

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 the various elements of crimes
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 conspirators
- 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.