

CRIMINAL LAW / REQ7140.02 / SPRING 2023 / Mon. & Wed. / 2:10-3:25pm / Oakes 007

DATE	CLASS #	ASSIGNMENT	TOPICS
<p>Wednesday 1/18/23</p>	<p>CLASS #1</p>	<p>UCL: Ch. 3: pp. 27-31 TEXT: pp. 1-13 <i>State v. Owens</i> (pp. 13-16) (DUI/Circumstantial Evidence) (unless specifically indicated, reading the notes and questions after the cases is optional) MPC: Table of Contents and §1.02</p> <p>Written Assignment (5 points): Due to Prof. Brown as an email attachment by 5:00pm on 1/17/23. Please briefly answer the following questions (also sent to you via email): (Any information from your answers that is incorporated into class will remain anonymous. We will review question 7 in class. You are not being graded on whether you answer question 7 “correctly.” You will receive 5 points for this assignment as long as you complete it and submit in on time.)</p> <ol style="list-style-type: none"> 1) Preferred name (and phonetic pronunciation if your experience is that people mispronounce your name). 2) Pronouns (optional). 3) What is one “ground rule”/guideline you think is important for our classroom environment? 4) What is one criminal case that you are aware of that is of interest to you? (This can be a historical case, a contemporary case, local to you, or have received national news coverage.) 5) What is one song that you had on repeat that got you through Fall semester (please include the name of the band/artist)? 6) Is there anything else that you would like to share with me about yourself to help me get to know you? 7) This question asks you to arrange events in a criminal case in chronological order (see full question in email attachment sent on 1-11-23). 	<ul style="list-style-type: none"> - Overview of Syllabus - Overview of a Criminal Case (Criminal Law v. Criminal Procedure) - Sources of Criminal Law

<p>Monday 1/23/23</p>	<p>CLASS #2</p>	<p>UCL: Ch. 2 (pp. 13-26) TEXT: <i>The Queen v. Dudley and Stephens</i> (read notes and questions in anticipation of class discussion) (pp. 51-53) (Shipwreck/Cannibalism)</p> <p>CANVAS: Serial Podcast – S3/E1 – “A Bar Fight Walks into the Justice Center” (required) Criminal Podcast – Episode 3 – “The Buck Stops Here” (required)</p>	<p>- Theories of Punishment</p>
<p>Wednesday 1/25/23</p>	<p>CLASS #3</p>	<p>TEXT: <i>People v. Superior Court (Du)</i> (pp. 53-56) (Korean store-owner shoots Black teenage girl/Voluntary Manslaughter) <i>People v. Du</i> (pp. 57-59) (Sentencing) <i>United States v. Gementera</i> (pp. 63-69) (Mail Theft/Shaming Sanctions/Sentencing Objectives)</p> <p>CANVAS: Philly DA E4 (required)</p>	<p>- Sentencing and Punishment</p>
<p>Monday 1/30/23</p>	<p>CLASS #4</p>	<p>UCL: Ch. 6: pp. 49-64 TEXT: <i>Coker v. Georgia</i> (pp. 73 (start @ §2.)-79) (Death Penalty for Rape) <i>Ewing v. California</i> (pp. 80-89) (8th A./Three-Strikes Sentencing Law)</p> <p>Written Assignment (10 pts.): Due in Canvas by 5:00p.m. on Sunday 1/29/23: Write a sentencing argument for the following case (assigned by first letter of last name). (Double-spaced, Times New Roman, 12pt. font; at least two pages, no more than three pages.)</p> <p><u>State v. Edward Jones</u> (Last name starting with A through J)</p> <p><u>State v. Charles Green</u> (Last name starting with K through W)</p>	<p>- Proportionality of Punishment</p>

