

CRIMINAL LAW COURSE SYLLABUS

CRIM 430-001. Spring, 2024.

Days: Monday and Wednesday, 3:00 PM to 4:15 PM

Place: Planetary Hall 212

Instructor: John R. Murphy, JD

Email address: JMurph18@gmu.edu

Office hours: by appointment or at other prearranged times at 354 Enterprise Hall, CLS Faculty Office.

George Mason University uses only GMU email accounts to communicate with enrolled students. Students must activate their student email account, use it to communicate with their department and other administrative units, and check it regularly for important university information including messages related to this class.

Course Description and Objectives:

American society is governed by the rule of law. There are many types of laws in our legal system. Among the most important laws are those we refer to as Criminal Laws because they criminalize certain actions. Criminal law is necessary to protect law abiding people from the actions of those who do not abide by law. To achieve that important goal, criminal laws are enforced and criminal defendants are prosecuted by the government, at public expense. The criminal defendant will be convicted if the prosecutor can prove beyond a reasonable doubt each "element" (building block) of the crime charged.

In this class, we will learn how our criminal laws are designed to protect both the general public and individuals, including defendants. We will study some of the better-known criminal laws, such as those prohibiting violent crime and property crime, and other offenses which prohibit the abuse of others, like domestic violence and stalking. We will also look at some of the more common defenses to those prosecutions. While this course will be of particular interest to those considering a career in the

law, law enforcement, government or public policy, the main objective is to help all students gain a better understanding of how crimes are proven or disproven in a court of law.

Course Format

Class sessions will consist of lectures, general class discussions, ten regularly scheduled quizzes, a Midterm examination, and a Final examination. Although I will not use the “Socratic Method” famously used at many law schools, I will challenge you to defend your opinions and may call on students randomly on occasion. The reason I will sometimes challenge students to defend their positions is because, under our adversarial system of justice, the guilt or innocence of the accused is often determined by a vigorous debate between opposing advocates. Students in this course are expected to have read the assigned material *prior to class* and to arrive ready to discuss the material. Although class attendance is not mandatory, I will take attendance and will consider your attendance when determining whether to boost (though never lower) your Class Participation grade at the end of the semester.

Course Syllabus

This syllabus may be subject to revision as necessary. For instance, unanticipated school closures or the availability of guest speakers may require some amount of rescheduling. However, maintaining the schedule for the quizzes and for discussion of the case briefs will be a high priority.

In-Class Rules and Procedures

Whether or not a person is guilty of a crime usually comes down to a person’s actions and their intent at the time of their actions. To illustrate these issues, we will discuss actual crimes and the details of those crimes which impact the determination of guilt or innocence. By necessity, some of these discussions and details will be graphic -- especially in cases of violent crime. Therefore, **before taking this course, please consider whether you are prepared to study and discuss this sort of material in class or on a test.** For a variety of reasons, your

honest answer might be no. Only you can answer that question, so it is important that you ask yourself before taking this course.

Similarly, we will be discussing potential defenses to criminal charges. These defenses may include critical assessments of criminal complainants and/or victims. It is very important to understand that an exploration of potential defenses provided by law in no way means that we are condoning criminal activity or excusing bad behavior. Nor does it mean that we lack concern for victims of crime or regard for their feelings. Looking at both sides of an issue is what lawyers do, and they do it because our adversarial system of justice requires it. The most effective students will be those who can examine all sides of a case in a reasonable and emotionally detached manner.

Some scenarios we cover may sound similar to something that you or someone you know has experienced. If that happens, please remember that **no two cases are exactly alike and material discussed in class or in your textbook is not meant to be legal advice for you or for anyone else.** If you or someone you know is facing a criminal charge, the accused person should consult with an attorney who can discover all the facts of their particular case and who has agreed to provide legal representation for you or the person you know. **Again, this course is not a substitute for individualized legal representation and nothing in the course constitutes legal advice. If you need legal advice, please consult an attorney in your jurisdiction who can familiarize themselves with the facts of your case.**

PowerPoint slides in this course are intended solely to help students in this course follow along with the lectures. Selected slides will be posted on the class website prior to the two major exams. However, please know that **the slides do not contain all the material you are expected to know, and they are not substitutes for reading the materials and attending class.** If you think you need to record a lecture or photograph a slide, please discuss it with me *first*. The PowerPoint slides in this course are intended solely for the students who are taking this course during this semester. You may not disseminate any slides or recordings to anyone else or post them on the internet or other public access locations.

Grading Scale

A+ 97-100

A 93-96

A- 90-92

B+ 87-89

B 83-86

B- 80-82

C+ 77-79

C 73-76

C- 70-72

D 60-69

F 0-59

Calculating the Semester Grade

The final grade in this course will be calculated as follows:

30% -- Class Participation (this section includes total quiz points)

30% -- Midterm Examination

40% -- Final Examination

Class Participation (30%)

Your Class Participation score will be based on the sum of your ten quiz grades plus your participation in class discussions and in any other

assigned activities. Unless you have made **prior** arrangements with me, quizzes must be taken in class at the time offered. Under appropriate circumstances, I may offer a make-up opportunity for quizzes. If you know you will have a conflict on a particular day, please see me as early as possible so that we can make appropriate arrangements.

