

Austin Peay State University
Spring 2021

Course Overview

Course Title: Criminal Law (CRJ 2010 Section 10)-Hybrid
Time and Location: Tuesday 12:45-2:10 PM CL Auditorium
Instructor: Dr. James F. Prescott
Office Hours: T Th 10:00 AM-12:00 PM
W F 12:00 PM-2:00 PM
Room 213 APSU Education Center ECO 203
Telephone: (931) 221-1469
E-Mail: prescottj@apsu.edu
Required Text: Joel Samaha, Criminal Law, 12th Edition, Boston, Cengage Learning, 2017.

Course Details

Course Description:

This is an introductory course designed to provide students of criminal justice with an overview of state and federal criminal law in the United States. Students are made familiar with the nature and theories of American criminal law and the evolution of legal thought regarding criminal sanctions. According to the APSU Undergraduate Bulletin, "This course is a generic study of criminal law in the United States, and does not cover any specific federal or state law. Topics include principles of criminal law, principles of criminal liability, complicity, inchoate crimes, defenses, justifications, excuses, crimes against persons, crimes against property, crimes against public order." Accordingly, this course surveys the history of common and statutory criminal law, introduces the student to legal

terminology, and discusses trends in public policy regarding the imposition of criminal punishment as a means of social control.

Course Objectives:

- To introduce the student to fundamental American legal concepts so that the student will better understand the role of law and legal systems in modern society
- To examine the historical and philosophical development of crime, courts, and criminal law
- To analyze and develop an understanding of the political, economic, and social ramifications of criminal law upon society
- To provide a background to American legal processes so that the student will understand and utilize the legal system more effectively
- To analyze the various proposals for legal reforms that emphasize criminal law from a public policy perspective so that the student may make an informed choice from among the alternatives presented
- To identify the constitutional limitations involved in prohibiting and prosecuting criminal acts

General Education Goals:

In addition to the objectives listed above, the more general goals of this course are to provide the student with the tools with which to develop his or her own potential and abilities.

- This course will help to develop the student's analytical thinking capabilities by applying theories and concepts to American state and federal legal systems
- The student's literacy skills will be enhanced through assigned readings, assignments, class discussions, and examinations
- The student's understanding of methodology will be enhanced through gaining substantive knowledge of the tools and research techniques employed in the social sciences
- The student's understanding will be enhanced through the comparative analysis of substantive criminal law doctrines over time
- By considering and examining the impact of laws, policies, government projects, programs, and expenditures on individuals and

groups, the student should develop a better understanding of public policy and human behavior

- This course should be useful in increasing the student's awareness of the cultures and experiences of persons in our diverse society, as the application of criminal law impacts various groups differently in our society
- By considering the impact of various statutory and constitutional provisions prescribing criminal conduct, the student should develop a better understanding of human behavior
- This course will prepare the student for more advanced studies in criminal justice

Course Rules and Policies

COVID-19 Statement & Guidelines:

Austin Peay State University is concerned for the health and well-being of the entire community. The nature of COVID-19 is such that each of our individual actions affects not only our personal well-being but also those of every other person with whom we interact or share a space. Given the possibility of changes to CDC guidelines or those of local or state officials, students and faculty alike will need to be adaptable and flexible as events may occur that necessitate a change in the course schedule or mode of delivery. To minimize the disruption that might occur if a student falls ill or is unable to attend classes for some other legitimate reason, class materials must be made available electronically to students unless the nature of the coursework makes this impossible.

To enhance the health and safety of the APSU community, it is expected that every member of this course acknowledges the following university guidelines:

Masks and face coverings:

All students are expected to wear masks or face coverings and maintain physical distancing in all university buildings. Both are necessary classroom requirements that will help keep our community safe.

