

CRIM 490
Virginia Criminal Law, Spring 2014
MW 9:00A-10:15A
Room 107 Sandbridge Hall

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Purpose of the Course:

This is a course for people interested in criminal law. The course covers the criminal portions of the Code of Virginia, focusing on statutory interpretations with a basic introduction to Virginia criminal procedure.

Course Materials

NO REQUIRED BOOKS

Legislative Information System: <http://leg1.state.va.us/000/src.htm> Searchable Code of Virginia

For further study, I recommend Bacigal, Ronald J., *Criminal Offenses and Defenses 2013-2014 ed. (Volume 7, Virginia Practice Series)*. Older versions are a fine resource as well, but be careful to insure the laws investigated have not been updated.

Course Goals

This course emphasis is to teach elements of Virginia criminal law. Additionally, introduce Virginia criminal procedure

Course Learning Outcomes:

1. To identify elements of a law.
2. To apply code sections to fact patterns to determine if an act violates a specific code section.
3. To learn to distinguish the various levels of evidence applicable to Virginia criminal law.

Attendance

This course is a participatory and interactive experience. In order to derive the full benefit from the course, you will need to attend every class session. Classes will begin promptly at the official start time for the class. Out of courtesy to all students and the instructors, it is expected that you arrive on time for class.

Class Participation

Class participation is an integral part of the learning process. You are encouraged to share your thoughts during the class discussions. Keep in mind one quarter of your grade is based on participation in class. Any group projects or work would fall under class participation.

Classroom Etiquette Please turn off all cell phones or switch them to silent mode. Text messaging or sending e-mail during class time is inappropriate and will result in a deduction of Classroom Participation points. If you have an emergency situation that requires being accessible by phone please notify me. Laptops and tablets are acceptable for note taking or relevant web searching.

Academic Dishonesty In carrying out assignments professional ethics must be followed at all times. Academic dishonesty means deceit or misrepresentation in attempting (successfully or unsuccessfully) to influence the grading process or to obtain academic credit by a means not authorized by the course instructor or university policy. A breach of academic honesty is committed by students who give, as well as receive, unauthorized assistance in course and clinical work and/or who purposefully evade, or assist other students in evading the university's policy against dishonesty.

Plagiarism is a form of academic dishonesty. It is your unacknowledged use of another writer's own words, specific facts, propositions, or materials in your own writing. When other writers' words or materials (even short phrases or specific terminology) are used, you must cite these words, phrases, or sentences according to APA 6th edition. Failure to do so will be considered a violation of academic honesty.

Honor Code *To promote a stronger sense of mutual responsibility, respect, trust, and fairness among all members of the George Mason University community and with the desire for greater academic and personal achievement, we, the student members of the University Community have set forth this:*

Student members of the George Mason University community pledge not to cheat, plagiarize, steal, or lie in matters related to academic work

Statement Regarding Religious Observances for Students It is Mason's policy to encourage its faculty to make a reasonable effort to allow students to observe their religious holidays or to participate in university-sponsored activities without academic penalty. Absence from classes or exams for these reasons does not relieve students from responsibility for any part of the course work required during the absence. Students who miss classes, exams, or other assignments as a consequence of their religious observance or for participation in a university activity will be provided a reasonable alternative opportunity, consistent with class attendance policies stated in the syllabus, to make up the missed work. It is the obligation of students to provide faculty, within the first two weeks of the semester, with the dates of major religious holidays on which they will be absent, and the dates for which they are requesting an excused absence for participation in any university-sponsored activity scheduled prior to the start of the semester, and as soon as possible otherwise.

Documented Disability Both in compliance with and in the spirit of the Americans with disabilities Act (ADA), I would like to work with you if you have a disability that is relevant to your work in this course. If you have a documented disability and wish to discuss academic accommodations, please contact me.

Food Feel free to eat quietly during class.

Grading

1. **Class Participation (20% of final grade)** - Actively participate in all class discussions and activities. The only way you can participate is to be there!
2. **Group Project (20%)** - The class will be broken into 8 groups. Each group will get half a class period hour to present their answer to a fact pattern assigned I will assign.

3. Midterm (30%) – Midterm exam will be given on **March 5**.
4. Final Exam (30%) - Final Exam will be given on **May 12**.

Grading

A+ = 97% – 100%

A = 94% – 96%

A- = 90% – 93%

B+ = 87% – 89%

B = 83% – 86%

B- = 80% – 82%

C+ = 77%-79%

C = 73%– 76%

C- = 70%-72%

D = 60% –69%

F = Below 60%

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January 22- Introduction/Common Law
§ 1-200

January 27, 29- Punishment/Aiders, Abettors, Conspirators, Solicitors
§§ 18.2-8, 10, 11, 18, 19, 22, 23, 29

February 3, 5- Murder, Arson, Burglary
§§ 18.2-31-33, 77, 79-80, 89-94

February 10, 12- Abduction/Malicious + Unlawful Wounding/Strangulation/ A+B/Robbery
§§ 18.2-47-49, 51, 51.2, 51.6, 57, 57.2, 58

February 17, 19- Larceny and Related Charges
§§ 18.2-95-96, 103, 104, 111, 117-118, 137, 178, 192-193, 195

February 24, 26- DWI and other Alcohol Issues
§§ 18.2-36.1, 51.4, 266, 266.1, 268.3, 272, 388; 46.2-341.24, 391

March 3- Criminal Procedure: From Crime to Punishment

March 5- MIDTERM EXAM

March 10, 12- Spring Break

March 17, 19- Drugs/Drug Paraphernalia
§§ 18.2-248, 248.1, 250, 250.1; 54.1-3466

March 24, 26- Sex Crimes
§§ 18.2-61, 63, 67.1-67.4, 67.4:2, 67.5, 361, 370, 370.1, 371

March 31, April 2- Protective Orders
§§ 16.1-253, 253.1, 253.2, 253.4, 278.14, 279.1, 19.2-152.8-159.10, 20-103

April 7- Eluding, Hit and Run, and Crimes Against Law Enforcement Officers
§§46.2-817, 894, 896

April 9- The Judge Would Like to See You: Bench Warrants and Capiases

April 14, 16- Search Warrants

April 21, 23- Group Presentations

April 28, 30- Group Presentations

May 5- REVIEW

May 12- FINAL