

CRIMINAL LAW: FALL 2021
REQ7140.01
PROFESSOR JESSICA C. BROWN
(she/her/hers)
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REQUIRED TEXTS:

- CRIMINAL LAW: CASES AND MATERIALS (8TH ed. 2019 West Academic Publishing) Joshua Dressler, Stephen P. Garvey (“TEXT” in the syllabus)
 - Model Penal Code (“MPC” in the syllabus): Located in the back of the textbook.
- UNDERSTANDING CRIMINAL LAW (8TH ed. 2018 Carolina Academic Press) Joshua Dressler (“UCL” in the syllabus)
- CANVAS: “CANVAS” will be indicated on the syllabus when an assignment is linked/uploaded on the Canvas course page for this class.

CLASS TIME AND OFFICE HOURS:

Class meets on Tuesdays and Thursdays from 2:10pm to 3:25pm in Oakes 007. We will start and end on time. Please sign the attendance roster and get seated before class begins.

I will be available in the classroom for at least 15 minutes before and after class (if no other class is using the room). In addition, please feel free to stop by my office any time that is convenient for you – if I am there, I will make time for you. You may also contact me by email to schedule an in-person or virtual appointment.

COURSE REQUIREMENTS:

Lively classroom discussion will be prompted and encouraged. Please keep in mind that some areas of criminal law are particularly sensitive and comments should be thoughtful and considerate.

1. All members of the VLS community, including professors, are expected to treat each other with respect. I want to promote an environment that avoids words/remarks or actions that show bias or prejudice based on age, disability, ethnicity, gender, national origin, native language, race, religion, sex, sexual orientation, or socioeconomic status. I also want us to be able to engage in honest discourse. If you have any concerns about anything said or done in

class, by me or by one of your colleagues, please talk to me about your concerns.

2. Classroom attendance is required. Students are expected to abide by the VLS attendance policy as set out in Academic Regulations Section II(A) of the student handbook. Please contact me by email, *in advance*, when religious observance, illness, or personal emergency will result in missing a class. If you are not comfortable explaining the reason for your absence to me, you may contact the Vice Dean for Students and/or, for serious illness, you should provide a doctor's note to the Registrar's Office. If a planned absence occurs, any work due is still expected to be submitted prior to the class. In addition to the potential consequences outlined in the Student Handbook, excessive absences will affect the Professionalism points in your final grade.
3. I may modify pre-class assignments during the semester as current events, time, and interest necessitate. I will post any additional class materials on Canvas. I will notify you of any changes to the syllabus via Canvas and your VLS email so please check both regularly.
4. You are not permitted to use your phone or access the internet during class unless specifically requested/directed to do so for an in-class assignment.
5. Fifteen percent (15%) of your final grade will be based on professionalism, including: attendance, punctuality, preparedness, and participation.

You will have three (3) quizzes during the semester. If you have completed the assigned reading and carefully considered the material, these quizzes should not be difficult. The three quizzes will comprise 30% of your final grade (ten (10) points each).

There will be a final exam worth 40% of your final grade.

There will be three (3) short "Reflection" assignments during the semester that, together, will be worth 15% of your final grade (five (5) points each). Reflection assignments will require you to answer question prompts listed in the syllabus. If there is more than one question/prompt for a Reflection assignment, you may answer all of the questions/prompts or you may opt to focus on just one question/prompt. Reflection assignments should be a minimum of 400 words and no longer than one page.

6. If you have a disability and would like to request an accommodation, please review the VLS Disability Policy at

<https://www.vermontlaw.edu/community/students/academic-success/accommodations>

On that webpage, there is an on-line form to complete and upload with your supporting documentation. If you have questions, please make an appointment with the Vice Dean for Students. Please note that requests made within two weeks of an examination may not be granted in time. Please make your request as soon as possible.

CLASSROOM EXPECTATIONS AND VALUES:

1. Show sensitivity to the subject matter and to each other;
2. Remember that we have all had different/unique life experiences and none of us knows everything about anyone else's life experiences and we should avoid assumptions;
3. Be open to new ideas – the goal is not to chill or limit discussion but to remain considerate and professional even during disagreements;
4. Help create an environment in which it is okay to admit not knowing or understanding something and in which it is safe to make a mistake;
5. Be willing and unafraid to express concern if something is said that is troubling to you;
6. Be resilient – lawyers are problem-solvers – if you have a problem, try to figure out a way to solve it;
7. Take risks – speak up in class, ask questions in class;
8. Be respectful of others – make space for others to speak; listen without interrupting;
9. Come to class prepared to engage with the material and with each other.

COURSE OUTCOMES:

The goal of this course is that, by the end, students who engage with the material and actively participate in class will understand:

1. Black letter criminal law: the elements of various offenses and defenses;
2. Statutory analysis – using the Model Penal Code and some state statutes, you will learn to deconstruct a criminal statute to identify each element;
3. How to assess criminal law exam questions in a manner consistent with the Bar Exam;
4. Some of the practice skills needed to handle criminal law cases (that are readily transferrable to other types of cases);
5. The systemic tension between the branches of government and how that tension influences criminal law;
6. The policy choices that are evident in the creation of crimes and the selection of offense elements;
7. Theories of punishment in the U.S. and what differentiates punishment from other collateral consequences;
8. How criminal law has evolved and/or changed over time;
9. The challenges of deciding whether “justice” exists in the criminal legal system;
10. How to demonstrate professionalism by discussing criminal law topics in a respectful and ethical fashion, recognizing the extreme sensitivity of many areas of criminal law.