CRIM 1310 CRIMINAL LAW

Instructor: Michael F. Kane

<table>
<thead>
<tr>
<th>Semester</th>
<th>Spring 2018</th>
<th>Email</th>
<th><a href="mailto:kanemf@stthom.edu">kanemf@stthom.edu</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>Days</td>
<td>Monday</td>
<td>Time</td>
<td>2:10pm-4:55pm</td>
</tr>
<tr>
<td>Office</td>
<td>Education Annex</td>
<td>Office Hours</td>
<td>M 10AM to noon and 5PM to 7 PM, T,W,Th 10 to noon or by arrangement</td>
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Required Books:

*Basic Criminal Law: The Constitution, Procedure and Crimes, 3rd Edition*
By Anniken U. Davenport
ISBN13: 9780135109465

a) Course Description:
The study of criminal law including application of definitions, statutory elements, defenses and penalties using Texas statutes, and case law. The course also analyzes the philosophical and historical development of criminal law and criminal culpability.

b) Student outcomes/objectives for this course:
   a) Identify the elements of crimes and defenses under Texas statutes, and case law.
   b) Classify offenses and articulate penalties for various crimes.
   c) Compare culpable mental states when assigning criminal responsibility.
   d) Assess the impact of history and philosophy on current criminal laws
   e) Evaluate the application of criminal law to other areas of criminal justice such as law enforcement and corrections
   f) Describe, articulate and discuss the structural framework of criminal law.
   g) Review how criminal law compares and differs to other types of laws.
School of Education Disposition Expectations

The Following are disposition indicators and examples of corresponding behaviors:

**Demonstrate professional responsibility by-**

- Being present, punctual and prepared for professional and academic activities.
- Responsibly communicating with faculty, peers, supervisors and/or mentors.
- Maintaining confidentiality of student records and private communications.
- Being actively involved in professional development activities.
- Maintaining composure under pressure by exhibiting self-control.
- Meeting professional expectations and obligations.
- Expressing feelings effectively and appropriately.
- Responding appropriate to directives from faculty members, supervisors, and mentor teachers.

**Foster collegiality by-**

- Exhibiting a willingness to accept and respond to feedback and productively acknowledge the validity of the feedback.
- Using positive conflict resolution techniques.
- Respecting other’s points of view.
- Collaborating with students and working cooperatively with colleagues.
- Demonstrating an awareness of own impact on others.
- Expressing feelings appropriately.

**Demonstrate commitment to diversity by-**

- Showing adaptability in instruction for individual differences.
- Demonstrating that diversity in the classroom is a commitment to equity.
- Facilitating lessons that counteract negative stereotypes and bigotry.
- Providing students with access to varying points of view.
- Using language that is not demeaning or harmful to any individual or group.

**Demonstrate commitment to learning by-**

- Demonstrating an openness and willingness to learn.
- Demonstrating flexibility.
- Creating a learning environment which enables students to fulfill their potential.
- Respecting individual differences.
- Adapting instruction to “best practices.”
- Displaying creativity, curiosity and enthusiasm for teaching and learning.

**Maintain professional and personal integrity by-**

- Adhering to the UST honesty code.
- Maintaining ethical and legal behaviors in interactions with others.
- Respecting SOE policies and procedures.
- Demonstrating language that communicates and reflects professional decorum such as verbal, nonverbal and body language.
Selected Social Justice Teachings

Selected social justice teachings of the Catholic Church are used to inform the School of Education programs. As educators, the tenets of social justice should play a pivotal role in decision-making strategies in Catholic, private, and public schools of all levels.

- **Subsidiarity**: Educational institutions should be organized and governed as much as possible by the community being served; education should only be controlled at higher levels of society when it cannot be done effectively locally.

- **Dignity and rights of children**: Children possess full human dignity and are bearers of rights which should be recognized and upheld in the educational process.

- **People have a right to an education**: All people have a responsibility, for the good of society, to contribute to and foster education.

While these three keystones of social justice teachings are present throughout the coursework, they are specifically addressed through scenarios, case studies, and role playing activities at the undergraduate and graduate levels.

Student Accommodations and Professional Standards of Behavior:

- **Student Disability**—any student with a documented disability needing academic adjustments or accommodations is requested to speak with me during the first two weeks of class. All discussions will remain confidential. Students with disabilities will need to also contact Counseling and Disability Services in Crooker Center. This office can be reached at (713) 525-6953 or 3162.

- **Academic Integrity**—the university system is based on a respect of intellectual property. Citing sources of information used in one’s work and total reliance on personal ability in individual assessments are fundamentals in scholarly behavior. Any instance of breach in academic integrity will be documented and reported to the Dean of the School of Education. Students will be informed of this action and must submit a written response to the charge. The instructor has the right to fail the student for the specific project or the entire course.

- **Students may not bring their children to class** as this can be disruptive to other students and to my instruction.

