

Criminal Law  
Fall 2019 CRIM 430-01  
Tuesday, 7:20PM – 10:00PM  
David King, Jr. Hall 2053

Instructor: Christopher Morehouse, Esq. Office Hours: Tuesdays, 6:30PM – 7:00PM  
cmorehou@gmu.edu By appointment only

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PLEASE READ THE ENTIRE SYLLABUS BEFORE THE FIRST DAY OF CLASS

**Course Description:** This course will provide an overview of Virginia Criminal Law and examine the statutory construction of various common and not-so-common offenses. Attention will also be paid to comparable statutes in neighboring states to highlight the differences in the elements required for conviction and their sentencing. We will not be addressing crimes committed by juveniles.

**Course Goal:** Students will enhance critical thinking skills and be able to apply and analyze a set of facts to the relevant criminal statutes.

**Textbook:** Police, Crimes and Offense and Motor Vehicle Laws of Virginia,  
2019 edition, Volumes 1 & 2, ISBN 9781641304658

The bookstore is expecting the text to become available by the end of August. This is due to release dates by the publisher and cannot be avoided.

**Grading:**

<p>Quizzes (8x) - 40%</p> <p>Essay - 20%</p> <p>Final Exam - 40%</p>	≥96%:	A+
	93-95.99%:	A
	90-92.99%:	A-
	86-89.99%:	B+
	83-85.99%:	B
	80-82.99%:	B-
	76-79.99%:	C+
	73-75.99%:	C
	70-72.99%:	C-
	65-69%:	D
<65%:	F	

**Attendance:** Will be taken every day class is held utilizing the Blackboard attendance tool. While no grade is attached to the student's presence in class, only an excused absence by the instructor,

or those otherwise permissible by University policy, will permit any missed quiz or examination to be taken under alternate arrangements.

**Communications:** Email is the best way to reach the instructor. *Please place in the subject line "F19-Crim 430 [Last name, FI]" on ALL emails sent to the instructor.* The instructor will respond within 24 hours.

**Equipment:** A laptop computer is essential for this class. The majority of the coursework will require in-class access to Blackboard and its testing software. Mobile devices are often inadequate for the tasks required.

### **LockDown Browser Requirement**

This course requires the use of LockDown Browser for online exams. Watch this video to get a basic understanding of LockDown Browser: <https://www.respondus.com/products/lockdown-browser/student-movie.shtml>

Download and install LockDown Browser from this link:

<https://download.respondus.com/lockdown/download.php?id=133435885>

Once Installed:

- Start LockDown Browser
- Log into Blackboard Learn
- Navigate to the test

Note: You won't be able to access tests with a standard web browser. If this is tried, an error message will indicate that the test requires the use of LockDown Browser. Simply start LockDown Browser and navigate back to the exam to continue.

When taking an online test, follow these guidelines:

- Turn off all mobile devices, phones, etc. and put them away
- Clear your area of all impermissible external materials - books, notes, other computers, or devices
- Remain at your desk for the duration of the test
- LockDown Browser will prevent you from accessing other websites or applications; you will be unable to exit the test until all questions are completed and submitted

Several resources are available if you encounter problems with LockDown Browser:

- The Windows and Mac versions of LockDown Browser have a "Help Center" button located on the toolbar. Use the "System & Network Check" to troubleshoot issues. If an exam requires you to use a webcam, also run the "Webcam Check" from this area
- Respondus has a Knowledge Base available from [support.respondus.com](http://support.respondus.com). Select the "Knowledge Base" link and then select "Respondus LockDown Browser" as the product. If your problem is with a webcam, select "Respondus Monitor" as your product

If you're still unable to resolve a technical issue with LockDown Browser, go to [support.respondus.com](http://support.respondus.com) and select "Submit a Ticket". Provide detailed information about your problem and what steps you took to resolve it

### Coursework

**Essay:** The essay will consist of an original written work 1,500 to 2,000 words in length comparing Virginia's DUI and related statutes (Virginia Code § 18.2-266 *et seq.*) to 2 other states' equivalent statutes of the student's choice and provide an analysis regarding each as to whether or not they are "substantially similar" to Virginia's law.

The essay shall be written in Times New Roman, 12-point font, single space, and 1" margins. Submissions must be made electronically in the .doc or .docx file type to the link provided on Blackboard.

**The essay is due by December 1, 2019 at 11:59PM. Late submissions will be penalized 25% of the total grade for each day late.** No submissions will be accepted four days after the due date. Submissions that either exceed or fall short of the required word count of 1,500-2,000 words will be penalized a grade-level (e.g. A- to B+) for every ±250 words.

Essays will be graded on how well the student presents their argument both in form and content. The student should draw on primary sources and cite to relevant statutes and case law when applicable. Any and all citations used shall be consistent and follow either the MLA or Bluebook formats at the discretion of the student. In-text citations are required for facts that serve as a foundation for your argument.