Wednesday 2/1/23	CLASS #5	<p>UCL: Ch. 5: pp. 39-48 TEXT: Read Ch. 3A. (p. 91) <i>Commonwealth v. Mochan</i> (pp. 91-94) (Telephone Harassment/Sufficiently Defining Crime) <i>Keeler v. Superior Court</i> (pp. 95-103) (Status of Fetus as Human Being) <i>In re Banks</i> (pp. 105 (start @ §2.)-109) (Peeping) <i>Desertrain v. City of Los Angeles</i> (pp. 114-120) (Vehicle as Living Quarters) <i>Muscarello v. United States</i> (pp. 121-127) (Carrying a Firearm)</p>	<p>- Modern Role of Criminal Statutes: Principle of Legality Statutory Interpretation</p>
Thursday 2/2/23	Extra Credit (2pts.)	“To Be Fair” Film Screening & Panel Discussion	6:00 – 8:00p.m. Chase Center
Monday 2/6/23 &	CLASS #6	<p>UCL: Ch. 9: pp. 83-102 (stop @ §9.07) TEXT: <i>Martin v. State</i> (p. 130) (Drunk in Public/Voluntary Act) <i>State v. Utter</i> (pp. 133-136) (father stabs son/PTSD-like Defense/Voluntary Act) MPC: §2.01</p>	<p>- Actus Reus: Voluntary Acts</p>
Wednesday 2/8/23	CLASS #7	<p>UCL: Ch. 9: pp. 102 (start @ 9.07) – 112 TEXT: <i>People v. Beardsley</i> (pp. 141-144) (mistress dies from alcohol and drug use/Failure to Act) <i>Barber v. Superior Court</i> (pp. 148-152) (doctors charged with crimes/Failure to Act)</p>	<p>- Actus Reus: Omissions</p>
Monday 2/13/23	CLASS #8	<p>UCL: Ch. 10: pp.113-138 TEXT: <i>United States v. Cordoba-Hincapie</i> (pp. 157-158) (definition of <i>Mens Rea</i>) MPC: §2.02</p>	<p>- Mens Rea: Generally</p>

<p>Wednesday 2/15/23</p>	<p>CLASS #9</p>	<p>TEXT: <i>Regina v. Cunningham</i> (pp. 159-161) (stolen change from gas meter) <i>People v. Conley</i> (pp. 161-163) (fight after party) <i>State v. Nations</i> (pp. 173-176) (underage dancer) <i>State v. Miles</i> (pp. 179-184) (knowledge that drugs were oxycodone)</p>	<ul style="list-style-type: none"> - Mens Rea: Generally
<p>Monday 2/20/23</p>	<p>CLASS #10</p>	<p>UCL: Ch. 11: pp. 139-144 Ch. 12: pp.145-156 (Content Alert: skip §12.03[E] <i>Regina v. Morgan</i> – a sexual assault case) TEXT: <i>Morissette v. United States</i> (pp. 186-188) (picking up bomb casings on defunct military range) <i>Staples v. United States</i> (pp. 189-196) (definition of firearm) <i>People v. Navarro</i> (pp. 205-208) (whether stolen wood beams were abandoned) MPC: §§2.04, 2.05</p>	<ul style="list-style-type: none"> - Mens Rea: Strict Liability Mistake of Fact
<p>Wednesday 2/22/23</p>	<p>CLASS #11</p>	<p>UCL: Ch. 13: pp. 157-169 TEXT: <i>People v. Marrero</i> (pp. 210-217) (unlicensed firearm) <i>Cheek v. United States</i> (pp. 221-225) (tax evasion) MPC: §2.04 CANVAS: “Navajo Justice” (required) Documents for the case of <u>State of Vermont v. Jason B.</u> (required)</p>	<ul style="list-style-type: none"> - Mens Rea: Mistake of Law - Guest Speakers: - Chief Deputy State’s Attorney Sally Adams - Public Defender Will Kidney

