



## **LAW 205: Introduction to Criminal Law (4 units)**

**Day/Time, Location:** Tuesdays/Thursdays 12:00 to 1:40 – Zoom

**Instructor:** Peter Johnson

**Contact Info:** pjohnson@law.usc.edu

### **Course Description**

This course provides a comprehensive analysis of the criminal justice system and an overview of the fundamentals of substantive criminal law. Topics cover criminal offenses, liability, defenses for crimes, penalties, and the elements of crimes against persons, property, and more.

### **Learning Objectives**

- Track the history and philosophical development of US criminal law
- Identify the elements of crimes
- Classify offenses and penalties
- Discuss common defenses to criminal liability
- Evaluate the application of criminal law to other areas of criminal justice

### **Prerequisite(s); co-requisite(s), or recommended preparation**

Recommended: LAW-210, Fundamentals of the U.S. Legal System

### **Required Materials (e.g., textbooks or other)**

1. University of Minnesota, Criminal Law. MN Libraries Publishing, <https://open.lib.umn.edu/criminallaw/>.
2. *United States v. Clark* (NITA Case File); By: Donald Q. Cochran, SBN: 9781632827234
3. Burkoff, John M., *Jumpstart Criminal Law: Reading and Understanding Criminal Cases and Statutes*
4. Materials on Blackboard (Assigned during semester)

### **Optional Materials**

1. Frank August Schubert. *Criminal Law: The Basics* (3<sup>rd</sup> ed. 2014). Wolters Kluwer, ISBN: 9781454858287
2. Bindertek Criminal Trial Index Tab Dividers (<https://www.bindertek.com/criminal-trial-index-tab-dividers/>)

### **Description and Assessment of Assignments & Exams**

Assignments: Assignments 1 and 2 will be due during weeks six and twelve, respectively. Both assignments will be related to *United States v. Clark*, a real bank robbery case. In *United States v. Clark*, the defendant, Andre Clark, has been charged with bank robbery after the Main Street Bank was robbed by three unknown individuals. An anonymous caller reported to 911 that he/she saw three individuals run from the bank and followed them. He/she reported the

individuals then switched cars and stopped at a house. Based on this call, agents went to the reported house and searched it, finding a handgun, \$12,000 dollars, and a mask. The three men at the residence, including Andre Clark were arrested. The case file includes three witnesses for the prosecution and two witnesses for the defendant. The case also includes a DNA expert. Students will be responsible for studying the entire case file, including copies of police reports, witness statements, grand jury transcripts, the indictment, exhibits, bank surveillance photos, and aerial photos of the robbery location. Students will also be responsible for working in a group and presenting the case from the prosecution or defense perspective, as assigned by the instructor.

Midterm Exam: The midterm exam will be a “take-home” exam and will cover material from weeks 1-8.

Final Exam: The final exam will also be a “take-home” exam and will cover material from weeks 1-16.

Participation: Students will receive up to 10 points for punctual and regular attendance and oral contributions to the Zoom class discussions.

### Grading Breakdown

Activity	Points
Assignment 1	15
Midterm	25
Assignment 2	15
Final Exam	25
Participation	10
Homework	10
Total	100

### Course-Specific Policies

Unexcused late homework, assignments and/or take-home exams will not be graded. Professional conduct and participation in Zoom class environment is expected of all students, which includes logging into class on time, providing meaningful feedback on class topics, and respecting the diverse viewpoints of others. Unexcused absences, unless accompanied by a physician’s note or other explanation, may lower the participation score at the discretion of the instructor. A student whose attendance is not regular and punctual may be withdrawn from enrollment at the discretion of the instructor and the Dean of Students. More information regarding the specifics of the assignments will be provided during the second week of class.

