

**Saint Leo University
CRM 321
Substantive Criminal Law**

Course Description:

This course covers the creation and application of substantive criminal law. Topics covered include the nature and origins of criminal law, substantive due process, elements of criminal liability, the doctrine of complicity, uncompleted crimes, defenses to criminal liability, and the elements of crimes against persons, habitation, property, the public order, and morals.

Prerequisite:

POL123, CRM220

The textbook information which appears on our Saint Leo Bookstore ordering site is as follows:

- Samaha (2015). Criminal Law 12th Edition. Loose-leaf w/ Mindtap Access (Custom) ISBN-13: 978-1-337-57353-5
- Samaha (2015). Criminal Law 12th Edition. E-Book w/ Mindtap Access (Custom) ISBN-13: 978-1-305-64011-5

Your custom textbook was created from the following National text(s):

- Samaha (2015). Criminal Law 12th Edition. ISBN-13: 978-1-305-57738-1

American Psychological Association. (2010). *Publication manual of the American Psychological Association* (6th ed.). Washington, DC: Author. ISBN-13: 978-1-4338-0561-5

Learning Outcomes:

As a result of this course, students will:

1. Demonstrate an understanding of the Saint Leo University Core Value of Respect as it relates to the interpretation and application of criminal law.
2. Discuss limits to criminal laws and protection of law under the U.S. Constitution.
3. Define and identify *actus reas* and *mens rea*.
4. Discuss various defense strategies used in criminal law.
5. Identify and examine various types of crimes.

Core Value:

Respect: Animated in the spirit of Jesus Christ, we value all individuals' unique talents, respect their dignity, and strive to foster their commitment to excellence in our work. Our community's strength depends on the unity and diversity of our people, on the free exchange of ideas, and on learning, living, and working harmoniously.

Evaluation:

Item	Points Each	Points Total	Percent Each	Percent Total
Modular Discussion Questions (8)	100	800	2%	16%
Reaction Papers (5)	100	500	3.5%	17.5%
Reaction Paper Discussions (5)	100	500	1.3%	6.5%
Case Briefs (5)	100	500	4%	20%
Exams (2)	100	200	20%	40%

Modular Discussion Questions:

Each module contains one discussion question on a topic relevant to the content covered in that module and the assigned readings. These are graded questions to reflect upon, respond to, and reply to peers upon. Students are to post on the Discussion Board their own initial response to the question by Thursday 11:59 PM EST/EDT of the module in which the question is asked. Initial responses and replies should be between 250 and 500 words. Appropriate referencing is needed when citing materials of others.

An initial response to the discussion question should demonstrate:

- Understanding of the question itself
- Knowledge of the subject matter related
- Analysis and synthesis of the issues involved

Replies to at least two classmates are due by Sunday 11:59 PM EST/EDT of the module in which the question is asked.

The required replies should demonstrate:

- Respect for the student to whom the reply is given
- Support of agreement/disagreement with the analysis
- Correction of facts, if appropriate
- Appropriate examples from personal experience

Reaction Papers/Reaction Paper Discussions:

Reaction papers are a critical component of the conversation that will take place in this course. There will be a total of five different reaction papers throughout the course. Each of the five reaction papers will be approximately two pages in length. The text will be double-spaced and formatted using APA format. Students should clearly identify their topic and present their personal viewpoint or perspective; however, students must also present a factual basis for that viewpoint (as opposed to an opinion paper). All references supporting the factual basis must be properly cited to the original sources in accordance with APA guidelines. All papers must be the work of the individual student - this is not a group assignment. The paper will be submitted to the Assignment box no later than Sunday 11:59 PM EST/EDT. (This Assignment box is linked to Turnitin.)

Additionally, there will be a discussion on the reaction papers in the subsequent module. The student will reply to two classmates by the Thursday of the next module following the same guidelines and expectations used for the modular discussion questions.

Case Briefs:

Case briefs are a critical component of the learning that will take place in this course. There will be a total of five different case briefs throughout the course. Each of the five case briefs will be approximately two pages in length. Students will use Westlaw to look up the cases. Further guidelines on case brief expectations can be found in the course.