Monday 2/27/23	CLASS #12	<p>UCL: Ch. 14: pp. 171-187 & 15: pp. 189-191</p> <p>TEXT:</p> <p><i>Velazquez v. State</i> (pp. 227-228 & 244-246) (drag-race/death/ “substantial factor” test)</p> <p><i>Oxendine v. State</i> (pp. 228-232) (child murder)</p> <p><i>People v. Rideout</i> (pp. 234-239) (DUI accident leads to second MV accident that causes death)</p> <p><i>State v. Rose</i> (pp. 248-249) (whether pedestrian was killed when struck by car or when dragged by car)</p> <p>MPC: §2.03</p>	<p>- Causation:</p> <p>Actual Cause Proximate Cause Concurrence of the Elements</p>
Wednesday 3/1/23	CLASS #13	MIDTERM EXAM (35 pts.) In-Class/Closed Book	
Monday 3/6/23 & Wednesday 3/8/23	SPRING BREAK		-
Monday 3/13/23	CLASS #14	<p>UCL: Ch. 31: pp. 473-485</p> <p>TEXT:</p> <p><i>State v. Guthrie</i> (pp. 270-273) (stabs co-worker)</p> <p><i>Midgett v. State</i> (pp. 275-277) (child abuse/death)</p> <p><i>State v. Forrest</i> (pp. 278-280) (son shoots terminally ill father in hospital)</p> <p>MPC: §§210.0-210.4</p>	<p>- Homicide:</p> <p>Overview Intentional Killings</p>
Wednesday 3/15/23	CLASS #15	<p>UCL: Ch. 31: pp. 486 – 488 (stop @ §31.06) and 501-511 (stop @ §31.08)</p> <p>TEXT:</p> <p><i>Girouard v. State</i> (pp. 282 (start @ §2.)-287) (DV/death)</p> <p><i>People v. Casassa</i> (pp. 300-304) (questions) (Stalking/DV/death)</p>	<p>- Homicide:</p> <p>Overview Intentional Killings (cont.)</p>
Monday 3/20/23	CLASS #16	<p>UCL: Ch. 31: pp. 511 (start @ §31.08)-517</p> <p>TEXT:</p> <p><i>People v. Knoller</i> (pp. 313 (start @ §C.)-318) (dogs kill neighbor)</p> <p><i>State v. Williams</i> (pp. 322-325) (child death due to lack of medical care)</p>	<p>- Homicide:</p> <p>Unintentional Killings</p>

<p>Wednesday 3/22/23</p>	<p>CLASS #17</p>	<p>UCL: Ch. 31: pp. 488 (§31.06) – 500 TEXT: <i>People v. Fuller</i> (pp. 329 (start @ §D.)-332) (burglary/vehicular homicide) <i>People v. Howard</i> (pp. 341-347) (evading police/vehicular homicide) <i>People v. Smith</i> (pp. 349-352) (child abuse/death) <i>State v. Sophophone</i> (pp. 354-357) (death of co-felon after burglary)</p>	<p>- Homicide: Felony-Murder Rule</p>
<p>Monday 3/27/23</p>	<p>CLASS #18</p>	<p>UCL: Ch. 33: pp. 541-574 TEXT: 423 (start @ §4)-428 <i>State v. Alston</i> (pp. 429-433) (rape in long-term relationship) <i>Rusk v. State</i> (pp. 436-441) (rape at apartment after meeting at bar) <i>State v. Rusk</i> (pp. 441-442) <i>Commonwealth v. Berkowitz</i> (pp. 449-458) (college students) <i>State of New Jersey in the Interest of M.T.S.</i> (pp. 459-467) (juveniles) <i>Commonwealth v. Lopez</i> (pp. 479-483) (mistake of fact as to consent) <i>People v. Wilhelm</i> (pp. 488-491) (rape-shield law) MPC: §§213.0-213.6</p>	<p>- Rape and Sexual Assault Overview Actus Reus Mens Rea</p>
<p>Wednesday 3/29/23</p>	<p>CLASS #19</p>	<p>UCL: Ch. 27: pp. 355-376 TEXT: <i>People v. Gentry</i> (pp. 759-761) (mens rea/DV/attempt murder) <i>Bruce v. State</i> (pp. 763-764) (mens rea/attempted felony murder) <i>Commonwealth v. Peaslee</i> (pp. 771-772) (actus reus/attempted arson) <i>People v. Rizzo</i> (pp. 774-775) (actus reus/attempted robbery) <i>People v. Miller</i> (pp. 776-777) (actus reus/attempted murder) <i>State v. Reeves</i> (pp. 779-784) (actus reus/attempt to kill homeroom teacher) MPC: §5.01 CANVAS: Hidden Brain Podcast: “Rap on Trial” (required) (Content Alert: This episode begins with audio from a mass shooting at Virginia Tech.)</p>	<p>- Inchoate Offenses: Attempt</p>

