

Department of Criminal Justice and Criminology
CRIJ 2364.05 - ThN 6 – 8:50 – Room A 115
Fundamentals of Criminal Law
2017- Fall CRN: 83946



Professor: Cutty T. Gilbert, M.A.
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Classroom: A-115
Office Hours: Thursday 3 – 6 p.m.

Required Reading

Schmallegger, Frank & Hall, Daniel E. (2017). *Criminal Law Today* (6th ed.): Pearson Education, Inc.; Saddle River, NJ. ISBN: 978-0-13-4146373-4

Course Description

The purpose of this course is to provide students with an introductory understanding of substantive criminal law, which includes definitions of law, definitions of crime, general principles of criminal responsibility, elements of major crimes, punishments and conditions of circumstances, which may excuse someone from criminal responsibility or mitigate punishment. Students will acquire a thorough and comprehensive understanding of the criminal law and will be encouraged to share viewpoints, opinions, and ask questions when discussing topics on the class discussion board.

Course Objectives

The primary objectives of this course are to:

1. Acquaint the student with the basic principles that underlie the American system of law.
2. Introduce the student to the laws, procedures, and policies involved in the criminal law process.
3. Acquaint the student with defenses and other mitigation of criminal responsibility and/or punishment.
4. Give the student a general knowledge on crime, victims, defenses, laws and sentencing.

ATTENDANCE & CLASS PARTICIPATION:

Class attendance requirements will be followed in accordance with **Academic Policy Statement 800401**. It is expected that students will attend EACH class session, complete reading assignments, complete discussion participate in-group exercises, and contribute to class discussions. Participation in online discussions is especially important in this class. Throughout the course of the semester, **a student is allowed a maximum of one (1) unexcused absence (three hours)**. Students missing more than one class session will *subject to having their final grade lowered one full letter grade for each unexcused absence, this will be pursuant to the instructor's discretion on student's full semester attendance record.*

Course Requirements:

All students are expected to read the required reading assignments and participate in the online discussions for each course session. Since a substantial portion of this course will entail online discussion, it is especially important that students pay close attention to the readings to promote insightful interactions within the discussion forums.

1. Exams - there will be three (3) exams.
2. There will be discussion questions. In addition to commenting on each question, you are required to comment on at least two (2) classmates' comments.
3. There will be numerous opportunities for extra credit.

Discussion Questions

Online forum discussions are a key component of the course. This is where most of the “activity” will take place. Students are expected to participate in each of the discussions for the course sessions. Generally, students will be required to contribute their own original post to the discussion, but will also be required to respond to the posts of two (2) other students. Participating in both of these functions is imperative to creating quality discussions. Additional details about the online discussions will be available on the course website.

Exam # 1	100 points	A	360 - 400
Exam # 2	100 points	B	320 - 359
Exam # 3	100 points	C	280 - 319
<u>Discussion Questions 4 @ 25 pts. each)</u>	<u>100 points</u>	D	240 - 279
Total:	400 points	F	below 240

MAKEUP EXAM POLICY

No make-up exams will be given unless arrangements have been made with the professor prior to the examination date.

Makeup exams must be taken one week following original test date, or they will NOT be given.

CLASS BEHAVIOR:

Some of the substance of this course is likely to be controversial in nature. When asked to articulate moral or ethical thoughts on various matters, people often present a dogmatic or ideological position akin to a religious belief system. At times, our discussions will force us to examine ideas that are repugnant to such belief systems. In the best scenario, we will do so with an open mind welcoming the opportunity to set one belief system beside another gaining insight from the comparative perspective. In the worst scenario, we will become defenders of our beliefs and/or enemies of alternative belief systems.

Students in this class will be challenged to welcome and embrace diversity of opinion. Personal attacks against another person's belief system will not be tolerated. They will be identified as such by the professor (or any other class participant who senses that discussions have moved to a personal level) and stopped. Students who continue to engage in personal level challenges will first be counseled by the professor; but may ultimately be dropped from the class.

LAPTOPS ARE NOT PERMITTED IN CLASS WITHOUT THE PROFESSOR'S APPROVAL.

IN MY CLASS:

CELL PHONES ARE REQUIRED TO BE OFF AND OUT OF SIGHT! IF YOU ARE CAUGHT WITH A CELL PHONE OUT YOU WILL BE ASKED TO LEAVE AND WILL BE COUNTED ABSENT
<http://www.shsu.edu/dept/academic-affairs/aps/aps-curriculum.html>

NEW UNIVERSITY RULE: Use of Cell & Smart Phones, PDA's & Similar Devices: Engaging in voice or text communication using a cell phone or similar communication device during class is prohibited. Leaving the classroom to receive a phone call is prohibited, except with prior approval of

instructor for urgent communications. Device sound alerts should be turned off during class. Engaging in text communication during class is discouraged, although non-disruptive occasional use is permitted. Persistent or extended texting is, however, not allowed.

