

POLS 415: CRIMINAL LAW SYLLABUS – FALL 2017

Instructor: Thomas D. Arado
Email: tarado@niu.edu

Office Hours: After class or by appointment

COURSE DESCRIPTION

This course examines criminal law in the United States, with a focus on the substantive elements of the law. Criminal procedure will be discussed as needed.

READING MATERIAL

The class materials will be posted on Blackboard. The material has been developed based initially on the textbook *Criminal Law* (11th Edition) by Joel Samaha. You may order the book if you like, but I am not requiring it as an attempt to reduce your costs.

CLASS REQUIREMENTS

Exams will be based on the notes and PowerPoint presentations that will be posted to Blackboard. Lectures and discussion are designed to explain and supplement the reading material, not to replace it. Information presented impromptu during lectures and/or discussions in class may be subject to inclusion on the exams. I do not supplement the notes after the class, so it is in your best interest to attend.

Your grade will be based on three (3) exams (300 total points) and attendance (10 points), with your final point total adjusted by bonus and/or penalty points (see below).

ATTENDANCE

Class attendance is required. Attendance is worth ten (10) points. You may be absent for up to three (3) classes without penalty. Each class missed thereafter will result in a two (2) point deduction for each class. [For example, if you are absent for six (6) classes, you will earn only four (4) attendance points. If you miss eight classes, you will earn zero (0) attendance points.] Missing more than eight (8) classes will result in points being DEDUCTED from your overall exam points. [For example, if you miss ten (10) classes, you will have four (4) points deducted from your total exam points for the semester. Thus, if you had 270 points from exams, your final total points towards your grade would be 266.]

Initially, attendance will be taken by roll call so I can try to familiarize myself with your names. Thereafter, an attendance sheet will be distributed at each class session that you must sign as proof of attendance. It is YOUR RESPONSIBILITY to ensure that your attendance is recorded either through the oral roll call or on the roll sheet. If you do not respond during roll call or do not sign the attendance sheet, you will be considered absent for that class. If you arrive for class after attendance is taken, you must see me after class to ensure your attendance is recorded.

If you are unable to take an exam at the scheduled time, you must contact me BEFORE the exam to arrange a make-up time. Failure to contact me BEFORE the exam will result in a ZERO (0) on the exam unless you can provide appropriate documentation explaining why you could not take the exam as scheduled.

CLASSROOM DECORUM

Students are to arrive at class on time. Cell phones, pagers, or any electronic devices that make noise must be turned off during class unless the instructor has been notified beforehand of a special circumstance (e.g., sick family member, pregnant wife, special childcare situation, etc.). No one should talk while someone else is talking; this includes comments meant for a classmate rather than the entire group. What may seem like a whisper or a harmless remark to one person can be a distraction to someone else, particularly in a small room. Overall, classroom dialogue and behavior should always be courteous, respectful of others, and consistent with the expectations set forth by the university. I reserve the right to deduct points from your overall score for conduct I determine to be disruptive to the class. The number of points that may be deducted is at my discretion, but the total may not exceed 40 points.

COURSE GRADING

There will be three (3) tests given consisting of 50 questions worth two points per question for one hundred (100) points per exam. The format of the exam may include any of the following: short answer, multiple choice, true/false, fill-in-the-blank, and/or matching. Each test will be primarily taken from the most recent material covered including the Blackboard material and class lecture/discussion.

Extra credit may be offered towards the end of the semester. Often, but not always, it involves acting as a juror for one of the NIU College of Law Trial Advocacy Class trials. An alternative is offered for those who cannot attend. Extra credit of six (6) points may be earned. [Note: The maximum extra credit that can be earned is 6 points. If you have already earned the 6 points, please do not ask for additional extra credit assignments.]

Letter grades will be based on the number of points earned on exams. The point total on which grades are based is 310 (100 for each exam plus 10 points for attendance). Bonus and/or penalty points do not increase or decrease the base points, but increase or decrease your personal point total. Letter grades will be determined based on the following scale:

- A = 285 points or above (92% of 310)
- A - = 279 to 284.9 points (90-91% of 310)
- B + = 269 to 278.9 points (87-89% of 310)
- B = 260 to 268.9 points (84-86% of 310)
- B - = 248 to 259.9 points (80-83% of 310)
- C+ = 238 to 247.9 points (77-79% of 310)
- C = 217 to 237.9 points (70-76% of 310)
- D = 186 to 216.9 points (60-69% of 310)
- F = below 186 points

ACADEMIC DISHONESTY

All work must be the product of the student's own original effort. It is the student's responsibility to familiarize him or herself with university policy regarding plagiarism and academic dishonesty. Students should take the university's Academic Integrity tutorial (<http://www.ai.niu.edu/ai/>). See also the Department's website:

<http://polisci.niu.edu/polisci/audience/plagiarism.shtml>. All infractions will be severely punished: a failing grade for the course and possible disciplinary action by the University.

