

Criminal Law  
Prof. Philip Meyer  
Syllabus – Fall 2018

Texts:

“Criminal Law” (Seventh Edition), Joshua Dressler (ISBN: 978-0314279828)

“Understanding Criminal Law” (Seventh Edition), Joshua Dressler (ISBN: 978-0769848938)

Professor’s Statement

This syllabus provides a tentative schedule for your information and planning purposes. Coverage of many subjects may require classes in addition to those specified in this syllabus. I plan to use film fragments as visual hypotheticals and supplements to the cases and materials in Dressler’s casebook. Also, I recommended strongly that you read the **Notes and Questions** that follow the assigned cases in Dressler’s casebook; I will base class discussion upon these questions and materials.

I hope you will share my enthusiasm for our exploration and survey of substantive criminal law. In style and substance it will be a course somewhat different from many you have had at VLS. I hope it will be an adventure for you; that, in addition to learning doctrinal criminal law, this course will engage your imagination and provide opportunities for creativity and critical thoughtfulness.

Professor Philip Meyer

ASSIGNMENT #	SUBJECT(S)	ASSIGNMENT
1&2	Course Introduction Proof of Guilt Jury Nullification	Understanding Criminal Law, Pp. 1 – 9 and Pp. 27 – 37 Casebook, Pp. 9 – 14 <u>Owens v. State</u> (Casebook, Pp.14 – 17) Note 1 (Casebook, P.17) <u>State v. Ragland</u> (Casebook, Pp. 20 – 23)
	Principles of Punishment	<u>Queen v. Dudley and Stephens</u> (Casebook, Pp. 52 – 54) Understanding Criminal Law, Pp. 11 – 25, 49 -65 <u>People v. Superior Court</u> (Casebook, Pp. 54 – 57) <u>People v. Du</u> (Casebook, Pp.58 – 60)
3&4	<u>ACTUS REUS</u> Voluntary Acts	Model Penal Code, Section 2.01 (Casebook, P.1018 – 1019) <u>State v. Utter</u> (Casebook, Pp. 137 – 140) Note 6 (Casebook, P.141) Understanding Criminal Law, Pp.85 – 106
	Omissions	<u>People v. Beardsley</u> (Casebook, Pp. 143 – 146) Notes (Casebook, Pp. 146 – 149) Understanding Criminal Law, Pp. 106 – 112 <u>Barber v. Superior Court</u> (Casebook, Pp. 149 – 153) Notes 2 and 3 (Casebook, P. 154)

	Social Harm	Casebook, Pp. 154 – 155 Understanding Criminal Law, Pp.112 – 116
5	<u>MENS REA</u>	Cordoba Hincapie (Casebook Pp. 157 – 158)
	Intent	<u>Regina v. Cunningham</u> (Casebook Pp. 159 – 161) Model Penal Code, Section 2.02 (Casebook Pp. 1019 – 1021) <u>People v. Conley</u> (Casebook, Pp. 161 – 164) Understanding Criminal Law, Pp.117 – 127
	Knowledge, Recklessness, And Negligence	Model Penal Code, Section 2.02 (Casebook, Pp. 1019 – 1021) <u>State v. Nations</u> (Casebook, Pp. 173 – 176) Understanding Criminal Law, Pp. 128 – 145
6	<u>MENS REA</u> (continued)	
	Strict Liability	Model Penal Code, Section 2.05 (Casebook, Pp. 1022 - 1023) <u>Morrisette v. United States</u> (Casebook, Pp. 185 – 188) <u>Staples v. US</u> (Casebook, Pp. 189 – 195) <u>Garnett v. State</u> (Casebook, Pp. 198 – 204) Understanding Criminal Law, Pp. 147 – 153
7	<u>MENS REA</u> (continued)	
	Mistake of Fact	Model Penal Code, Section 2.04 (Casebook, P. 1022) <u>People v. Navarro</u> (Casebook, Pp. 206 – 208) Navarro Notes 3, 4, and 5 (Pp. 209 – 210)

