

CRM 260
Criminal Law and the Courts
Fall 2018

Instructor: Patti Ross Salinas, JD, PhD Phone: 836 5642
Office: Strong Hall, 228 Email: PattiSalinas@MissouriState.edu

Office Hours: Office Hours: M & F by appointment, Tuesday 10:00-12:30, Wednesday 10-11, Thursday 10:00 to 12:30 or by appointment. You are welcome to visit with me in person, by email or on the phone but email is the very best way for us to communicate. Please do not wait to contact me if you are having difficulty with the class. I make every attempt to answer email within two working days. For example, if you email me at 4pm on Friday- you should have a response by Tuesday. If you have not received a response from me within that time frame, please check your email to make sure you have entered the correct address and email me again! I will always respond to your email.

Also, please remember that I am not available 24/7 and that I do sleep. Please be considerate when sending emails and try to send them between 8 am and 8pm.

Textbook used:

Required text: Criminal Law by Gardner and Anderson, 13th edition, Cengage Publishing
Missouri Penal Code will also be used. Online at:

<http://www.moga.mo.gov/mostatutes/statutesAna.html>

Supreme Court of the United States website: <http://www.supremecourt.gov>

Other materials may be distributed during the semester.

Course Description:

“This course examines the nature and development of criminal law along with the principles, processes, and structures found in adult criminal courts. Studies of courtroom personnel as well as contemporary criminological issues involving the courts are also examined as are their possible solution” (Undergraduate course catalog, p. 294).

Student Learning Outcomes and Assessment of Outcomes:

1. Students will demonstrate mastery of the content knowledge regarding the history, development and current state of criminal law in the United State with an emphasis on the criminal law of Missouri.
Assessment: objective test questions and discussions
2. Students will think critically about current criminal law practice in the US.
Assessment: students will engage in online discussions of current topics in criminal law.
3. Students will exercise oral and written communication skills.
Assessment: Students will complete written a student case brief and an audio added Powerpoint presentation

Course Structure:

This course will consist of readings, quizzes, Powerpoint presentations, case briefs, and analysis of Missouri criminal law.

Course assessments:

Section exams (3 @ 100 points)	300 points
Quiz Grades (may be unannounced in class or online)(6 given, drop low score)	50 points
Student case brief	30 points
Powerpoint presentation	20 points

Grade structure:

360 points to 400 points	A
320 points to 359 points	B
280 points to 319 points	C
240 points to 279 points	D
239 points or lower	F

No plus or minus will be assigned.

NOTE: Do not rely on Blackboard to tell you how you are doing in the class. Blackboard will generate a percentage score that can be misleading. Blackboard only includes your percentage of points from assignments that you completed. If you miss assignments, Blackboard does not give you a zero and include that assignment in calculating your percentage of the points possible, thus, you could have a failing grade in the course and Blackboard would show you as passing.

Examinations: All exams will be some combination of objective (multiple choice) or true/false questions. Questions will come from the readings, the lectures and materials posted. Each section exam will be 100 points (total 300). Make up exams will not be given without prior approval from the instructor.

Quizzes: There will be 6 quizzes given this semester and you can drop your lowest quiz score. The quizzes will cover material that is presented in the textbook and material from the lectures/Powerpoints. Quizzes may be given in class or online.

Student Brief: Students will brief the case of *Hurst v Fla.* The case can be found at this location: <https://www.oyez.org/cases/2015/14-7505>. Special instructions for how to complete the brief and general instructions on the format of the brief are in a separate document in your Blackboard course materials section. The brief accounts for 30 points of your total grade. I will post the rubric that I will use to grade the brief. Make sure to contact me if you are confused about what the case says.

