

CRIMINAL LAW: SPRING 2023
REQ7140.02
PROFESSOR JESSICA C. BROWN
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VERMONT LAW SCHOOL
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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 materials and/or an assignment is linked/uploaded on the Canvas course page for this class.

CLASS TIME AND OFFICE HOURS:

Class meets on Mondays and Wednesdays from 2:10pm to 3:25pm in Oakes 007. We will start and end on time and attendance will be taken.

Office Hours are by appointment. Please email me to schedule a time to meet either in-person or virtually.

TA Office Hours with Jess Dunning (location TBD):
Mon. 5:30-6:30p.m. or Thurs. 7:30-8:30a.m.

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 VLGS 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 VLGS attendance policy as set out in Academic Regulations Section II(A) of the student handbook (“Students who are absent from twenty (20%) percent of the regularly scheduled classes or who fail to complete required hours for other work shall be automatically withdrawn from the course with a grade of F-Wd.”) I will always have a Teams “room” open and recording during class and encourage students who cannot attend class in-person to observe class via Teams. **However, observing class over Teams still counts as an absence.** When an absence occurs, any work is still expected to be submitted by the due date, unless illness or an emergency prevents you from being able to do so. Advance notice of absences and/or inability to complete an assignment is appreciated and allows for the greatest opportunity for fair and equitable treatment of all students in the class.
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 in class, via Canvas, and/or via your VLGS 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. Your grade in this class will be based on the following assignments:
 - a. First Assignment = 5 points;
 - b. Sentencing Argument = 10 points;
 - c. Mid-Term (in-class) = 35 points;
 - d. Reflection on the Criminal Legal System = 5 points;
 - e. Final Exam (in-class) = 45 points.
6. If you have a disability and would like to request an accommodation for any reason and/or any aspect of the class, please review the VLGS 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 Associate Dean for Diversity, Equity, and Inclusion, Lisa Ryan. Please note that requests made within two weeks of an examination may not be granted in time. Please make your request as early 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.