		Understanding Criminal Law, Pp.155 – 166
		Model Penal Code, Section 2.04
		(Casebook, P. 1022)
		<u>People v. Marrero</u> (Casebook, Pp. 211 – 218)
		Note 1,2 (Casebook, Pp. 218 – 220)
		Understanding Criminal Law, Pp. 167 – 180
8	Mistake of Law (continued)	<u>Cheek v. United States</u> (Casebook, Pp. 222 – 226) Note 1 (P. 226)
	Causation	<u>Velazquez v. State</u> (Casebook, Pp. 229 – 230)
		Understanding Criminal Law, Pp.181 – 184
	Cause in Fact	<u>Oxendine v. State</u> , Notes 1, 2 (Casebook, Pp. 230 – 234)
		Understanding Criminal Law, Pp. 184 – 189
	Proximate Cause	<u>People v. Rideout</u> (Casebook, Pp. 236 – 241)
		Understanding Criminal Law, Pp. 189 – 198
		<u>Velazquez v. State</u> , (Casebook, Pp. 246 – 248)
	Concurrence	<u>State v. Rose</u> , Note 1 (Casebook, Pp. 250 – 252)
		Understanding Criminal Law, Pp. 193 – 202
9	<u>HOMICIDE</u> Introduction	Model Penal Code, Sections 210.0 – 210.4 (Casebook, Pp. 1055 – 1056)
		Overview (Casebook, Pp. 253 – 265)
	The “Human Being”	<u>People v. Eulo</u> (Casebook, Pp. 266 – 271)
		<u>State v. Guthrie</u> (Casebook, Pp. 273 – 276)

	First – Degree and Second – Degree Murder	<u>Midgett v. State</u> (Casebook, Pp. 277 – 280) <u>State v. Forrest</u> (Casebook, Pp. 280 – 283) Understanding Criminal Law, Pp. 501 – 517
10	Manslaughter	<u>Girouard v. State</u> (Casebook, Pp. 285 – 289) Director of Public Prosecutions v. Camplins (Casebook, Pp. 278 – 281) Notes 4, 5 (Casebook, Pp. 302 – 303) Understanding Criminal Law, Pp. 530 – 547
11	Unintentional Killings	<u>People v. Moore &amp; People v. Knoller</u> (Casebook, Pp. 318 – 322)  <u>State v. Williams</u> (Casebook, Pp. 325 – 328) Notes 7, 9 (Casebook, Pp. 330 – 333)
12	<u>Homicide</u> (continued) The Felony Murder Rule  1. The “Inherently Dangerous” Felon Limitation	<u>People v. Fuller</u> (Casebook, Pp. 335 – 336)  Roth & Sundby, <u>The Felony Murder Rule</u> (Casebook, Pp. 337 – 340)  Crump & Crump, <u>In Defense of the Felony Murder Doctrine</u> (Casebook, Pp. 340 – 344)  Understanding Criminal Law, Pp. 517 – 530  <u>People v. Howard</u> (Casebook, Pp. 346 – 351)
13	The Felony Murder Rule (continued)  2.The Merger Doctrine  3.Killings in Furtherance of A Felony	Notes 4, 5, and 6 (Casebook, P. 352)  <u>People v. Smith</u> (Casebook, Pp. 353 – 356)  <u>State v. Sophophone</u> (Casebook, Pp. 359 – 362)

	Brain Teaser (3)	Casebook, Pp. 364 – 365
14	<u>RAPE</u> Introduction	Model Penal Code, Section 213.1 (Casebook, P. 1063)
		Overview (Casebook, Pp. 407 – 433)
	Actus Reus	<u>Rusk v. State, State v. Rusk</u> (Casebook, Pp. 440 – 447)
		<u>State v. Alston</u> (Casebook, Pp. 433 – 437)
		Note 5
		“No” (or the absence of “Yes”) as “force”? (Casebook, Pp. 438 – 440)
		<u>In the Interest of M.T.S.</u> (Casebook, Pp. 464 – 472)
		Understanding Criminal Law, Pp. 573 – 591
15	<u>RAPE</u> (continued)	
	Mens Rea	Commonwealth v. Lopez (Casebook, Pp. 477 – 482)
	Rape Shield Laws	<u>State v. Herndon</u> (Casebook, Pp. 490 – 492)
		<u>People v. Wilhelm</u> (Casebook, Pp. 492 – 494)
		Notes 1 – 3 (Casebook, Pp. 495 – 496)
		Understanding Criminal Law, Pp. 591 – 603
16	<u>THEFT</u>	
&	Larceny	Model Penal Code, Sections 223.0 – 223.4 (Casebook, Pp. 1071 – 1073)
17		<u>Lee v. State</u> (Casebook, Pp. 962 – 963)
	Actus Reus: Taking and Carrying	<u>Lund v. Commonwealth</u> (Casebook, Pp. 975 – 978)
	Away Property	