Powerpoint Presentation:

Your final project will be a Powerpoint presentation that requires you to incorporate what you have learned from this course to address a “real life” case. Further instructions on the format of the Powerpoint will be posted in the content section of Blackboard. Your Powerpoint **MUST** include your recorded discussion of your presentation. To record audio onto a Powerpoint slide you click on insert, click on audio (on the right side of tool bar) click record and speak. You will want to experiment with your laptop or PC to see whether your built in microphone suffices. My tablet microphone worked just as well as a plug in headset and as well as my I-Phone earbuds/microphone. Do not wait to test this out!

I will post the rubric that I will use to grade this assignment under the content section. This will be due on Dec 2nd, 11:59pm. No late assignments will be accepted.

Make up work:

It is essential that you do not miss assignments, quizzes or tests without a prior written approval from the instructor. It is your responsibility to complete the assigned work in a timely fashion. I **WILL NOT** let you go back and take a quiz you missed or submission portal for you – Please do not ask me to do so.

Extra Credit:

There are not any scheduled extra credit opportunities in this course.

Attendance Policy:

I will take attendance at all scheduled class meetings. Excellent attendance is required to do well in this course. Students with excellent attendance will receive the benefit of the doubt (i.e. rounding up) when calculating final grades.

Grading Policy regarding plus/minus:

In solidarity with the Student Government Organization I do not adopt +/- in my grading

Academic dishonesty:

Missouri State University is a community of scholars committed to developing educated persons who accept the responsibility to practice personal and academic integrity. You are responsible for knowing and following the University's academic integrity policy plus additional more-specific policies for each class. The University policy, formally known as the "Student Academic Integrity Policies and Procedures" is available online at www.missouristate.edu/policy/Op3_01_AcademicIntegrityStudents.htm and also at the Reserves Desk in Meyer Library. Any student participating in any form of academic dishonesty will be subject to sanctions as described in this policy.

Statement of nondiscrimination:

Missouri State University is an equal opportunity/affirmative action institution, and maintains a grievance procedure available to any person who believes he or she has been discriminated against. At all times, it is your right to address inquiries or concerns about possible discrimination to the Office for Institutional Equity and Compliance, Park Central Office Building, 117 Park Central Square, Suite 111, 417-836-4252. Other types of concerns (i.e., concerns of an academic nature) should be discussed directly with your instructor and can also be brought to the attention of your instructor's Department Head. Please visit the OED website at www.missouristate.edu/equity.

Disability accommodation:

If you are a student with a disability and anticipate barriers related to this course, it is important to request accommodations and establish an accommodation plan with the University. Please contact the Disability Resource Center (DRC) (www.missouristate.edu/disability), Meyer Library, Suite 111, 417-836-4192, to initiate the process to establish your accommodation plan. The DRC will work with you to establish your accommodation plan, or it may refer you to other appropriate resources based on the nature of your disability. In order to prepare an accommodation plan, the University usually requires that students provide documentation relating to their disability. Please be prepared to provide such documentation if requested. Once a University accommodation plan is established, you may notify the class instructor of approved accommodations. If you wish to utilize your accommodation plan, it is suggested that you do so in a timely manner, preferably within the first two weeks of class. Early notification to the instructor allows for full benefit of the accommodations identified in the plan. Instructors will not receive the accommodation plan until you provide that plan, and are not required to apply accommodations retroactively.

Cell phone policy:

As a member of the learning community, each student has a responsibility to other students who are members of the community. When cell phones or pagers ring and students respond in class or leave class to respond, it disrupts the class. Therefore, the Office of the Provost prohibits the use by students of cell phones, pagers, PDAs, or similar communication devices during scheduled classes. All such devices must be turned off or put in a silent (vibrate) mode and ordinarily should not be taken out during class. Given the fact that these same communication devices are an integral part of the University's emergency notification system, an exception to this policy would occur when numerous devices activate simultaneously. When this occurs, students may consult their devices to determine if a university emergency exists. If that is not the case, the devices should be immediately returned to silent mode and put away. Other exceptions to this policy may be granted at the discretion of the instructor.