<p>Monday 4/3/23</p>	<p>CLASS #20</p>	<p>UCL: Ch. 27: pp. 377-392 & Ch. 28: pp. 393-399 TEXT: <i>People v. Thousand</i> (pp. 788-795) (special defenses/impossibility/attempted distribution of obscene materials to a minor) <i>Commonwealth v. McCloskey</i> (pp. 803-806) (special defenses/abandonment/attempted prison breach) <i>State v. Cotton</i> (pp. 818-820) (Solicitation of Bribery/Intimidation of a Witness) MPC: §§5.02, 5.04</p>	<p>- Inchoate Offenses: Attempt (cont.) Solicitation</p>
<p>Wednesday 4/5/23</p>	<p>CLASS #21</p>	<p>UCL: Ch. 29: pp. 401-433 TEXT: <i>Pinkerton v. United States</i> (pp. 826-828) (Tax Fraud/Conspiracy without participation in substantive offense) <i>People v. Swain</i> (pp. 831-834) (Conspiracy to commit Implied Malice Murder) <i>People v. Lauria</i> (pp. 836-841) (Prostitution/knowledge of criminal activity vs. conspiracy to further criminal activity) <i>Commonwealth v. Azim</i> (pp. 843-844) (Conspiracy to commit Assault and Robbery/criminal acts of co-conspirators) <i>People v. Foster</i> (pp. 850-853) (Conspiracy to commit Robbery/Unilateral vs. Bilateral Conspiracy) <i>Iannelli v. United States</i> (pp. 865-869) (Gambling/Wharton's Rule) <i>People v. Sconce</i> (pp. 872-874) (Conspiracy to commit Murder/withdrawal from a Conspiracy) MPC: §§5.03 - 5.04</p>	<p>- Inchoate Offenses: Conspiracy</p>

<p>Monday 4/10/23</p>	<p>CLASS #22</p>	<p>UCL: Ch. 30: pp. 435-454 (stop @ §30.06) TEXT: <i>State v. Hoselton</i> (pp. 881-883) (lookout during break-in on a barge) <i>People v. Lauria</i> (pp. 836-841) (Prostitution/accomplice liability vs. conspiracy) <i>Riley v. State</i> (pp. 888-893) (Accomplice to First Degree Assault) <i>State v. Linscott</i> (pp. 895-898) (Murder, Robbery/Natural-and-Probable Consequences) <i>State v. V.T.</i> (pp. 899-900) (Gun Theft/Accomplice Actus Reus) <i>State v. Helmenstein</i> (pp. 904-906) (Burglary/proving Accomplice Liability)</p>	<p>- Accomplice Liability</p>
<p>Wednesday 4/12/23</p>	<p>CLASS #23</p>	<p>UCL: Ch. 30: pp. 454 (start @ §30.06) - 471 TEXT: <i>People v. Genoa</i> (pp. 908-909) (Accomplice Liability to Aid/Abet Possession w/ Intent to Distribute Cocaine) <i>Bailey v. Commonwealth</i> (pp. 911-914) (Accomplice Liability to Involuntary Manslaughter) <i>United States v. Lopez</i> (pp. 915-917) (Escape/Principal acquitted) <i>People v. McCoy</i> (pp. 918-920) (Murder/Principal convicted of lesser offense than aider/abettor) <i>State v. Formella</i> (pp. 923-926) (Theft of a math test/Withdrawal from aiding/abetting) MPC: §2.06</p>	<p>- Accomplice Liability (cont.)</p>
<p>Monday 4/17/23</p>	<p>CLASS #24</p>	<p>UCL: Ch. 16, 17 & 18: pp. 193-242 TEXT: <i>Patterson v. New York</i> (pp. 503-512) (Murder/EED defense) <i>United States v. Peterson</i> (pp. 516-517) (Manslaughter/Self-Defense) <i>People v. Goetz</i> (pp. 527-532) (Attempted Murder/Self-Defense) <i>State v. Wanrow</i> (pp. 542-546) (2nd-Degree Murder/Self-Defense) MPC: §3.01 & §3.04</p>	<p>- Defenses: Justification Generally Self-Defense Reasonable Belief Reasonable Person</p>