		<u>People v. Brown</u> (Casebook, Pp. 979 – 980)
Mens Rea:		<u>People v. Davis</u> (Casebook, Pp. 983 – 987)
The Intent to Steal Property		
Embezzlement		<u>Rex v. Bazeley</u> (Casebook, Pp.988 – 991)
Theft by False Pretenses		<u>People v. Ingram</u> (Casebook, Pp. 992 – 993)
		<u>People v. Whight</u> (Casebook, Pp. 993 – 997)
		Understanding Criminal Law, Pp. 549 – 571
18	<u>ATTEMPTS</u>	
	Introduction	Model Penal Code, Sections 5.01, 5.05 (Casebook, Pp. 1046 – 1048, 1050 – 1051)
	The Mental State Requirement	<u>People v. Gentry</u> (Casebook, Pp. 771 – 773)
		<u>United States v. Mandujano</u> , Pp. 779 – 780
	Distinguishing Preparation from Perpetration	Commonwealth v. Peaslee (Casebook, Pp. 783 – 785)
		<u>People v. Rizzo</u> (Casebook, Pp.787 – 788)
		<u>State v. Reeves</u> (Casebook, Pp. 792 – 797)
		Understanding Criminal Law (Pp. 375 – 383, 386 – 398, 408 – 412)
19	<u>ACCOMPLICE LIABILITY</u>	
	An Introduction to Accomplice Liability	<u>State v. Ward</u> (Casebook, Pp. 891 – 892) <u>State v. Hoselton</u> (Casebook, Pp. 895 – 897) <u>State v. V.T.</u> (Casebook, Pp. 913 – 914)
		<u>People v. Genoa</u> (Casebook, Pp. 923 – 924) Understanding Criminal Law, Pp. 469 – 472

20	<u>SELF – DEFENSE</u>	
	Introduction	<p>Model Penal Code 3.04 (Casebook, Pp. 1030 – 1031)</p> <p><u>United States v. Peterson</u> (Casebook, Pp. 521 – 527)</p> <p>Understanding Criminal Law, Pp. 223 – 237</p>
	The Reasonable Belief Requirement	<p><u>People v. Goetz</u> (Casebook, Pp. 534 – 539)</p> <p>Notes (Casebook, Pp. 539 – 548)</p>
	Objective and Subjective Standards	<p><u>State v. Wanrow</u> (Casebook, Pp. 548 – 552)</p> <p>Understanding Criminal Law, Pp. 238 – 242</p>
21	<u>SELF – DEFENSE</u> (continued)	
	Defense of Others	<p>Model Penal Code, Section 3.05 (Casebook, Pp. 1031 – 1032)</p> <p><u>People v. Kurr</u> (Casebook, Pp. 575 – 578)</p> <p>Understanding Criminal Law, Pp. 257 – 259</p>
	The Battered Wife Syndrome	<p><u>State v. Norman</u> (North Carolina Court of Appeals Opinion) (Casebook, Pp. 556 – 562)</p> <p><u>State v. Norman</u> (North Carolina Supreme Court Opinion) (Casebook, Pp. 562 – 565)</p> <p>Notes (Casebook, Pp. 565 – 572) Understanding Criminal Law, Pp. 242 – 248</p>
	<u>INTOXICATION</u>	
	Voluntary Intoxication	<p>Model Penal Code, Section 2.08 (Casebook, P. 1026 – 1027)</p>



		<u>United States v. Veach</u> (Casebook, Pp. 634 – 637)
	Involuntary Intoxication	Note 6 (Casebook, Pp. 641 – 642)
		Understanding Criminal Law, Pp. 319 – 333
22	<u>NECESSITY and DURESS</u> Introduction	Model Penal Code, Section 2.09, 3.01 – 3.03 (Casebook, P. 1027, 1029 – 1030)
		<u>Nelson v. State</u> (Casebook, Pp. 586 – 590)
	General Principals	<u>United States v. Contento-Pachon</u> (Casebook, Pp. 613 – 616)
		<u>People v. Unger</u> (Casebook, Pp. 622 – 626)
		Understanding Criminal Law, Pp. 287 – 317
23	<u>INSANITY</u>	Model Penal Code, Section 4.01 – 4.05 (Casebook, Pp. 1040 – 1042)
		Casebook, Pp. 642 – 646
		<u>United States v. Freeman</u> (Casebook, Pp. 646 – 647)
		<u>State v. Johnson</u> (Casebook, Pp. 649 – 653)
		Understanding Criminal Law, Pp. 335 – 361
24	Appreciating the Wrongfulness Of One's Actions	<u>State v. Wilson</u> (Casebook, Pp. 663 – 670)
	Diminished Capacity	Clark v. Arizona (Casebook, Pp. 689 – 698)
		Understanding Criminal Law, Pp. 363 – 373