### Course Schedule: A Weekly Breakdown

<u>Date</u>	<u>Topics</u>	<u>Reading</u> <u>(Students are expected</u> <u>to complete all reading</u> <u>before class)</u>	<u>Assignment</u> <u>(All written</u> <u>assignments are due</u> <u>by 11:00 a.m. on due</u> <u>date)</u>
Week 1 Jan. 19 Jan.. 21	Introduction to Criminal Law	U of MN, Chapter 1, p. 1-15 (Crime, Criminal Law, Compare Civil Law, Classification Crimes); JumpStart Crim Law, Chapter 2	Submit a short paragraph explaining your goals for the course and the reason or reasons you are interest in learning

		<p>(Review Glossary of Terms)                  United States v. Clark, p. 1-13 (Case Summary, Indictment and Affidavit for Arrest);                  55-87 (Photo Exhibits Available on Blackboard)  <u>Recommended:</u>                  JumpStart Crim Law, Chapter 1 (Context for the study of U.S. Criminal Law)</p>	<p>more about criminal law. (Due Tuesday, January 19 by 11:00 a.m.)</p>
<p>Week 2                  Jan. 26                  Jan. 28</p>	<p>Criminal Law in the United States</p>	<p>U of MN, Chapter 2, p. 54-59 (Burden of Proof)                  JumpStart Crim Law, Chapter 3 (Jurisdictional Variance and Dual Sovereignty);                  JumpStart Crim Law, Chapter 8 (What Conduct Is Criminalized and Why?)                  United States v. Clark, p. 17-30 (Witness Statements and Grand Jury Transcripts)  <u>Recommended:</u> U of MN, Chapter 2, p. 35-53 (Federalism, the Branches of Government, the Court System)</p>	<p>Evaluate the case file of United States v. Clark and complete the following: 1) Prepare a list of facts that the prosecutor may use to satisfy the government's burden of proof <u>and</u> a list of facts the Andre Clark may use to defend himself; 2) Based on this week's reading, explain why the "United States" is prosecuting the case and not a State; and 3) Review the indictment on page 3 and explain what burden of proof is required for the government to obtain an indictment. (Due Tuesday, January 26, by 11:00 a.m.)</p>
<p>Week 3                  Feb. 2                  Feb. 4</p>	<p>Steps in the Criminal Justice Process</p>	<p>JumpStart Crim Law, Chapter 4 (Steps in the Criminal Justice Process)                  United States v. Clark, p. 31-33 (Plea Agreement)</p>	<p>Evaluate the case file of United States v. Clark and identify with specific page numbers and references whether there is evidence of the "Steps in the Criminal Justice Process" in the case file. Explain your answers with reference to each step. (Due Tuesday February 2, by 11:00 a.m.)</p>

Week 4 Feb. 9 Feb. 11	Elements of a Crimes: <i>Actus Reus</i> and <i>Mens Rea</i>	JumpStart Crim Law, Chapter 6 (Element Analysis: The Way Criminal Law Works): JumpStart Crim Law Chapter 10 (Importance of the Actus Reus and Mens Rea Elements)	Draft of United States v. Clark Assignment 1 Due Tuesday, February 9, by 11:00 a.m.)
Week 5 Feb. 16 Feb. 18	Elements of a Crime (continued); Crime Against Property	U of MN, Chapter 8, p. 401-405 only (Robbery); U of MN, Chapter 7, p. 227-234 only (Accomplice Liability); JumpStart Crim Law, Chapter 5 (Criminal Trials: Judge and Jury); United States v. Clark, 89-93 (Jury Instructions and Jury Verdict Sheet	Evaluate the case file of United States v. Clark, including the indictment and the jury instructions, and prepare a list of the elements of each offense charged in the indictment. Next, explain the difference between the role of the jury and the judge in this case. (Due Tuesday, February 16, by 11:00 a.m.)
Week 6 Feb. 23 Feb. 25	Criminal Defenses	U of MN, Chapter 5, p. 151-156 only; JumpStart Crim Law, Chapter 7 (Three Distinct Types)	Final United States v. Clark Assignment 1 due on Thursday, February 25.
Week 7 March 2 March 4	Criminal Trials (Part I)	United States v. Clark Presentations	United States v. Clark Assignment 1 Presentations
Week 8 March 6 March 8	Midterm Review/ Midterm Exam	None	Midterm Exam (March 8)
Week 9 March 9 March 11	Crimes Against Persons – Homicide	U of MN, p. 287-322 U of MN, Chapter 5, p. 158-184 (Defenses, Self Defense, Use of Force Defenses, Duress and Consent Defenses)	TBD
Week 10 March 16 March 18	Crimes Against Persons – Battery, Assault, Kidnapping	U of MN, p. 348-359 (Assault and Battery); 368-373 (Kidnapping)	Draft of United States v. Clark Assignment 2 due Tuesday, March 16 by 11:00 a.m.)
Week 11 March 23 March 25		March 23 – Wellness Day (No class) March 25 – Group Work (No formal class)	
Week 12 March 30	Sentencing and Punishment	TBD	United States v. Clark Assignment 2 due Thursday, April 1.