<p>Wednesday 4/19/23</p>	<p>CLASS #25</p>	<p>UCL: Ch. 19, 20, & 21: pp. 243-269 TEXT: <i>People v. Kurr</i> (pp. 568-571) (Voluntary Manslaughter/Defense of Others) <i>State v. Boyett</i> (pp. 572 (start @ §4.)-577) (1st-Degree Murder/Defense of Habitation) <i>Note 7</i> (pp. 578-579) (Law Enforcement Defenses) MPC: §§3.05-3.07</p> <p>CANVAS: Philly DA Ep. 7 w/ Update on Pownall Case (required)</p>	<p>- Defenses:</p> <p>Defense of Others Defense of Property Law Enforcement Defenses</p>
<p>Monday 4/24/23</p>	<p>CLASS #26</p>	<p>UCL: Ch. 24 (pp. 301-315), Ch. 25 (pp. 317-341), Ch. 26 (pp. 343-353) TEXT: <i>State v. Johnson</i> (pp. 640-645) (<i>M’Naghten</i> rule) <i>State v. Wilson</i> (pp. 654-660) (murder/definition of wrongfulness) <i>United States v. Veach</i> (pp. 626-628) (intoxication/threatening to assault/murder LEO) <i>Clark v. Arizona</i> (pp. 680-688) (diminished capacity/murder of LEO) MPC: §2.08, §4.01, §4.02(1)</p>	<p>- Defenses:</p> <p>Insanity Intoxication Diminished Capacity</p>
<p>Wednesday 4/26/23</p>	<p>CLASS #27</p>	<p>UCL: Ch. 22 (Necessity) & 23 (Duress): pp. 271-300 TEXT: <i>Nelson v. State</i> (pp. 580-583) <i>The Queen v. Dudley and Stephens</i> (pp. 51-52, 594-597) <i>United States v. Contento-Pachon</i> (pp. 605-609) <i>People v. Unger</i> (pp. 614-618) <i>People v. Anderson</i> (pp. 619-625) MPC: §2.09, §3.02</p>	<p>- Defenses:</p> <p>Necessity</p> <p>Duress</p>

<p>Monday 5/1/23</p>	<p>CLASS #28</p>	<p>UCL: Ch. 32 (pp. 519-540) TEXT: <i>State v. Jones</i> (pp. 949-952) (Larceny/Actus Reus) <i>United States v. Mafnas</i> (pp.953-955) (Larceny/bailee status) <i>Rex v. Pear</i> (pp. 960-961) (Larceny by Trick) <i>Brooks v. State</i> (pp. 962-964) (Larceny of lost/mislaid property) <i>People v. Brown</i> (pp. 968-969) (Larceny/intent to permanently deprive) <i>People v. Whight</i> (pp. 982-985) (Larceny by False Pretenses) MPC: §§223.0-223.9</p> <p>Written Assignment (5 pts.): Due in Canvas by 5:00p.m. on Sunday 4/30/23: Using at least one of the sources in the “Optional Materials” Module as a prompt, write a short reflection on “The Future of the U.S. Criminal Legal System.” You may reference more than one of the optional materials, as well as any other required materials you have listened to, watched, or read for class; but you must reference at least one of the optional materials. (Double-spaced, Times New Roman, 12pt. font; at least one page, no more than two pages.)</p>	<p>- Theft</p>
<p>FINAL EXAM DATE & LOCATION TBD (45pts.)</p>		<p>3 Hours (25 MCQs (1pt. ea.)/2 Essays (10pts. ea.)) In-Class 2-pages of notes (one double-sided or two single-sided) – must be turned in with ID# at end of exam</p>	<p>All Topics</p>