Exams:

This course has a midterm and a final exam. Each exam will consist of 30 multiple-choice and two essay questions. Each exam will be an hour and a half in length (90 minutes) and will be completed no later than Sunday 11:59 PM EST/EDT of the module in which it is given. ALL tests count towards the final grade and are not graded on a curve. It is expected that students are thoroughly prepared for these tests.

Grading Scale:

Grade	Score (%)
A	94-100
A-	90-93
B+	87-89

B	84-86
B-	80-83
C+	77-79
C	74-76
C-	70-73
D+	67-69
D	60-66
F	0-59

Written Assignments and the APA Format:

The Department of Criminal Justice recognizes the value of excellence in writing for students in Criminal Justice. In part, each professor is expected to provide guidance on improving a student's writing skills. Students are required to use only the APA (American Psychological Association) format to write and develop a scholarly paper for submission in the Social Sciences. APA has been adopted by the Department as its writing standard for all academic written assignments. No other writing style is acceptable.

APA is the American Psychological Association, and the style is one of many in the academic world used to regulate the language, citations, procedure, and formatting of manuscripts and other examples of writing in the social sciences. Please be consistent throughout each written paper. *Refer to APA Guide under Resources on the Start Here for APA specifics.*

All projects, assignments, or papers submitted for grading will be required to include an abstract and reference page. All references are to be cited using the American Psychology Association (APA) format (6th edition). Other formats will not be accepted. For each scholarly paper and group assignment(s), the work will be assessed using an individual grading rubric for each assignment. This tool and process helps the students identify and professor measure the key points necessary to successfully complete written or group assignments. *Wikipedia is not an appropriate source for any scholarly writing and is not permitted for any assignment in this program.*

Course Schedule:

Module 1 Overview and Constitutional Limits on Criminal Law

Objectives

When you complete this module, you should be able to:

- Define and identify *ex post facto* laws.
- Recall and apply the equal protection of the law under the U.S. Constitution.
- Compare cruel and unusual punishments to lawful punishment.

Assignments:

Items to be Completed:	Due No Later Than:
Post an introduction to the class	Thursday 11:59 PM EST/EDT
Read the assigned materials	
Post initial response to the discussion question	Thursday 11:59 PM EST/EDT
Post responses to at least two classmates	Sunday 11:59 PM EST/EDT
Submit and post Reaction Paper	Sunday 11:59 PM EST/EDT
Submit Case Brief	Sunday 11:59 PM EST/EDT

Module 2 Principles of Criminal Liability; *Actus Reus*; *Mens Rea*

Objectives

When you complete this module, you should be able to:

- Define and identify *actus reas*.
- Examine the role of *actus reas* within criminal law.
- Define and identify *mens rea*.
- Examine the role of *mens rea* within criminal law.
- Identify the blending of *mens rea* and *actus reas* as concurrence.

Assignments

Items to be Completed:	Due No Later Than:
Read the assigned materials	
Post responses to at least two classmates' Module 1 Reaction Papers	Thursday 11:59 PM EST/EDT
Post initial response to the discussion question	Thursday 11:59 PM EST/EDT
Post responses to at least two classmates' discussion posts	Sunday 11:59 PM EST/EDT
Submit and post Reaction Paper	Sunday 11:59 PM EST/EDT
Submit Case Brief	Sunday 11:59 PM EST/EDT

Module 3**Defenses to Criminal Liability: Justifications and Excuses****Objectives**

When you complete this module, you should be able to:

- Compare the different legal theories of self-defense.
- Recall and explain the affirmative defenses.
- Contrast the defense of consent with self-defense.
- Identify the four insanity theories: Right-Wrong Test, Irresistible Impulse Test, Substantial Capacity Test, and Product of Mental Illness Test.
- Identify the subjective and objective test of the entrapment defense.
- Contrast battered spouse syndrome to the defense of insanity.