**Quizzes:** Quizzes will be administered in class at a time determined by the instructor. Books, notes, or other resources will not be permitted. No assistance between students will be permitted other than that which is allowed pursuant to University policy. Quizzes will cover any material from the previous lecture and the reading assignment due on the day of the quiz. They will consist of up to ten questions. Any make-ups or rescheduling will be provided pursuant to University policy.

**Exam:** The final exam will be closed book. You will be permitted one 8.5" x 11" sheet of paper with your own *handwritten* notes to use during the exam. It will consist of questions drawn from information contained in the assigned reading materials and in the lectures. The final exam will be a cumulative exam covering the entire course.

The exam will be taken through Blackboard on the University assigned day. Once started, the exam must be completed.

The exams must be taken in the classroom. Attendance will be taken and a password for the exam will be provided. **Respondus LockDown Browser must be used. Please have the software downloaded by the first day of class. (See Equipment Section)** Any make-ups or rescheduling will be provided pursuant to University policy.

**Assigned Reading:** Students are responsible for keeping up with the reading assignments. The lectures are tailored to those who have internalized the information contained in the texts and are prepared to discuss the materials in class. All code sections listed are for the 1950 Code of Virginia, as amended, unless stated otherwise. In your text, many sections are followed by a series of annotations that briefly state applicable case law that aid in interpreting the statute. You are responsible for reading those as well and know them to the extent that you will be able to interpret the statute correctly. You will not be expected to know the names of the cases and recite what they held. The following list is the assigned reading for the semester:

Class Due Date		Reading
August 27 (Week 1)	NO CLASS	NO CLASS (INSTRUCTOR UNAVAILABLE)
September 3 (Week 2)	Foundational Information & Basic Criminal Procedure	Glance through: <a href="#">VCC Criminal Statutes Listing</a>  Read: <a href="#">Virginia Courts in Brief</a> <a href="#">Reading, Interpreting, and Applying Statutes</a> §§ 18.2-8 through 17 §§ 16.1-123.1 & 19.2-239 §§ 19.2-8 & 8.1; 52 & 53; 71, 73, & 81; 120 §§ 19.2-265.3, 265.6, 266.2 & 266.3 §§ 16.1-132 & 17.1-406
September 10 (Week 3)	Common Traffic Misd.'s	§§ 46.2-100 & 104 §§ 46.2-300, 301 & 328 §§ 46.2-817, 819, 852 through 869, 894 through 897
September 17 (Week 4)	DUI & Violating DUI	§§ 18.2-266 through 272 § 46.2-391
September 24 (Week 5)	Drugs	§§ 18.2-247, 248, 248.03, 248.1, 250 through 251.1, & 251.4 §§ 18.2-264, 265.3 & 54.1-3466 §§ 19.2-187 & 188.1

October 1 (Week 6)	Larceny	§§ 18.2-95, 96, 97, 102, 103, 104, 108, 108.01 & 108.1 §§ 18.2-111 § 18.2-192
October 8 (Week 7)	Fraud	§ 18.2-178, 152.3 §§ 18.2-168, 172, 173, 174, 174.1, 177.1 §§ 18.2-181 through 185 §§ 18.2-186, 186.3, 186.4 §§ 18.2-193 through 195 § 18.2-200.1 §§ 18.2-246.2 & 246.3 § 18.2-258.1 §§ 63.2-513 & 522
October 22 (Week 8)	Assault & Homicide	<i>Carter v. Commonwealth</i> , 269 Va. 44 (2005)( <a href="#">Link Here</a> ) <a href="#">Rough Summary of Assault Crimes</a> §§ 18.2-57, 57.2, 57.3 §§ 18.2-51, 51.1, 51.2, 51.4, 51.6, 54.2 §§ 18.2-30 through 37
October 29 (Week 9)	Burglary, Robbery & Other Property Crimes	§§ 18.2-89 through 94 §§ 18.2-58 & 58.1 §§ 18.2-77 through 88 §§ 18.2-119 through 136.1
November 5 (Week 10)	NO CLASS	NO CLASS (Election Day)
November 12 (Week 11)	Sex Crimes	§§ 18.2-61 through 67.5:3; 18.2-47 & 48 <a href="#">Defunct Crime of Seduction circa 1942</a> §§ 18.2-344 through 359; 361 §§ 18.2-366, 370, 370.01, 370.1, 371 §§ 18.2-387 & 387.1
November 19 (Week 12)	Weapons	§§ 18.2-279 through 287.4 §§ 18.2-307.1, 308, 308.01 §§ 18.2- 308.1 through 311.2 § 18.2-57.02
November 26 (Week 13)	NO CLASS	NO CLASS (Thanksgiving)
December 3 (Week 14)	Misc. Crimes	TBD – May use as a review day
December 10 (Reading Day)	NO CLASS	NO CLASS – STUDY!!!
TBD (EXAM)	Cumulative	Final Exam is CLOSED BOOK – See section addressing Exam

**Notice to Students**

I reserve the right to amend and update this Syllabus as I see fit throughout the semester with the aim of making the learning process more efficient and effective. You will be notified by Blackboard update if I have updated the Syllabus.