G. Overview of specific crimes
 - 1. Crimes against the person and property
 - 2. Crimes against public decency, morality and the public peace
 - a. Historical development
 - b. Constitutionally related issues
 - c. Community standards
- H. Organization and operation of the correctional system
 - 1. Local, state and federal systems
 - 2. Probation and parole
- I. Research into specific case law and crimes
 - 1. Research methods and proper citations
 - 2. Preparation of a legal brief
 - 3. Issues involved in form, accuracy, and style

VI. METHODS OF INSTRUCTION:

- A. **Guest Lecturers** -
- B. Group work in writing and critiquing briefs
- C. Videotaped presentation of criminal cases for student analysis
- D. **Discussion** -
- E. Case studies of specific crimes and court decisions
- F. **Lecture** -

VII. TYPICAL ASSIGNMENTS:

- A. Homework assignments answering chapter study questions
- B. Research assignment of court decisions applicable to a specific crime.
- C. Construction of a legal brief
- D. Group research project and report on a particular crime

VIII. EVALUATION:

- A. **Methods**
 - 1. Exams/Tests
 - 2. Quizzes
 - 3. Class Participation
 - 4. Other:
 - Individual written brief, oral and written presentation of group research project
- B. **Frequency**
 - 1. Attendance and participation are evaluated daily
 - 2. Individual report and midterm occur midway through the term
 - 3. Group report and final examination occur at end of term

IX. TYPICAL TEXTS:

- 1. Scheb, J., and John Scheb (2014). *Criminal Law and Procedure* (8th ed.). : Thomson/Wadsworth Publishing.
- 2. Hunt, D.D., D. Rutledge (2013). *California Criminal Law Concepts* (2013 ed.). Boston, MA: Pearson.

X. OTHER MATERIALS REQUIRED OF STUDENTS: