

LEX 160 Criminal Law and Procedure

COURSE DESCRIPTION:

Prerequisites: ENG 090 and RED 090 or DRE 098; or satisfactory score on placement test

Corequisites: None

This course introduces substantive criminal law and procedural rights of the accused. Topics include elements of state/federal crimes, defenses, constitutional issues, pre-trial and trial process, and other related topics. Upon completion, students should be able to explain elements of specific crimes and assist an attorney in preparing a criminal case.

Course Hours Per Week: Class, 2. Lab, 2. Semester Hours Credit, 3.

LEARNING OUTCOMES:

Upon completing requirements for this course, the student will be able to:

1. Identify and explain the various elements of state and federal crimes, and related defenses
2. Recognize the factual, statutory and constitutional defenses of the accused
3. Identify the constitutional aspects of criminal procedure
4. Understand the pre-trial and trial process

OUTLINE OF INSTRUCTION:

- I. Origins of the criminal law
 - A. The common law and the rise of statutory law
 - B. Overview of criminal procedure and distinction between substantive and procedural law
 - C. The use of elements of various crimes
 - D. The concepts of legal and moral guilt
- II. Substantive law concepts
 - A. Mens rea
 - B. Actus reus
 - C. Strict liability and specific intent
 - D. General intent and motive
- III. Parties to crimes
 - A. Principles and accessories
 - B. Accomplices and coconspirators
- IV. General crimes
 - A. Attempt
 - B. Solicitation to commit a crime
 - C. Criminal conspiracy
- V. Crimes against the person
 - A. Assaults
 - B. Robbery
 - C. Extortion
 - D. Kidnapping and false imprisonment
 - E. Sexual assault and rape
 - F. Homicide in the various degrees
- VI. Crimes against property
 - A. Burglary, breaking, and entering

- B. Arson
- C. Common trespass
- D. Larceny and embezzlement
- E. Possession of stolen goods and willful concealment
- F. Damage to property, real and personal

VII. Public disorder crimes and drug offenses

- A. The laws of controlled substances
- B. Possession and conspiracy to possess
- C. Possession with intent to sell and distribute
- D. Sale and distribution of controlled substances

VIII. Law of arrest

- A. Legal standards for stopping persons and vehicles
- B. Legal standards for search incidental to arrest

IX. Criminal process

- A. Standard for securing an arrest warrant
- B. Service and return of arrest warrant
- C. Arrest without a warrant
- D. Post arrest procedures

X. Laws of investigation

- A. Standards for search and seizure
- B. Invasion of privacy issues
- C. Administrative search warrants

REQUIRED TEXTBOOK AND MATERIAL:

The textbook and other instructional material will be determined by the instructor.