1. All students and instructors must arrive to class wearing a mask or face covering over their mouth and nose. If a student does not have a mask or face covering, the student must pick up a disposable mask (available throughout campus – in classrooms and in administrative academic department offices) before joining the class session.
2. If a student habitually arrives to class without wearing a mask or face covering, the student may be advised that they can only attend an online section of the course, if such an option is available, for the remainder of the semester. If the course is not available online, the student will be informed that the in-person course is the only option and they will be given one more opportunity to return to class and wear a mask or face covering. The instructor will file a report with the Dean of Students in the Office of Student Affairs. The student may face sanctions up to and including the student being administratively withdrawn from the course and not receive a refund of tuition or fees.
3. If a student refuses to put on a mask or face covering in a class, after being instructed to do so, the instructor will request that the student leave the class. The instructor will file a report with the Dean of Students in the Office of Student Affairs. The student will face sanctions up to and including the student being administratively withdrawn from the course and not receive a refund of tuition or fees. If a student refuses to leave the classroom upon request from an instructor, campus police will be called to escort the student from the classroom. In this case, the student will again be referred to the Dean of Students in the Office of Student Affairs. If this situation occurs, the faculty member may take a break or dismiss the class for that day at their discretion. (Questions regarding Failure to Comply Code of Student Conduct violations should be directed to the Dean of Students, 931-221-7323).
4. If a student has a medical condition that inhibits the student's ability to wear a mask or face covering, the student must contact Disability Services to receive an accommodation (931-221-6230). If a student seeks an exception to the mask requirement, the faculty member and advisor should work with the student to seek an online section of the course. If an online section is not available, or the student does not wish to enroll in the online course, the faculty member will provide instruction to the student remotely, using available lecture capture and other appropriate technology.

Student Absences:

Face-to-face attendance is not required in this course. However, as the course utilizes both the lecture-based format and the hybrid format, missing class is generally correlated with lower grades. Any materials that the instructor is not able to cover in class will be placed in the D2L (Desire to Learn) course shell each week. PowerPoints will also be placed in the D2L shell each week. Students unable to attend class and/or complete assignments due to COVID-19 policy or another serious illness, will:

1. Notify their instructor and follow campus guidelines regarding a safe return to campus;
2. Not be penalized for missed assignments assuming that they make up missed assignments in a timely fashion, in consultation with (and at the discretion of) the instructor; and
3. Be provided reasonable accommodations to access all course materials and will be given the opportunity to complete missed assignments online as is practicable.

Student Illness:

If a student tests positive for COVID-19 or is experiencing any COVID-19 symptoms (fever or chills, shortness of breath or difficulty breathing, cough, muscle pain, sore throat, headache, fatigue, new loss of taste or smell, congestion or runny notes, nausea or vomiting, diarrhea), remain at home, please complete the COVID 19 reporting form

(https://cm.maxient.com/reportingform.php?AustinPeayStateUniv&layout_id=19), and seek medical assistance or COVID-19 testing if instructed to do so. Students may reach out to Boyd Health Services for guidance. The student should not return to class (or campus activities) until the student has been released by Boyd Health Services. Boyd Health Services will provide guidance during the quarantine/isolation period and a representative from the Office of the Dean of Students will contact the student to provide additional information.

Student's Responsibilities:

Student's Responsibilities:

In addition to the COVID-19 Statement & Guidelines above, it is very important that the student read the assigned materials, participate in class discussions, and complete the exams and writing assignment on time.

Attendance Policy:

Attendance is not required in this course. Nevertheless, Students are encouraged to fully participate each week. Attendance has been found by the instructor to positively correlate with grades. Students are required to complete and submit the writing assignment and exams on time. If a deadline must be missed, the student should seek prior permission from the instructor. At that point, arrangements may be made to submit the required work at a later time.

Academic and Classroom Misconduct:

Students are expected to conduct themselves appropriately at all times. Academic and classroom misconduct may result in disciplinary sanctions imposed by the University. Students are encouraged to read the APSU Student Code of Conduct.

Plagiarism and Cheating:

As students will be future leaders and practitioners in professional fields, cheating and plagiarism will not be tolerated. Students found cheating or plagiarizing by the Dean of Students will receive a grade of F on the assignment for the first offense. A second offense will result in a grade of F in the course, in addition to any other sanctions that may be imposed by the University. It is a common occurrence for some students to download materials obtained from the internet without proper citations. The instructor utilizes software to check for plagiarism, so the likelihood of being caught is high.

Disability Services:

Austin Peay State University abides by Section 504 of the Rehabilitation Act of 1973, which stipulates that no student shall be denied the benefit of an education "solely by reason of a handicap." Disabilities covered by the law include, but are not limited to, learning disabilities, hearing, sight, or mobility impairments. If you have a documented disability that may have some impact on your work in this class and for which you require accommodations, communicate with the instructor or with the Office of Disability Services in Morgan University Center 114 at 931-221-6320 or 931-221-6278 (V/TTY), so that such reasonable accommodations may be arranged.

