Criminal Law Syllabus/Fall 2013
Tuesdays 6:30p til 9:15p
Bowen Hall

Course Name: Criminal Law
Instructor: W. Brent Hyde, M.P.A., J.D.
Contact info.: Office 229-382-0515/Email: bhyde@abac.edu

Course Number: CRJU 2200 (CRN# 10012)
Required text: Criminal Law, Joel Samaha, latest edition
Georgia Law Enforcement Handbook, latest edition
Reference text: Official Code of Georgia, Title 16, latest edition

Course Description: This course will provide the student with a working knowledge of the major principles of criminal law: the sources of criminal law in America, criminal statutes, the elements of proof, criminal responsibility, venues and parties to a crime. The course focus will be on the different sources and limitations of criminal law, what distinguishes a “crime” from a civil “tort” the methods and rationale by which crimes are categorized in American society, to be able to differentiate between civil and criminal wrongdoing and between misdemeanors and felonies. The student will learn to successfully recognize the appropriate elements of proof required for all major criminal offenses, including the appropriate section of the Georgia Criminal Code.

3 credit hours.

Pre-requisites/Co-requisites: Exit LS ENGL & READ

Course Learning Outcomes:
Students will demonstrate their understanding of the historical origins of American criminal law, identify English Common Law as an essential origin, identify the United States Constitution, and the related Amendments, constitutional safeguards to individual liberty. Students will demonstrate their knowledge and understanding of landmark judicial decisions which directly impacted upon the understanding and application of criminal law in America, in such areas as the 4th, 5th, 6th, 8th, and 14th Amendments to the United States Constitution.

Students will further demonstrate their knowledge and understanding of the essential core legal elements of criminal law, the necessary components of the Actus Reus (or the Criminal Act element) of an offense, the Mens Rea (or the Criminal Intent element) of an offense, demonstrate their understanding of the concepts of causation and concurrence; and those concepts which apply to the degree of legal culpability of individuals: attempts, conspiracy, solicitation, principles, and accessories.
Students will likewise demonstrate their understanding of the differences between the common legally acceptable defenses to a criminal act, such as an alibi, a justification, and an excuse, the elements of an insanity defense and what other defenses, such as diminished capacity and physiological syndromes, have gained limited acceptance as legal defenses. Students will correctly identify and distinguish between what constitutes the legal outcomes of a perfect defense, an imperfect defense, or mitigating circumstances, as applied to the legally accepted defenses to a criminal act.

Students will demonstrate their understanding of the basic legal elements of Crimes Against Persons, as defined by common law, criminal statute, and particularly the Criminal Code of Georgia; correctly identify the different basic elements of the offenses of Murder, Manslaughter, Negligent homicide, Rape and sexual assault, Assault, Battery, and Robbery, and distinguish the specific Georgia criminal code elements for these offenses from the common law elements.

Students will demonstrate their understanding of the basic legal elements of Crimes Against Property, as defined by common law, criminal statute, and particularly the Official Code of Georgia Annotated; correctly identify the basic elements of theft, stolen property, burglary, arson, and offenses against public order, distinguish the specific Georgia criminal code elements for these offenses from the common law elements.

Absence policy:

This class is governed by the absence policy provided for by the student handbook, and as set forth in this syllabus. **Because the class convenes once per week, a student is only allowed two (2) un-excused absences.** What constitutes an excused or un-excused absence will be at the sole discretion of the instructor. **More than two (2) un-excused absences will result in automatic failure of the class.** A student that enters the class more than five (5) minutes after class is scheduled to begin will be considered absent, and will be asked to leave.

Tardiness:

Class begins at the time listed above. I expect students to be in class and ready to begin at that time. Tardiness is distracting to me and other students. The bottom line is, **DON'T BE TARDY TO CLASS!!**

Institutional absence:

A student who serves as an official representative of the college is defined as one who:

1. is authorized to use the college name in public relationships outside the institution;
2. regularly interacts with non-college individuals and groups over an extended period of time (at least one semester);
3. represents the college as a part of a group and not as an individual; 
4. represents the college under the direct supervision of a college faculty or staff member; and 
5. is authorized in writing, in advance, by the President of the college.

Such a student is in no way released from the obligations and responsibilities of all students, but will not be penalized with unexcused absences when absences result from regularly scheduled activities in which he/she represents the college.

Furthermore, it is the responsibility of each student to contact instructors prior to the absence and to make arrangements to make up any work that will be missed, in a manner acceptable to the instructor. Advisors of activities will schedule off-campus activities in a manner that does not unduly disrupt the learning process for a student.

College Policy on Academic Dishonesty:

A. Academic Dishonesty

Academic irregularities include, but are not limited to, giving or receiving of unauthorized assistance in the preparation of any academic assignment; taking or attempting to take, stealing, or otherwise obtaining in an unauthorized manner any material pertaining to the education process; selling, giving, lending, or otherwise furnishing to any person any question and/or answers to any examination known to be scheduled at any subsequent date; fabricating, forging, or falsifying lab or clinical results; plagiarism in any form related to themes, essays, term papers, tests, and other assignments; breaching any confidentiality regarding patient information.