Emergency response statement:

At the first class meeting, students should become familiar with a basic emergency response plan through a dialogue with the instructor that includes a review and awareness of exits specific to the classroom and the location of evacuation centers for the building. All instructors are provided this information specific to their classroom and/or lab assignments in an e-mail prior to the beginning of the fall semester from the Office of the Provost and Safety and Transportation. Students with disabilities impacting mobility should discuss the approved accommodations for emergency situations and additional options when applicable with the instructor. For more information go to www.missouristate.edu/safetran/51597.htm and www.missouristate.edu/safetran/erp.htm.

Dropping a class:

It is your responsibility to understand the University's procedure for dropping a class. If you stop attending this class but do not follow proper procedure for dropping the class, you will receive a failing grade and will also be financially obligated to pay for the class. For information about dropping a class or withdrawing from the university, contact the Office of the Registrar at 836-5520.

Audio and video recording course activity:

Students who wish to record lectures or class activities for study purposes should inform the faculty member first. Distribution or sale of recordings or other course materials is prohibited without the written permission of the instructor and other students who are recorded. Distribution without permission is a violation of copyright law and the Code of Student Rights and Responsibilities (Sections 4.6, 4.8, 4.9).

Religious accommodation:

The University may provide a reasonable accommodation based on a person's sincerely held religious belief. In making this determination, the University reviews a variety of factors, including whether the accommodation would create an undue hardship. The accommodation request imposes responsibilities and obligations on both the individual requesting the accommodation and the University. Students who expect to miss classes, examinations, or other assignments as a consequence of their sincerely held religious belief shall be provided with a reasonable alternative opportunity to complete such academic responsibilities. It is the obligation of students to provide faculty with reasonable notice of the dates of religious observances on which they will be absent by submitting a *Request for Religious Accommodation Form* to the instructor by the end of the third week of a full semester course or the end of the second week of a half semester course.

Mental Health and Stress Management:

As a student you may experience a range of personal issues that can impede learning, such as strained relationships, increased anxiety, alcohol/drug problems, feeling down, difficulty concentrating and/or lack of motivation. These mental health concerns or stressful events may lead to diminished academic performance and may reduce your ability to participate in daily activities. You can learn more about free and confidential Missouri State University Counseling Center services available to assist you at counselingcenter.missouristate.edu.

Title IX Policy:

Missouri State University has a Title IX policy that guides our response to instances of sexual violence. Sexual Violence includes: Rape, Sexual Assault, Sexual Misconduct, Sexual Discrimination, Domestic Violence, Dating Violence, Stalking, Sexual Harassment and Pregnancy issues. The Title IX policy can be located on the MSU Title IX website at www.missouristate.edu/titleix. This website is also a good resource for any questions or issues involving Title IX and contains contact information for the MSU Title IX Office and staff. Read an [overview of the Title IX office](#).

If an MSU student discloses a Title IX related issue to a MSU faculty or staff member who is deemed to be a “Responsible Employee” under the policy, that faculty or staff member is required to report such disclosure to the Title IX Coordinator. A responsible employee includes any employee who has the authority to take action to redress sexual violence; who has been given the duty of reporting incidents of sexual violence or any other misconduct by students to the Title IX Coordinator or other appropriate school designee; or whom a student could reasonably believe has the authority or duty to take action. Magers Health and Wellness Center employees and MSU Counseling Center Clinicians are not considered to be Responsible Employees under the policy, and therefore, are not required to report Title IX issues to the Title IX Coordinator.

Chosen Name Policy:

A student may choose a name other than their legal name to identify themselves at Missouri State University. A chosen name is different than the student’s legal name. Refer to the [Chosen Name policy](#) for more information. Students can provide their chosen first and middle names in the *Profile* tab of [My Missouri State](#).