April 1			
Week 13 April 6 April 8	Sentencing and Punishment	TBD	TBD
Week 14 April 13 April 15	Criminal Trials (Part II)	United States v. Clark Presentations	United States v. Clark Assignment 2 Presentations
Week 15 April 20 April 22		April 20 - TBD April 22 -Wellness Day No Class	TBD
Week 16 April 27 April 29	Review Session for Final Exam	Review all readings	
May 5- 12			Final Exam, date TBD

### Statement on Academic Conduct and Support Systems

#### Academic Conduct:

Plagiarism – presenting someone else’s ideas as your own, either verbatim or recast in your own words – is a serious academic offense with serious consequences. Please familiarize yourself with the discussion of plagiarism in *SCampus* in Part B, Section 11, “Behavior Violating University Standards” [policy.usc.edu/scampus-part-b](http://policy.usc.edu/scampus-part-b). Other forms of academic dishonesty are equally unacceptable. See additional information in *SCampus* and university policies on scientific misconduct, <http://policy.usc.edu/scientific-misconduct>.

#### Support Systems:

*Student Counseling Services (SCS) – (213) 740-7711 – 24/7 on call*

Free and confidential mental health treatment for students, including short-term psychotherapy, group counseling, stress fitness workshops, and crisis intervention. [engemannshc.usc.edu/counseling](http://engemannshc.usc.edu/counseling)

*National Suicide Prevention Lifeline – 1 (800) 273-8255*

Provides free and confidential emotional support to people in suicidal crisis or emotional distress 24 hours a day, 7 days a week. [www.suicidepreventionlifeline.org](http://www.suicidepreventionlifeline.org)

*Relationship and Sexual Violence Prevention Services (RSVP) – (213) 740-4900 – 24/7 on call*

Free and confidential therapy services, workshops, and training for situations related to gender-based harm. [engemannshc.usc.edu/rsvp](http://engemannshc.usc.edu/rsvp)

*Sexual Assault Resource Center*

For more information about how to get help or help a survivor, rights, reporting options, and additional resources, visit the website: [sarc.usc.edu](http://sarc.usc.edu)

*Office of Equity and Diversity (OED)/Title IX Compliance – (213) 740-5086*

Works with faculty, staff, visitors, applicants, and students around issues of protected class. [equity.usc.edu](http://equity.usc.edu)

*Bias Assessment Response and Support*

Incidents of bias, hate crimes and microaggressions need to be reported allowing for appropriate investigation and response. [studentaffairs.usc.edu/bias-assessment-response-support](http://studentaffairs.usc.edu/bias-assessment-response-support)

*The Office of Disability Services and Programs*

Provides certification for students with disabilities and helps arrange relevant accommodations.

[dsp.usc.edu](http://dsp.usc.edu)

*Student Support and Advocacy – (213) 821-4710*

Assists students and families in resolving complex issues adversely affecting their success as a student

EX: personal, financial, and academic. [studentaffairs.usc.edu/ssa](http://studentaffairs.usc.edu/ssa)

*Diversity at USC*

Information on events, programs and training, the Diversity Task Force (including representatives for each school), chronology, participation, and various resources for students. [diversity.usc.edu](http://diversity.usc.edu)

*USC Emergency Information*

Provides safety and other updates, including ways in which instruction will be continued if an officially declared emergency makes travel to campus infeasible. [emergency.usc.edu](http://emergency.usc.edu)

*USC Department of Public Safety – UPC: (213) 740-4321 – HSC: (323) 442-1000 – 24-hour emergency or to report a crime. Provides overall safety to USC community. [dps.usc.edu](http://dps.usc.edu)*