Per University policy, communication using any electronic device during an in-class examination is prohibited.

IF YOU WALK OUT AND DO NOT RETURN WITHIN A REASONABLE TIME, YOU WILL BE COUNTED ABSENT.

ACADEMIC HONESTY: The Faculty of the College of Criminal Justice expects all students to show honesty and integrity in their academic work. Academic dishonesty is not tolerated and can result in failure of the course and possible dismissal from the University.

Academic dishonesty includes but is not limited to cheating, plagiarism, collusion, and the abuse of resource materials. The University's policy on academic honesty and appeal procedures can be found in the manual entitled *Student Guidelines*, distributed by Division of Student Services.

(Reference Section 5.3 of the SHSU Student Guidelines).

<http://www.shsu.edu/administrative/faculty/sectionb.html#dishonesty>

ACADEMIC ETIQUETTE

Students are expected to conduct themselves appropriately, respecting the opinions of others. Given that this course has online discussion questions that are in an online environment, try to be conscious of the fact that written comments run a higher risk of being taken out of context or misinterpreted than comments made in person.

STUDENT ACADEMIC POLICIES: concerning Attendance, Academic Honesty, Disabled Student and Services for Disabled Students, and Absences on Religious Holy days may be found at the sights below:

<http://www.shsu.edu/dept/academic-affairs/aps/aps-students.html>

<http://www.shsu.edu/catalog/scholasticrequirements.html#holyday>

IMPORTANT DATES TO REMEMBER:

Fall Term 2017		
Date	Day	Event
August 19 - August 22	Saturday - Tuesday	Residence Halls Open for Occupancy, 11:00 AM - 5:00 PM August 19, 20, 21, 22
August 21 - August 22	Monday - Tuesday	Registration for Undergraduate and Graduate Students - (On Campus and Off-Campus) Refer to Schedule of Classes for Details
August 23	Wednesday	First Class Day Full Term (15-Week) and 7 1/2 (A) Week Courses - Daytime on-campus and off-campus classes begin - Late Registration open - Refer to the Registrar's page for details and deadlines - Wednesday Night (WN) classes begin (on-campus and off-campus)
August 24	Thursday	Thursday Night (ThN) Classes Begin (On-Campus and Off-Campus)

August 25	Friday	Friday Night (FN) Classes Begin (On-Campus and Off-Campus)
August 26	Saturday	Saturday Classes Begin (On-Campus and Off-Campus)
August 28	Monday	Monday Night (MN) Classes Begin (On-Campus and Off-Campus)
August 29	Tuesday	Tuesday Night (TuN) Classes Begin (On-Campus and Off-Campus)
August 30	Wednesday	Last Day to Register and to Process Schedule Changes No registration permitted past this deadline
September 4	Monday	Labor Day - Holiday for Students and Faculty
September 8	Friday	Deadline for Fall 2017 Degree Applications Students anticipating graduating in December 2017 must file degree applications in the Registrar's Office by 5 p.m. on Friday, Sept. 8. Learn how to apply .
September 8	Friday	Last Day to Submit a Graduate Certificate Completion Form to the Office of Graduate Studies
September 8	Friday	Twelfth Class Day - Last Day to Drop Without a "Q" and Receive 100% Refund Note: Dropping a full schedule constitutes a resignation , not a drop. Click the following link to see Sam Houston State University's limitation of Q Drops .
September 21	Thursday	Last Class Day for 4-Week Courses
September 22	Friday	Finals for 4-Week Courses
September 25	Monday	First Class Day for 11-Week Courses
September 29	Friday	Deadline to Submit Draft Thesis/Dissertation to Library for Format and Style Review See Thesis & Dissertation website for more information
October 12	Thursday	Last Class Day for 7 1/2 (A) Week Courses
October 12	Thursday	Last Day to Q Drop 7 1/2 (A) Week Courses Deadline to Drop 7 1/2 (A) Week Fall Courses or Labs with a "Q" grade Notes: - Students will not be permitted to drop 7 1/2 (A) week courses after this date - they will receive the grade they have earned - Dropping full schedule constitutes a resignation , not a drop - Limitation of Q Drops at Sam Houston State University
October 13	Friday	Final Examinations for 7 1/2 (A) Week Courses
October 16	Monday	12:00 Noon - Deadline for Filing 7 1/2 (A) Grades with Registrar's Office
October 16	Monday	First Class Day 7 1/2 (B) Week Courses
October 27	Friday	Last Day to Complete a Public Defense of the Thesis/Dissertation. Start Electronic Route Sheet. Letter Requesting a Permanent Embargo for Electronic Thesis/Dissertations Must Be Submitted to the Dean of Graduate Studies by This Date. See Thesis & Dissertation website for more information
November 8	Wednesday	Last Day to Submit Defended and Approved Thesis/Dissertation to the Library Through Vireo. Last Day to Submit Thesis/Dissertations with Approved Embargoes. See Thesis & Dissertation website for more information
November 10	Friday	Last Day to Drop Full-Term Courses with a "Q" Deadline to Drop 15-Week Fall Courses or Labs with a "Q" grade