Midterm Grades:

A midterm grade shall be awarded for all students in this course. The grade awarded may not necessarily be based on 50% of the course requirements and may or may not differ from the final grade. Your midterm grade will be posted on AP Self Service.

Policy On Minors:

Minors (any non-student under the age of 18) accompanying staff, faculty, students, or visitors on campus are not permitted in the classroom.

Service Animals in the Classroom:

Consult Policy 3:007 Animals on Campus for appropriate situations allowing service animals in the classroom.

Caveat:

The syllabus schedule and procedures are subject to change in the event of extenuating circumstances. Such circumstances can occur due to closure of the University for COVID-19 quarantine or weather-related events. For example, it may be necessary to move the course entirely online.

Make-Up Examinations:

Students are expected to take all three examinations online by 11:59 on the final day scheduled. Make-up examinations will be allowed only for legitimate reasons. Exams cannot be made up after the due date without extenuating circumstances. Absences that result in a missed exam must have an "excuse" such as illness, death in the immediate family, military deployment, university sanctioned activity, etc. It is the student's responsibility to notify the instructor of the absence and to request a make-up assignment. Approved make-up examinations will be given at a time and place designated by the instructor outside of scheduled class periods. Make-up examinations taken after the scheduled examination time may be entirely in the form of essay and short-answer questions. Any makeup examinations must be taken prior to May 6, 2021 or a grade of FA (Failure-Absence Related) will be assigned. The writing assignment is due in the online dropbox by March 20, 2021 by 11:59 PM. It will not be accepted late without an excuse as described above. Grades of I (Incomplete) will be

assigned only if requested by the student in writing prior to May 6, 2021 and if the student has a passing grade (60% or higher) in the course. A student with a failing grade who does not take the final examination on May 6, 2021 will be assigned a grade of FA (Failure-Absence Related).

Assessments and Grading

Grading/Evaluation System:

Grades will be determined by three (3) examinations for a total of 450 possible points and a writing assignment worth 100 points. All three examinations will be taken online. Each examination will be worth 150 points each (450 points combined) and will be composed of multiple choice, true-false, and short answer questions. The exams will cover only the material since the last examination. Therefore, the Final Exam will not be comprehensive. Final Grades for the course will be assigned as follows: A=100%-90%; B=89%-80%; C=79%-70%; D=69%-60%; and F=59% or below. Participation in class discussions and attendance will be considered in determining the student's final course grade.

Course Outline and Assignments

Schedule of Lectures and Assignments:

Week 1

January 19 Introduction

Week 2

January 26 Chapter 1: Criminal Law and Punishment in U.S. Society:
An Overview

Week 3

February 2 Chapter 2: Constitutional Limits on Criminal Law

Week 4

February 9 Chapter 3: The Criminal Act: The First Principle of
Criminal Liability; Chapter 4: The General Principles of

Criminal Liability: *Mens Rea*, Concurrence, Ignorance, and Mistake

Week 5

February 16 Chapter 4, cont.

February 17-20 **Exam 1: Chapters 1, 2, 3, and 4 (due online)**

Week 6

February 23 Chapter 7: Parties to Crime and Vicarious Liability

Week 7

March 2 Chapter 8: Inchoate Crimes

Week 8

March 9 Chapter 5: Defenses to Criminal Liability I: Justifications

Week 9

March 16 Chapter 5, cont. Chapter 6: Defenses to Criminal Liability II: Excuses

March 17-20 **Writing Assignment Due (due online via dropbox)**

Week 10

March 23 Chapter 6, cont.; Chapter 8: Inchoate Crimes

March 24-27 **Exam 2: Chapters 5, 6, 7, and 8 (due online)**

Week 11

March 30 Chapter 9: Crimes Against Persons I: Murder and Manslaughter

Week 12

April 6 Chapter 10: Crimes Against Persons II: Sex Offenses, Bodily Injury, and Personal Restraint

Week 13

April 13 Chapter 11: Crimes Against Property

Week 14

April 20

Chapter 12: Crimes Against Public Order and Morals

Week 15

April 27

Chapter 13: Crimes Against the State

Week 16

May 1-6

FINAL EXAM (Chapters 9, 10, 11, 12, and 13)

(due online)