

Fall 2007
9:30 a.m. TT
Criminal Justice Center A290

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CJ 264
FUNDAMENTALS OF CRIMINAL LAW

Course Description

A course in the substantive criminal law which includes definition of law, definition of crime, general principles of criminal responsibility, elements of major crimes, punishments, and conditions or circumstances which may excuse from criminal responsibility or mitigate punishment. Particular emphasis is on the penal laws of the State of Texas.

Course Objectives

1. Acquaint the student with the basic principles that underlie the American system of criminal law.
2. Acquaint the student with the elements of the primary state criminal offenses as defined by the Texas Penal Code.
3. Improve student analytical and abstract thinking skills.

Textbook

The sole textbook for the course is any **CURRENT** copy of the Texas Penal Code. Several companies publish the Penal Code. Make sure your copy is accurate through the 2007 legislative session. The Texas legislature has only recently completed its session. As a consequence, a new printed version of the Penal Code will not be available until late September. However, students may find digital copies of the early sections of the Texas Penal Code in the "Penal Code" folder on Blackboard. As you need a particular section, print a copy and bring to class. These sections should serve class needs until the books arrive. Please bring either the text or printed versions of the relevant sections with you to each class. Each student should have his/her own copy of the Penal Code. The code may be referred to on the exams.

Students should read the document entitled *Using the Texas Penal Code* prior to attempting to read the statutes. This document may be found on Blackboard in the "Course Documents" section.

Attendance

Attendance will be recorded pursuant to University policy. **MORE THAN SIX ABSENCES WILL RESULT IN FAILURE OF THE COURSE.** This rule applies to **all** absences for whatever reason. No distinction is made between excused and unexcused absences. It is the responsibility of the student to insure that s/he signs the roll sheet each date. **Failure to sign the roll is counted as an absence.** Falsely signing of roll sheet will result in failure of the course.

A student desiring to absent himself/herself from a scheduled class in order to observe religious holy days should do so in compliance with University policy. The University policy regarding such absences can be found at www.shsu.edu/~vaf_www/aps/documents/830823.pdf.

Class Communication

During the semester the professor may need to contact individual students or the class as a whole. Accordingly, each student should regularly check his or her SHSU email account. If your student email account is not your primary account, arrange to have your messages forwarded to your primary account. Additionally, students are responsible for monitoring announcements that may be posted on Blackboard.

Class Conduct

Each student is expected to devote his or her full attention to class during the class period. Accordingly:

- No food or drink is permitted in the classroom.
- IPODS, pagers and cellular telephones must be turned off prior to class.
- Text messaging during class is not permitted.
- You may use your laptop computer to take notes. Any other use (e.g., internet surfing, gaming, video viewing) is prohibited.
- Students shall refrain from reading newspapers or other reading materials or sleeping during class.
- Students will not be permitted to attend class wearing attire containing messages or symbols that are obscene, offensive, abusive, or derogatory in nature.
- **VIOLATION OF THESE RULES WILL RESULT IN IMMEDIATE EJECTION FROM THE CLASSROOM.**

Academic Dishonesty

All students are expected to engage in all academic pursuits in a manner that is above reproach. Students are expected to maintain honesty and integrity in the academic experiences both in and out of the classroom. Any student found guilty of dishonesty in any phase of academic work will be subject to disciplinary action. The University and its official representatives may initiate disciplinary proceedings against a student accused of any form of academic dishonesty including, but not limited to, cheating on an examination or other academic work which is to be submitted, plagiarism, collusion and the abuse of resource materials. For a complete listing of the University policy, see www.shsu.edu/administrative/faculty/sectionb.html#dishonesty

Students with Disabilities Policy

If you have a disability that may affect adversely your work in this class, then I encourage you to register with the SHSU Counseling Center and to talk with me about how I can best help you. All disclosures of disabilities will be kept strictly confidential. NOTE: No accommodation can be made until you register with the Counseling Center. See www.shsu.edu/~vaf_www/aps/811006.html

PowerPoint Slides

Much of the classroom presentation will be conducted using PowerPoint® slides. Students may download a student version of these slides from the Blackboard site. Log on using your student account name and password. The slides are located in the "PowerPoint Presentations" folder. Click on the file name. Save the file to a disk and then open the file. The slides may now be printed by selecting the "Print" command. Select "Notes Page" option if you wish to print slides in a form that allocates space for note-taking adjacent to the slides. Also, mark the "grayscale" box prior to printing. Each slide set is noted below in italics. Each set will be posted on Blackboard a few days prior to its use in class. Class presentations may contain slides not included in the posted sets.

