

**LEX 160**  
**CRIMINAL LAW & PROCEDURE**

**COURSE DESCRIPTION:**

Prerequisites: None

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.

**COURSE OBJECTIVES:**

Upon completion of this course, the student should be able to:

- a. Identify the various elements of crimes and defenses
- b. Interview clients and witnesses
- c. Obtain reports, gather physical evidence, locate witnesses and information
- d. Prepare trial and caselaw notebooks
- e. Prepare exhibits
- f. Subpoena witnesses

**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:**

To be determined

**STATEMENT FOR STUDENTS WITH DISABILITIES:**

Students who require academic accommodations due to any physical, psychological, or learning disability are encouraged to request assistance from a disability services counselor within the first two weeks of class. Likewise, students who potentially require emergency medical attention due to any chronic health condition are encouraged to disclose this information to a disability services counselor within the first two weeks of class. Counselors can be contacted by calling 686-3652 or by visiting the Student Development Office in the Phail Wynn Jr. Student Services Center, room 1309.