Assignments:

Items to be Completed:	Due No Later Than:
Read the assigned materials	
Post responses to at least two classmates' Module 2 Reaction Papers	Thursday 11:59 PM EST/EDT
Post initial response to the discussion question	Thursday 11:59 PM EST/EDT
Post responses to at least two classmates' discussion posts	Sunday 11:59 PM EST/EDT
Submit and Post Reaction Paper	Sunday 11:59 PM EST/EDT
Submit Case Brief	Sunday 11:59 PM EST/EDT

Module 4**Parties to Crime; Vicarious Liability; Inchoate Crimes****Objectives**

When you complete this module, you should be able to:

- Identify inchoate crimes.
- Examine the crime of conspiracy.
- Recall and apply that a complete and voluntary abandonment of an attempt is a defense to the crime attempted.

Assignments:

Items to be Completed:	Due No Later Than:
Read the assigned materials	
Post responses to at least two classmates' Module 3 Reaction Papers	Thursday 11:59 PM EST/EDT
Post initial response to the discussion question	Thursday 11:59 PM EST/EDT
Post responses to at least two classmates' discussion posts	Sunday 11:59 PM EST/EDT
Submit and Post Reaction Paper	Sunday 11:59 PM EST/EDT
Complete Midterm Exam	Sunday 11:59 PM EST/EDT

Module 5 **Crimes against Persons**

Objectives

When you complete this module, you should be able to:

- Identify the different degrees of homicide.
- Compare homicide to manslaughter.
- Distinguish voluntary manslaughter from involuntary manslaughter.
- Identify the *actus reas* and *mens rea* of sex crimes.
- Compare the different degrees of rape.
- Identify the elements of assault, battery, stalking, and kidnapping.

Assignments:

Items to be Completed:	Due No Later Than:
Read the assigned materials	
Post responses to at least two classmates' Module 4 Reaction Papers	Thursday 11:59 PM EST/EDT
Post initial response to the discussion question	Thursday 11:59 PM EST/EDT
Post responses to at least two classmates' discussion posts	Sunday 11:59 PM EST/EDT
Submit and Post Reaction Paper	Sunday 11:59 PM EST/EDT
Submit Case Brief	Sunday 11:59 PM EST/EDT

Module 6 **Crimes against Property**

Objectives

When you complete this module, you should be able to:

- Identify the elements of theft.
- Contrast theft with robbery.
- Distinguish theft from burglary.

Assignments:

Items to be Completed:	Due No Later Than:
Read the assigned materials	
Post responses to at least two classmates' Module 5 Reaction Papers	Thursday 11:59 PM EST/EDT
Post initial response to the discussion question	Thursday 11:59 PM EST/EDT
Post responses to at least two classmates' discussion posts	Sunday 11:59 PM EST/EDT
Submit Case Brief	Sunday 11:59 PM EST/EDT

Module 7 **Crimes against Public Order and Morals**

Objectives

When you complete this module, you should be able to:

- Distinguish individual and group disorderly conduct.
- Identify “quality of life” crimes.
- Analyze responses to gang activity.
- Assess “victimless crimes” and the impact on individuals and society.

Assignments:

Items to be Completed:	Due No Later Than:
Read the assigned materials	
Post initial response to the discussion question	Thursday 11:59 PM EST/EDT
Post responses to at least two classmates’ discussion posts	Sunday 11:59 PM EST/EDT

Module 8 **Crimes against the State**

Objectives

When you complete this module, you should be able to:

- Discuss the origin and evolution of treason laws.
- Distinguish sedition, sabotage, and espionage.
- Identify terrorism crimes and law enforcement response.
- Classify weapons of mass destruction and law enforcement contingencies.
- Discuss legality of crimes of harboring or concealing terrorists.
- Identify legal issues in providing “material support” to terrorists.

Assignments:

Items to be Completed:	Due No Later Than:
Read the assigned materials	
Post initial response to the discussion question	Thursday 11:59 PM EST/EDT
Post responses to at least two classmates’ discussion posts	Sunday 11:59 PM EST/EDT
Complete Final Exam	Sunday 11:59 PM EST/EDT