

## **Criminal Law – HEERY** **Tentative Schedule and Readings for Spring 2023\***

Note: All “CB” page numbers refer to our casebook, Angela Harris & Cynthia Lee, *CRIMINAL LAW*, Fourth Edition (2019). In addition to the readings below, I will also assign podcasts, video clips, supplementary readings, etc., throughout the semester by posting these on Canvas.

**\*PLEASE NOTE: These readings are tentative and may change throughout the semester. You must check our Canvas site regularly to stay current on the assignments for each week.**

### **IMPORTANT DATES TO WRITE DOWN NOW!!:**

1. TAKE HOME QUIZ ONE (TIMED) to be taken between: **2/16 – 2/19 at 6 pm**
2. MIDTERM EXAM (IN CLASS): **3/2**
3. TAKE HOME QUIZ TWO (TIMED) to be taken between: **4/6 – 4/9 at 6 pm**

### **WEEK 1: Basic Principles of Criminal Law**

#### **Tuesday, 1/17:**

- CB v-vi (Preface)
- CB 1-3 (Intro)
- CB 5-7 (Sources of Criminal Law and Justifications for Punishment)
- CB 38-41 (Presumption of Innocence, BRD, and Standards of Review)
- CB 953-955 (Model Penal Code 1.02 and 1.04 only, stop at top of 955 before 1.13)

**\*WRITTEN ASSIGNMENT #1 (Available in Canvas under the assignment tab. Submit your response in Canvas by 1:00 p.m. on 1/16/23.)**

#### **Thursday, 1/19:**

- CB, 12-20 (*Suitte*)
- Please block off one hour of listening for another assignment between Tuesday and Thursday’s class.

### **WEEK 2: Finish Basic Principles and Begin Actus Reus**

#### **Tuesday, 1/24:**

- CB 45-48 (The Role of Counsel)
- CB 65-73 (Statutory Interpretation and *Dauray*)

#### **Thursday, 1/26:**

- CB 147-150, 153-161 (Brian Dalton, *Martin*, *Decina*, and Kelman article)

### **WEEK 3: Finish Actus Reus and Begin Mens Rea**

#### **Tuesday, 1/31:**

-CB 161-167; 173-175 (Omissions: *Beardsley*, Gunning Article; stop before Good Samaritan statutes)

#### **Thursday, 2/2:**

-CB 197-211 (*Regina*, *Yermian*, and *Holloway*)

**\*\*\*PLEASE ATTEND SCREENING + PANEL OF “TO BE FAIR” TONIGHT\*\*\***

**Information:** Thursday, February 2<sup>nd</sup> from 6-8pm

Panelists will include: Filmmakers Jennifer Hill and Duane Peterson III, Chittenden County State’s Attorney Sarah George, VT Senator/Professor Kesha Rahm, and Professor Jessica Brown.

### **WEEK 4: Finish Mens Rea Begin Causation and Concurrence**

#### **Tuesday, 2/7:**

-CB 211-218 (*Fugate*, *Jewell* & Intro to Transferring Intent)  
-CB 228-233 (*Morissette*)

#### **Thursday, 2/9:**

-CB 301-312 (*Rementer* and *Govan*)  
-CB 316 (paragraph about concurrence)

### **WEEK 5: Finish Causation and Concurrence, and Begin Homicide**

#### **Tuesday, 2/14:**

-*U.S. v. Burrage* (U.S. Supreme Court opinion, PDF will be provided)

#### **Thursday, 2/16:**

-Begin Homicide CB 319-324, 330-342 (Overview of homicide; *Bingham* and *Gilbert*)

**\*\*\*TAKE HOME QUIZ 1 AVAILABLE AFTER CLASS - DUE BY 2/19/23 AT 6 PM\*\*\***

### **WEEK 6: Continue Homicide**

#### **Tuesday, 2/21:**

-CB 342-344 (Introduction to manslaughter)  
-CB 349-362 (The Modern Reasonable Person Test and *Berry*, Coker and Taylor articles, Note, and “Who Is the Reasonable Person?”)

#### **Thursday, 2/23:**

-CB 370 (MPC’s EED Test—only read the short paragraph description of EED on page 370)  
-CB 377-389 (Depraved Heart Murder: *Knoller* + Note)

## **WEEK 7: Continue Homicide**

### **Tuesday, 2/28:**

-CB 389-401 (top) (Involuntary Manslaughter: *Welansky* + Note, *Williams* + Note, Indian Child Welfare Act of 1978 + Note)

### **Thursday, 3/2:**

**\*\*MIDTERM EXAM IN CLASS\*\***

## **3/5 and 3/7 – NO CLASS, ENJOY SPRING BREAK**

## **WEEK 8: Finish Homicide**

### **Tuesday, 3/14:**

-CB 401-420 (Felony Murder: *James*, *Hines*, Res Gestae Req, *Bodely*, *Stamp*, *King*)  
-CB 432 (overview of Misdemeanor Manslaughter)

### **Thursday, 3/16:**

-Finish discussion of Felony Murder, including *State v. Heemstra* (provided as a PDF in Canvas)

## **WEEK 9: & Overview of Sexual Offenses & Thefts**

### **Tuesday, 3/21:**

-CB 435-440 (stop before *Rusk*)  
-CB 463-482 (*Berkowitz*, *M.T.S.*, and Intro to the Non-consent Requirement)  
-CB 493-498 (*Negotiating Sex*)

### **Thursday, 3/23:**

-CB 573-575 (stop before “e”)  
-CB 577-578 (embezzlement)  
-CB 579 (consolidated theft statutes)  
-CB 585-588 (Burglary: *Eichman*)

## **WEEK 10: Finish Theft/Robbery & Begin Defenses**

### **Tuesday, 3/28:**

-CB 593-602 (Robbery: *Crocker* and *Miller*)

### **Thursday, 3/30:**

-CB 603-611 (overview of defenses)  
-CB 629-633, 637-638 (start with Note on page 629 and continue through Juries and Experts, imperfect self-D, and defense of others)

## **WEEK 11: Finish Defenses**

### **Tuesday, 4/4:**

-CB 642-654 (defense of habitation--*Brown*, defense of property—*Ceballos*)

### **Thursday, 4/6:**

- CB 657-659 (overview of necessity)
- CB 675-681 (overview of duress and *Contento-Pachon*)
- CB 687 (overview of intoxication)

**\*\*\*TAKE HOME QUIZ 2 AVAILABLE AFTER CLASS - DUE BY 4/9/23 AT 6 PM\*\*\***

## **WEEK 12: Accomplish Liability & Attempts**

### **Tuesday, 4/11:**

- CB 833-837, skip *Foster*
- CB 841-852 (*Wilson, Roy*, Accomplish Liability)

### **Thursday, 4/13:**

-CB 801-807 (*Rizzo* and *Staples*)

## **WEEK 13: Finish Attempts & Constitutional Limits on the Power to Punish**

### **Tuesday, 4/18:**

-CB 807-816 (*LaTraverse* and *Harris*)

### **Thursday, 4/20:**

- CB 75-76 (overview of Constitutional Limits)
- CB 134-45 (EP: *McCleskey v. Kemp*)

## **WEEK 14: Catch-up, Discussions, and Review**

### **Tuesday, 4/25:**

Watch Bryan Stevenson's TedTalk "We Need to Talk About an Injustice" (you can find it easily online by inputting his name and TedTalk into any search engine).

### **Thursday, 4/27:**

**\*\*\*IN CLASS REVIEW SESSION FOR FINAL\*\*\***

**FINAL EXAM: TBD**