Course Schedule (may be revised if necessary)

	DAT E	TOPIC OR EVENT	ASSIGNMENT
Week 1	Aug 20 (M)	Review Syllabus Review format and how to brief case	<ul style="list-style-type: none"> Begin reading the case that you are to brief. The case is Hurst v Fla and can be found at: https://www.oyez.org/cases/2015/14-7505. No submission required at this time. Your brief is due 10/21
Friday, August 24: Full semester last day to drop classes for 100% refund / Last day to change your schedule			
Week 2	Aug 27 (M)	Class will have a late start on Tuesday Aug. 28 th - Meet at 1pm We will meet at regular time on Thursday Aug. 30 th	Note: Online class on Tuesday. Do not come to class in 302. We will meet on Thursday in 302

		Ch 1 Criminal Law: Purposes, Scope, and Sources	
Friday, Aug 31: Last day for 75% credit/refund for full semester classes			
Week 3	Sept 3 (M)	Ch 2 Jurisdiction Court structures	<ul style="list-style-type: none"> Practice creating a Powerpoint with audio- this does not have to be submitted- it is just a practice for the presentation due at the end of the semester. Begin working on brief according to the instructions found in the content area. Brief due 10/21 Quiz 1 this week either T or Th
Week 4	Sept 10 (M)	Ch 3 Essential Elements of a Crime	<ul style="list-style-type: none"> You should have a rough draft of your brief done and identify any problems or questions that you have (to get help). No submission required. Brief due 10/21
Monday, Sept 17: Last day for 50% credit/refund for fall full semester classes			
Week 5	Sept 17 (M)	Ch 4 Criminal Liability	<ul style="list-style-type: none"> Quiz 2 this week either Tor Th If you would like for Dr. Salinas to look over your VERY POLISHED brief draft, submit it before midnight on Sept. 23 in the portal called draft brief
Week 6	Sept 24 (M)	Late start for class. Begin at 1pm Review for exam Exam 1	<ul style="list-style-type: none"> Complete Exam 1 in class on Thursday Sept. 27
Week 7	Oct 1 (M)	Ch 5 Criminal Responsibility and the Capacity to Commit a Crime	Quiz 3 this week either T or Th
Week 8	Oct 8 (M)	Ch 6 The Law Governing Use of Force	Quiz 4 this week either Tor Th
	Oct 11 & 12	Finish Ch. 6 Fall Holiday - no classes	
Week 9	Oct 15 (M)	Ch 7 Other Criminal Defenses	<ul style="list-style-type: none"> Brief Due before midnight on Oct 21st.
Wednesday, Oct 17: Last day for 25% credit/refund for fall full semester classes Thursday, Oct 18: Mid-semester grades available online via My Missouri State			
Week 10	Oct 22 (M)	Late Start for class. Begin at 1pm Ch 10 Homicide	Quiz 5 this week either Tor Th
Week 11	Oct 29 (M)	Exam 2	Complete Exam 2 in class on Thursday, Nov. 1
Week 12	Nov 5 (M)	Ch 11 Assault, Battery, Kidnapping and False Imprisonment	Quiz 6 this week either T or TH
Friday, Nov 9: Last day to drop a full semester class or declare pass/not pass			
Week 13	Nov 12	Ch 12 Sexual Assault, Rape, Civil	<ul style="list-style-type: none"> Work on PowerPoint presentation

	(M)	Commitment of Sexually Dangerous Predators	due on 12/2
Week 14	Nov 19 (M)	Ch 13 Theft	<ul style="list-style-type: none"> • Work on PowerPoint presentation - due on 12/2
	Nov 21 (W)	No Class—Thanksgiving Break	
Week 15	Nov 26 (M)	Late Start class begins at 1pm Ch 14 Robbery, Burglary and Related Crimes	<ul style="list-style-type: none"> • Review materials for Exam 3 • Submit Powerpoint presentation before midnight on Dec. 2
Week 16	Dec 3 (M)	Exam 3	<ul style="list-style-type: none"> • Complete Exam 3 during finals week