Midterm Examination (30%)

The Midterm will cover all lectures, all assigned readings, and anything discussed in class.

Final Examination (40%)

The Final exam will be cumulative and will cover all lectures, all assigned readings, and anything discussed in class.

Office of Disability Services (ODS)

If you are a student with a disability and you need academic accommodations, please see me and contact the Office of Disability Services (ODS) at 703-993-2474 or at ods.gmu.edu. All academic accommodations must be arranged through ODS.

University Writing Center

Clarity and quality of analysis, as well as spelling and grammar, are important aspects of your written work in this (or any) class. If you feel you need to improve your writing skills, please seek assistance from the University Writing Center. Their number is 703-993-1200.

Missed Classes and Test Rescheduling

The Midterm and Final will not be rescheduled except under extraordinary circumstances. If you know in advance that you cannot be at an examination, you should notify me immediately so that we can

discuss the reasons why and whether the test can be rescheduled for that reason. If you provide written documentation from a professional (doctor, police officer, etc.) no penalty will be applied. Otherwise, the test score will be reduced by one letter grade. **The Midterm and Final must be completed within seven days of the scheduled test date.**

Honor Code Policy

All work must be completed independently. All students should be familiar with the policies of the Criminology, Law and Society Department. Students should also be familiar with George Mason University's Honor Code, which requires all members of this community to maintain the highest standards of academic honesty and integrity. All actual writing must be your own. Cheating, plagiarism, lying and stealing are all prohibited. Please consult honorcode@gmu.edu for more detailed information. **All violations of the Honor Code will be reported to the Honor Code Committee.**

Bad Weather and Other Emergencies

Call GMU's closing line at 703-993-1000 to see if classes are cancelled due to bad weather. If I need to cancel a class for any reason, I will make every effort to email you at your GMU email address. If you experience an emergency, please let me know via email at your earliest opportunity.

Enrollment Information

First day of classes: January 16, 2024.

Last day to add this course: January 23, 2024.

Last day to drop this course with 100% refund: January 30, 2024.

Last day to drop this course with 50% refund: February 6, 2024.

Unrestricted withdrawal period: February 7-20, 2024.

Selective withdrawal period for undergrads (100% tuition liability):
February 21-March 25, 2024.

Last day of classes: April 30, 2024.

--Course Textbook: **Criminal Law An Introduction for Criminal Justice Professionals (2nd edition)** by Neal R. Bevans (available at GMU Bookstore, Amazon, and other used book outlets).

Class Schedule

I. Introductions and Overview

Wednesday, January 17.

II. Fundamental Principles of Criminal Law **READ: Chapters 1 & 2, pp. 1-35**

Monday, January 22.

Wednesday, January 24.

III. Attempts, Conspiracies, Solicitations, Principals and Accessories **READ: Chapter 3 & 4, pp. 37-63**

Monday, January 29.

Wednesday, January 31. Quiz # 1.

IV. Rules of Evidence and Defenses in Criminal Law **READ: Chapter 5, pp. 65-78**

Monday, February 5.

Wednesday, February 7. Quiz #2.

V. Burglary, Theft, and Robbery

READ: Chapters 10 & 11, pp. 181-199 and 205-222

Monday, February 12.

Wednesday, February 14. Quiz #3.

VI. Drug Crimes, Organized Crime, Criminal Street Gangs

READ: Chapters 14 & 15, pp. 261-291

Monday, February 19.

Wednesday, February 21. Quiz #4.

VII. Crimes Against the Government

READ: Chapters 16, pp. 293-307

Monday, February 26.

Wednesday, February 28. Quiz #5.

VIII. SPRING BREAK!

Monday, March 4. No Class.

Wednesday, March 6. No Class.

IX. White-Collar Crime, Cybercrime

READ: Chapter 13, pp. 245-259

Monday, March 11. Quiz #6.

Wednesday, March 13. Midterm Review.

X. MIDTERM EXAM WEEK.

Monday, March 18. MIDTERM EXAM.

Wednesday, March 20. Quiz #7.

XI. Homicide.

READ: Chapter 6, pp. 81-104

Monday, March 25.

Wednesday, March 27. Quiz #8.

XII. Malicious Wounding, Domestic Violence, Stalking, Abduction.

READ: Chapter 7, pp. 107-131

Monday, April 1.

Wednesday, April 3. Quiz #9.

XIII. Rape

READ: Chapter 8, pp. 135-155

Monday, April 8.

Wednesday, April 10. Quiz #10.

XIV. Other Sex Crimes and Crimes Against Public Order

READ: Chapters 9 & 12, pp. 159-178 and 368-400

Monday, April 15.

Wednesday, April 17.

XV. Miscellaneous and Final Exam Review

Monday, April 22.

Wednesday, April 24.

XVI.

Monday, April 29. Final Exam Review.

FINAL EXAMINATION DATE AND TIME:

Monday, May 6, 2024, from 1:30 pm till 4:15 pm. Planetary Hall 212.