- **Students should not bring a complete meal into class and eat**. Water, soft drinks, and snacks are ok.

- **Students should not be talking on their phone or texting during class**.
Use of UST Email Accounts and Blackboard

All email correspondence will be through the my.stthom email system. Please check your email through your my.stthom account daily for correspondence and announcements. UST Blackboard use is a requirement in this course. Helpful numbers: UST Technology Helpdesk: 713-525-6900 Blackboard help: 713-525-3153

Attendance

Attendance of each class period is expected. Failure to attend class regularly will affect your participation grade. It is the student's responsibility to catch up on any material missed before the next class period.

Late Assignments

It is the instructor's policy that late assignments will not be accepted. Exceptions to this policy are only allowed due to individual extenuating circumstances and will be at the discretion of the instructor to accept a late assignment and to make appropriate point deductions for lateness.

Grade Grade Points Numeric Range Set by Instructor
A 4.0 95-100%
A- 3.7 90-94%
B+ 3.3 86-89%
B 3.0 83-85%
B- 2.7 80-82%
C+ 2.3 76-79%
C 2.0 73-75%
C- 1.7 70-72%
D 1.0 60-69%
F 0.0 Below 60%

Grading Breakdown:

Participation 20%
Examinations 20%
(2)
Mid-Term 20%
Research 20%
Final Exam 20%

Examinations:
Each examination will have 30 to 40 multiple choice question and one essay question.

Mid-term and Final Examination:
Each examination will consist of 70 multiple-choice questions along with two essay questions. The exams will be administered under timed conditions.
Participation:
Students are expected to attend class with the required texts. They should also have note-taking materials available. Students are required to read the scheduled chapters in advance in order to participate in classroom discussion.

Research paper must be submitted. Failure to submit research will result in a grade of F for the course.

Class Schedule:

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<tr>
<th>Date</th>
<th>Topic</th>
<th>Assignment</th>
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<tr>
<td>Monday February 12, 2018</td>
<td>Review and discussion of Chapter 3: murder and justifiable homicide. Second research update.</td>
<td>Read Chapter 4. Review Texas Penal Code Chapter 21 (all) and Section 22.011 of Chapter 22.</td>
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<tr>
<td>Monday February 19, 2018</td>
<td>Discussion of Chapter 4, review for examination Chapters 1-3</td>
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<tr>
<td>Monday February 26, 2018</td>
<td>Examination #1 chapters 1 through 3 Begin discussion of Chapter 5.</td>
<td>Read Chapter 5. Review Texas Penal Code on terrorism, hate crimes, robbery and kidnapping. Review United States Code Title 18 Chapter 113B - Terrorism Third update on research.</td>
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<tr>
<td>Date</td>
<td>Activity</td>
<td>Reading Material</td>
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<tr>
<td>Monday, March 5, 2018</td>
<td>Discuss results of examination #1, Finish discussion of Chapter 5. Third research update</td>
<td>Read Chapter 6. Review Texas Penal Code concerning motor vehicle theft, burglary, cybercrimes, firearms</td>
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<tr>
<td>Monday, March 12, 2018</td>
<td>SPRING BREAK</td>
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<tr>
<td>Monday, March 19, 2018</td>
<td>Discuss Chapter 6. Review for mid-term examination Chapters 1-6</td>
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<td>Monday, March 26, 2018</td>
<td>Mid-Term Examination</td>
<td>Read Chapter 7. Texas Penal Code concerning prostitution, domestic violence, disorderly conduct.</td>
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<td>Monday, April 2, 2018</td>
<td>Discuss Mid Term Examination results. Discuss Chapter 7</td>
<td>Read Chapter 8. Texas Penal Code section 22.07, 19.03(7) Federal law Title 18 <a href="http://uscode.house.gov/view.xhtml?path=/prelim@title18/part1/chapter113B&amp;edition=prelim">http://uscode.house.gov/view.xhtml?path=/prelim@title18/part1/chapter113B&amp;edition=prelim</a></td>
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<td>Monday, April 9, 2018</td>
<td>Discuss Chapter 8 Fourth research update</td>
<td>Read Chapter 9. Texas Penal Code criminal trespass, perjury, escape</td>
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<td>Monday, April 16, 2018</td>
<td>Discuss Texas Penal Code chapter 9, Examination #2 review</td>
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<td>Monday, April 23, 2018</td>
<td>Examination #2, finish and submit research project</td>
<td>Read Chapter 10. Texas Penal Code Chapters 7, 8, 9</td>
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<td>Monday, April 30, 2018</td>
<td>Discuss chapter 10, Presentation of research project as time permits</td>
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<td>Monday, May 7, 2018</td>
<td>Review for Final Examination, classroom presentation of research</td>
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<td>Monday, May 14, 2018</td>
<td>Final Examination 3PM to 5:30 PM</td>
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*Instructor reserves the right to modify the syllabus.*