B. Disciplinary Procedures

1. When a faculty member suspects that a student has engaged in academic dishonesty, the faculty member will contact the Office of the Vice President for Academic Affairs. The Vice President for Academic Affairs will notify the student in writing of the report and will appoint a neutral person from among the faculty or staff to meet with the faculty member who reported the matter and the student(s) believed to have engaged in academic dishonesty. The purpose of the meeting, to be scheduled by the Office of the Vice President for Academic Affairs, will be to provide a facilitated discussion about what may have occurred. The faculty member who reported the matter, the student(s) believed to have engaged in academic dishonesty, and the facilitator are the only participants in the meeting. Audio nor video recordings of these proceedings will be permitted. Following the discussion, the facilitator will submit a form summarizing results of the proceedings to the Office of the Vice President for Academic Affairs.
2. The faculty member and student(s) may reach an agreement about the matter and, if dishonesty is involved, may determine the appropriate consequences. If no resolution is agreed upon, the matter will be forwarded to the Dean of Student Life and Housing, who will convene the Student Judiciary Committee to determine the outcome of the allegation.

3. Guidelines for disciplinary procedures as outlined in Section V of the Student Code of Conduct will be applicable in cases involving alleged academic dishonesty. A written copy of the recommendations by the Student Judiciary Committee shall be sent not only to the student but also to the faculty member who made the allegations of academic dishonesty against the student, to the Vice President for Academic Affairs, and to the President.

4. Prior to any finding of responsibility on the part of the student, the faculty member shall permit the student to complete all required academic work and shall evaluate and grade all work except the assignment(s) involved in the accusation of dishonesty. The faculty member may, however, take any action reasonably necessary to collect and preserve evidence of the alleged violation and to maintain or restore the integrity of exam or laboratory conditions.

5. A student may not withdraw from a course to avoid penalty of plagiarism or other forms of academic dishonesty.

C. Appeals Process

Students have the right to appeal a Student Judiciary Committee hearing recommendation in accordance with the following procedures:

1. Requests for appeals must be submitted in writing to the Office of the Vice President for Student Affairs within five business days of the date of the letter notifying the student of the original decision. Failure to appeal within the allotted time will render the original decision final and conclusive.

2. Written requests for appeals must be specific and detailed as to the nature and substance of the student’s complaint and must clearly indicate what action is requested. The written request should specify the grounds for appeal. Judicial recommendations may be appealed on the following grounds:
   - A violation of due process
   - Prejudicial treatment by the original hearing body
   - New evidence has become available which was not available at the time of the hearing.

3. Appeals shall be decided upon the record of the original proceedings, the written appeal submitted by the defendant, and any written briefs submitted by other participants. Cases will not be reheard on appeal.

4. If the student is dissatisfied with the decision of the Vice President for Student Affairs, the student may request in writing that the President
consider the appeal, but such request must be made within five business days of the Vice President’s decision or the Vice President’s decision will be considered final and conclusive.

5. Within five business days of receiving the appeal, the President will either rule on the appeal or refer the appeal to a special Presidential Panel. The Presidential Panel will review all facts and circumstances connected with the case and within five business days make a report of its findings to the President. After consideration of the Panel’s report, the President will within five business days make a decision which shall be final so far as the College is concerned.

6. Should the student be dissatisfied with the President’s decision, written application may be made to the Board of Regents for a review of the decision. This application must be submitted within twenty days following the decision of the President. Additional information regarding procedures for appealing to the Board is available in the Office of the Vice President for Student Affairs. The decision of the Board shall be final and binding for all purposes.

If there is a student in this class who has specific needs because of learning disabilities and/or any other disability, please feel free to contact the instructor for any applicable accommodation(s).

Conduct and classroom behavior:

**CELL PHONES ARE PROHIBITED FROM USE IN MY CLASSROOM!**

It is my policy that cell phones will be turned off and/or not brought to class. Students will not be excused from class to use a phone or answer a page or text message unless they are sworn police officers or emergency personnel on duty. Use of any electronic device will result in confiscation of the device, and possible expulsion from the class for disciplinary reasons.

Students will not get up and leave after the class begins, unless it is a personal hygiene emergency. Class time is not nap time. Therefore, sleeping should be done before, or after, but never during class. If caught sleeping in class, you will be asked to leave and counted absent.

I expect students to adhere to the conventions of acceptable classroom behavior and to act as responsible adults. All students are expected to treat each other with respect and to maintain a professional demeanor and attitude that is open to learning and to opinions they might not share. Profane language is offensive to most people, and is both unprofessional and unacceptable.
Common courtesy is expected – like raising your hand if you have a comment, refraining from talking while someone else is speaking, or asking questions that have nothing to do with the topic of discussion. I expect students to be mentally involved as well as physically present in the course.

Grading system: All CRJU – prefix courses require students to achieve a grade of 70% (C) or better, to be considered “successful” for graduation purposes in the Criminal Justice Program. Students receiving a grade below “C” will be required to repeat the course and receive at least a “C” in order for that course to be approved for graduation.

Grades will be determined as follows:
100% - 90% = A  
89% - 80% = B  
79% - 70% = C  
69% - 60% = D  
Below 60% = F  

Lecture exams (3-4 exams worth maximum of 100 Points each)  
Class Attendance & Participation  
Final Exam  

Scantron Forms: Students will be responsible for acquiring a scantron form and bringing the form along with a number 2 pencil to class on exam days. Do not ask to be provided with same.

ACKNOWLEDGEMENT

Please sign your name on the line provided below and return the last page to the Instructor.

I hereby acknowledge receipt of the class syllabus. I have read the contents of the class syllabus, and I understand the contents of the syllabus.

______________________________________________  
Student signature