		Notes: - Students will not be permitted to drop 15-week courses after this date - they will receive the grade they have earned - Dropping full schedule constitutes a resignation , not a drop - Limitation of Q Drops at Sam Houston State University
November 15	Wednesday	Last Day to Submit All Completed Thesis/Dissertation to the Library (Through Vireo or in Print) and Electronic Route Sheet to the Director of the Library See Thesis & Dissertation website for more information
November 17	Friday	Last Day to Q Drop 7 1/2 (B) Week Courses Deadline to Drop 7 1/2 (B) Week Fall Courses or Labs with a "Q" grade Notes: - Students will not be permitted to drop 7 1/2 (B) week courses after this date - they will receive the grade they have earned - Dropping full schedule constitutes a resignation , not a drop - Limitation of Q Drops at Sam Houston State University
November 22 - November 24	Wednesday - Friday	Thanksgiving Holidays for Students and Faculty
November 27	Monday	Classes Resume
November 28	Tuesday	Last Day to Make All Final Copies of Print Thesis/Dissertation and Submit to NGL For Binding. Last Day to submit Electronic Route Sheet to the Dean of Graduate Studies; verify that the document has been published electronically.
December 1	Friday	Last Class Day. Last Day to Resign by 5:00 PM in the Registrar's Office. - Resignation Policies
December 4 - December 7	Monday - Thursday	Final Examinations Includes Monday Night (MN), Tuesday Night (TuN), Wednesday Night (WN), Thursday Night (ThN), Friday Night (FN) and Saturday Classes Examinations
December 8 - December 9	Friday - Saturday	Commencement, Bernard G. Johnson Coliseum Schedule is Considered TENTATIVE Until the Order of Ceremonies Is Finalized within the Term of This Event. Refer to Registrar's Office webpage for Commencement Schedule.
December 8	Friday	Residence Halls Close at 12:00 Noon
December 11	Monday	12:00 Noon - Deadline for Filing Grades with the Registrar's Office for all students, including all grades due for degree candidates (SH course grades, correspondence grades, and transfer grades). Fall Term ends.

COURSE CALENDAR

WEEK OF	ASSIGNED READINGS:	ISSUES OF DISCUSSION:
Thursday, August 24	REVIEW SYLLABUS and BLACKBOARD	DISCUSSION 1
Thursday, August 31	Chapter 1	The Nature and History of Criminal Law

Thursday, September 7	Chapter 2	Criminal Liability and the Essence of Crime
Thursday, September 14	Chapter 3	Expanding the Concept of Crime DISCUSSION 2
Thursday, September 21	Chapter 4	Extending Criminal Liability: Inchoate Offenses and Parties to Crime Review
Thursday, Sept 28	EXAM 1 Chapters 1-4	EXAM I
Thursday, October 5	Chapter 5	Justifications and Defenses
Thursday, October 12	Chapter 6	Defenses: Excuses and Insanity DISCUSSION 3
Thursday, October 19	Chapter 7	Crimes Against Persons: Homicide
Thursday, October 26	Chapter 8	Crimes Against Persons: Assault, Sex Offenses and other Crimes DISCUSSION 4
Thursday, November 2	Chapter 9	The Law and Social Control Review
Thursday, November 9	EXAM 2 Chapters 5- 9	EXAM 2
Thursday, November 16	Chapter 10 Chapter 11	Offenses against Public Order and the Administration of Justice Offenses against Public Morality
Thursday, November 23	THANKSGIVING HOLIDAY	THANKSGIVING HOLIDAY
Thursday, November 30	Chapter 12 Chapter 14	Terrorism and Human Trafficking Punishment and Sentencing
Thursday, December 7	FINAL (10, 11, 12, 14)	FINAL - Thursday, December 7 Tentatively 8:30 – 10:30 – 9 TIME TO BE CONFIRMED CLOSER TO DATE

THE ABOVE SCHEDULE IS TENTATIVE, AND IS SUBJECT TO CHANGE AT THE PROFESSOR'S DISCRETION