**CRIM 430**

**Comparative Criminal Law, Fall 2020**

**TR 5:55-7:10P**

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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 and compares them to other state codes.

**Course Materials:**

NO REQUIRED BOOKS

**Course Goals:**

This course emphasis is to teach elements of several criminal acts by comparing Virginia to similar charges in different venues.

**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 recognize the similarity and differences between Virginia law and other states.

**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. Keep in mind a portion of your grade is based on participation in class. After our first week, I will be notifying students that they are “on call” for a specific class period. This will enable us to have a more productive time together, help me when giving you participation grades and explain in detail what if any participation grade deductions occur.

**Classroom Etiquette:**

Please remain in mute unless you are actively participating in class discussion. Try to focus during class, as most of the class will consist of discussion/participation.

**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.

**Grading**

**A+ = 97% – 100%**

**A = 94% – 96.99%**

**A- = 90% – 93.99%**

**B+ = 87% – 89.99%**

**B = 83% – 86.99%**

**B- = 80% – 82.99%**

**C+ =77%-79.99%**

**C = 73%– 76.99%**

**C- = 70%-72.99%**

**D = 60% –69.99%**

**F = Below 60%**

1. Weekly assignments (25**% of final grade**) – Each student will be given a unique state code to compare and contrast to the Code of Virginia. Each student will be expected to arrive with at least two (2) codes sections from their state and how it relates to a similar Virginia law. This will be compiled throughout the semester and submitted by **December 3 at 11:59pm.**

2. Presentation Project\* (**25%**) – Starting in Week 3 or 4 (TBD), students will be assigned to present “their” state’s codes, explain similarities and differences from Virginia law, and create “fact patterns” to review the material. I will be doing the presenting during Week 2 to give an exemplar of what is expected. Presentations will be graded in five (5) categories:

1. Presentation cohesiveness
	1. Presentation circles around the same theme v. lacks focus
2. Presentation accessibility
	1. I will be **assigning students** to participate during the presentations, unless I can find a better way for free-flowing discussion to take place.
3. Presenter knowledge
	1. Mastery of subject matter covered
4. Accuracy of information
	1. Student’s presentation will be reviewed by me for accuracy.
	2. Presentation drafts will be submitted to me by **5pm Friday before demonstration**
	3. Presentations will include the following
		1. A hyperlink to the relevant codes from the state the student is presenting including
			1. at least four (4) related code sections
		2. A breakdown of the code into elements- **these will be posted to Blackboard by 5pm Sunday prior to presenting**
		3. At least **THREE (3)** fact patterns incorporating these statutes
			1. All code sections should **NOT** be in included in each fact pattern
		4. A correct “answer sheet” to each fact pattern for both
			1. Student’s state codes AND
			2. Virginia
			3. The best fact patterns will be different crimes in the two jurisdictions
	4. They will be returned, graded for substance with any errors corrected. **No changes to presentation style will be made by me.**
	5. Final presentation will be submitted by **5pm the day before demonstration**
5. Length of presentation
	1. The presentation is expected to last between 10 and 15 minutes.
	2. At least **TWO (2)** fact patterns will be presented

3. Participation (**25%**)- Historically, my class has involved me lecturing and discussion during class sessions. I do not feel this will be the best use of our time this semester. I will be posting PowerPoint presentations to review before each class

4. Final Exam (**25%) –** Open NotesFinal Exam will be given 4**:30-7:15p** on **December 10**.

**\***A last thought on presentations- after the first week of class you will have a much better idea EXACTLY what I am looking for. Students are welcome to be use more flair than me but sticking to my format is important. Grading these presentations is hard, so the more uniform they are the better I can grade/correct any issues

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**August 25, 27**

Introduction/Common Law and Inchoate Crimes

§ 1-200; §§ 18.2-8, 10, 11, 18, 19, 22, 23, 29

**September 1, 3, 8, 10**

Murder; Abduction; Malicious/Unlawful Wounding/Strangulation; Assault/Battery; Robbery; Arson, Burglary; Trespassing

§§ 18.2-30-36.2; §§ 18.2-47-49; 51, 51.2, 51.6, §§ 18.2-57, 57.2; §§ 18.2-58-58.1; 18.2-77 -80; §§ 18.2-89-94, §18.2-119, 121

**September 15, 17**

Larceny and Related Charges

§§ 18.2-95-96, 103, 104, 111, 117-118, 137, 178, 192-193, 195

**September 22, 24**

**Student Presentations (10)**

**September 29, October 1**

DWI/Alcohol/Driving

§§ 18.2-36.1, 51.4, 266, 266.1, 268.3, 272, 388; 46.2-341.24, 391; §§ 46.2-300, 301, 817, 894, 896

Drugs/Drug Paraphernalia

§§ 18.2-248, 248.1, 250, 250.1; 54.1-3466

**October 6, 8**

Weapons

§§ 18.2-46.4, 46.6, 53.1, 281, 282, 282.1, 283, 287.01, 287.2, 287.4, 289-291, 308, 308.1

**October 13**

**Fall Break (Designated Monday)**

**October 15, 20, 22**

**Student Presentations (15)**

**October 27, 29-**

Sex Crimes

§§ 18.2-61, 63, 67.1-67.4, 67.4:2, 67.5, 361, 370, 370.1, 371

**October 3, 5**

Protective Orders

§§ 16.1-253, 253.1, 253.2, 253.4, 278.14, 279.1, 18.2-60.4, 19.2-152.8-159.10, 20-103

**November 10, 17, 24**

**Student Presentations (15)**

**November 26**

Thanksgiving

**December 1**

**Student Presentations (5)**

**December 3**

Review

**December 10**- **FINAL**