Exams

There will be three major examinations on the dates indicated unless otherwise announced. Each exam will count one-fourth toward the final grade. Exams will consist primarily of true-false and multiple choice-type questions whereby the student will be expected to apply his or her knowledge to factual scenarios. **NO MAKE-UPS WILL BE GIVEN UNLESS ARRANGEMENTS HAVE BEEN MADE PRIOR TO THE EXAM DATE. GRADES WILL BE ENTERED ON THE STUDENT'S BLACKBOARD FILE. IT IS THE STUDENT'S RESPONSIBILITY TO MONITOR THE ACCURACY OF THE GRADES AND ABSENCES.**

Test results will normally be reviewed at the following class session. In incidences where the professor determines that more than one correct answer exists for a question, credit may be awarded for an answer other than the keyed response. To gain benefit of this change, the student must be present at the review session.

Following review of the exam, a student may “appeal” an answer that was marked incorrect on his/her exam. All appeals must be submitted in writing or by email no later than 48 hours after the exam review. Appeals must contain a concise argument about why the student’s answer should receive credit. If the professor concurs with the student’s argument, credit will be granted only to the student(s) who appealed the question. Students can submit appeals collectively, i.e., several students can submit an appeal on the same question by placing their respective names on the appeal. The decision of the professor shall be final on all appeals.

Study Aids

Five study aids will be completed during the semester. Each study aid will be made available on Blackboard approximately one week before the due date. The student is encouraged to print the study aid, decide upon the correct responses, and then log on to Blackboard at a later time to complete the quiz. Students are encouraged to work together in deciding on the correct answers. You may pair with other individuals of your choice. The study aids should be completed by 8:00 a.m. on the due dates. If technical problems arise, this will give the professor the opportunity to correct the problems prior to class time. The study aids will account for one-fourth of the final grade. **NO LATE MATERIALS WILL BE ACCEPTED UNLESS PRIOR ARRANGEMENTS HAVE BEEN MADE.**

Grading

Final grade determination will be based upon the following scale: 90 plus average an “A”; 80 to 89 average a “B”; 70 to 79 average a “C”; 60 to 69 average a “D”; and below 60 average an “F”. Students should neither depend on nor expect a “curve” or other statistical modification of this grading schedule.

Office Hours

Tuesday – 2:00 p.m. to 4:00 p.m.

Wednesday – 9:30 a.m. to 12:00 noon.; 2:00 p.m. to 3:30 p.m.

Other times by appointment

Class Topics and Schedule

The following topics will begin on the dates indicated. **Coverage of the topic will continue until the date of the next topic.** The student should prepare all materials by the respective dates.

August 21	Introduction	
August 23	Basics of Criminal Law	TPC Chapters 1 & 3 <i>Basics of Criminal Law</i>
August 30	Elements of a Crime	TPC Chapters 6 & 12 <i>Elements of a Crime</i>
September 11	Parties to Offenses	TPC Chapters 7 <i>Parties to a Crime</i>
September 13	Criminal Homicide	TPC Chapter 19 TPC sec. 49.01; 49.08 <i>Criminal Homicide</i>
September 25	<u>Study Aid One Due</u>	
September 27	FIRST EXAM	
October 2	Assault Type Offenses	TPC Chapters 22 TPC sec. 49.07 <i>Assault</i>
October 11	Sexual Offenses	TPC Chapter 21 <i>Sex Crimes</i>
October 16	Kidnapping and False Imprisonment;	TPC Chapters 20 <i>Kidnapping</i>
October 18	<u>Study Aid Two Due</u>	
October 18	Theft and Fraud	TPC Chapters 31, 32, 33 <i>Theft</i>
October 30	Robbery, Burglary and Criminal Trespass	TPC Chapters 29, 30 <i>Robbery</i> <i>Burglary</i> <i>Criminal Trespass</i>
November 1	<u>Study Aid Three Due</u>	

November 6	SECOND EXAM	
November 8	Property Destruction Offenses	TPC Chapter 28 <i>Arson</i> <i>Criminal Mischief</i>
November 15	Offenses Against Public Administration	TPC Chapters 36, 37, 38, 39 <i>Crimes against Public Administration</i>
November 22	Thanksgiving Holiday – No Class	
November 27	Offenses Against Public Order/ Decency	TPC Chapters 42, 43, 46-48 TPC sec. 49.01-49.02 <i>Disorderly Conduct</i> <i>Public Intoxication</i> <i>Weapons</i>
November 29	<u>Study Aid Four Due</u>	
November 29	Preparatory Offenses	TPC Chapter 15 <i>Preparatory Offenses</i>
December 4	Defenses	TPC Chapter 8 <i>General Defenses</i>
December 4	<u>Study Aid Five Due</u>	
December 11	FINAL EXAMINATION – 8:00 a.m.	