DISCLAIMER REGARDING LEGAL QUESTIONS: Although I am an attorney, my legal practice is limited to my employment with the *State's Attorneys Appellate Prosecutor*. I cannot give any specific legal advice. If you require legal assistance, you may contact the NIU Students' Legal Assistance at Campus Life Building, Room 120, Phone Number (815) 753-1701. Examples of legal questions I cannot answer: "I (or family member or friend) got a ticket /was arrested, what can I/he/she do?" "I want to sue my landlord/my landlord just sued me, what can I do?"

Important Additional Information

Statement Concerning Students with Disabilities

Northern Illinois University is committed to providing an accessible educational environment in collaboration with the Disability Resource Center. Any student requiring an academic accommodation due to a disability should let his or her faculty member know as soon as possible. Students who need academic accommodations based on the impact of a disability will be encouraged to contact the Disability Resource Center if they have not done so already. The Disability Resource Center is located in the 4th floor of the Health Services Building, and can be reached at 815-753-1303 [v], 815-753-3000 [TTY] or email at drc@niu.edu

UNDERGRADUATE WRITING AWARDS

The Department of Political Science recognizes, on an annual basis, outstanding undergraduate papers written in conjunction with 300-400 level political science courses or directed studies, such as independent studies or honors theses. Winners are expected to attend the Department's spring graduation ceremony where they will receive a certificate and a check for \$100.00. No more than two papers may be submitted by a student. There is no requirement as to the length of papers submitted for the award. Often the Department awards prizes for both an outstanding short paper and an outstanding long paper. The number and types of award is dependent upon the papers submitted for consideration in any given year. Authors do not have to be political science majors or have a particular class standing. Only papers written in the previous calendar year are considered for the award. However, papers completed in the current spring semester are eligible for the following year's competition even if the student has graduated. Papers can be submitted by students or faculty and must be supplied in triplicate to the undergraduate secretary. All copies must have two cover pages – one with the student's name and one without the student's name. Papers are not to be stapled or bound. Instead, please use paper clips. Papers are generally due in March and notice of call for papers and submission deadlines will be published on the Department's Facebook page. You may also contact the department for information at 753-1015.

DEPARTMENT OF POLITICAL SCIENCE WEB SITE

Undergraduates are encouraged to consult the Department of Political Science web site on a regular basis. This up-to-date, central source of information will assist students in contacting faculty and staff, reviewing course requirements and syllabi, exploring graduate study, researching career options, tracking department events, and accessing important details related to undergraduate programs and activities. To reach the site, go to <http://polisci.niu.edu>. For the most up-to-date information on scholarships, internships,

and other department news, I encourage you to “like” the department on Facebook (<https://www.facebook.com/NIU.PoliticalScience>) or follow us on Twitter (@niupols).

CALENDAR OF CLASS ASSIGNMENTS

- 08/28/17 Introduction, roll call, review of syllabus, & Criminal Law & Criminal Punishment: An Overview
- 09/04/17 LABOR DAY – **NO CLASS**
- 09/11/17 Constitutional Limits on Criminal Law
- 09/18/17 The General Principles of Criminal Liability: Actus Reus
- 09/25/17 Criminal Liability: Mens Rea, Concurrence, Causation, and Ignorance and Mistake
- 10/02/17 **EXAM #1**
- 10/09/17 Defenses to Criminal Liability: Justifications
- 10/16/17 Defenses to Criminal Liability: Excuse
- 10/23/17 Parties to Crime and Vicarious Liability
- 10/30/17 Inchoate Crimes: Attempt, Conspiracy and Solicitation
- 11/06/17 **EXAM#2**
- 11/13/17 Crimes Against Persons I: Murder and Manslaughter
- 11/20/17 Crimes Against Persons II: Criminal Sexual Conduct, Bodily Injury, and Personal Restraint
- 11/27/17 Crimes Against Property
- 12/04/17 Crimes Against Public Order and Morals AND Crimes Against the State
- 12/11/17 **FINAL EXAM** 6:00 p.m. to 7:50 p.m.