INSTRUCTOR INFORMATION

Professor Susan K. Cable
Office: Damon City Campus, Room 4168
Telephone: 262-1771
If I am not in my office when you call, you will hear a recorded message from me. You can leave a message for me any time of day or night.
E-mail: scable@monroecc.edu
I check my voice mail and e-mail several times daily, so I will receive your message promptly.

NOTE: Each currently registered MCC student has an MCC e-mail account. Students should check their MCC e-mail daily for important messages about courses (including this one) and other MCC activities. You can access your e-mail account from the MCC web page. Click on “Current Students”, then use the e-mail log-in box on the left of the page. For help in logging in or for other questions about your e-mail account, click on the drop-down “E-mail Help” menu beneath the log-in box.

Website: http://web.monroecc.edu/susancable/ My web page also is accessible from my page in the “Faculty and Staff” directory and through the “Faculty Web Pages” listing in the A-Z index, both on the MCC website. Documents related to this course (including this course information sheet) can be accessed on my web page.

Office Hours:
Damon: Monday and Wednesday: 2:30-3:30 pm
Tuesday and Thursday: 11:00 am - 12 noon
or by appointment
Brighton: Tuesday and Thursday by appointment, before or after CRJ 104-001 (which meets from 2:00 till 3:20 pm)

REQUIRED COURSE MATERIALS

4. pocket folder for handouts
COURSE DESCRIPTION

Criminal Law I is a study of New York State's Penal Law, which defines what acts (or failures to act), under what circumstances, will render the actor criminally responsible for his/her conduct.

The course will include a brief study of the criminal justice system and the purposes of the criminal law, and a detailed study of culpable mental states, accomplice liability, defenses, anticipatory offenses, and the principal substantive statutes that define criminal conduct in New York State.

EXPECTED STUDENT OUTCOMES

Upon successful completion of the course, the student will be able to:

1. demonstrate an understanding of the basic principles of criminal law and explain how those principles are reflected in New York's Penal Law;

2. identify the major categories of criminal offenses and the basic elements and aggravating circumstances of each category of offense;

3. identify the defenses to criminal liability and explain the requirements for each defense;

4. demonstrate proficiency in:
   a. using the New York State Penal Law as a reference tool, and
   b. applying the statutes to hypothetical problems;

5. analyze the interrelationships among the various types or sources of law - legislation, case law, constitutions, and administrative or regulatory law;

6. demonstrate familiarity with the relevant case law which significantly impacts upon the applicability and interpretation of certain statutes in New York's Penal Law; and

7. demonstrate familiarity with the necessity for, and methods of, keeping abreast of changes in statutory law and the relevant case law.

ATTENDANCE AND WITHDRAWAL POLICIES
See the College's policy on attendance and withdrawal, as set out on page 226 of the 2005-2006 MCC Catalog/Student Handbook.

Regular class attendance is an absolute must, since the material covered during class time will not be available through any other source (i.e., textbook or outlines). Attendance will be taken at the beginning of each class session. A student who arrives for class after attendance has been taken will be marked absent.

If a student must miss a class for any reason, it is his or her responsibility to obtain permission from me to attend another section of the missed class or to obtain the content of the missed class from another student's notes, and to obtain from me any handouts which were distributed during the missed class. Excessive unexcused absences may result in a grade of "F" or the student's involuntary withdrawal from the course.

CLASS CANCELLATIONS

College-wide class cancellations or closings due to weather or other emergencies will be reported to local radio and television stations by no later than 5:30 am and will noted on MCC’s website. Please do not call the College or media outlets, as this will cause overloading of the phone lines.

If it is necessary for me to cancel individual classes because of illness or other emergency, the cancellation will be listed on MCC’s website (use the A-Z index to click on class cancellations) and on the class cancellation phone line, 292-2066 (press 1 for the Brighton campus and 2 for the Damon campus). Also, an e-mail announcing the cancellation will be sent to the MCC e-mail account of every student in the class.

COURSE REQUIREMENTS

Students in this course are expected to attend all classes and to familiarize themselves thoroughly with the assigned reading material BEFORE class. It is anticipated that the emphasis in this course will be upon class participation, rather than delivery of the material by straight lecture.

Students will be called upon in class to discuss the day's subject matter and should come to class prepared accordingly.

ACADEMIC HONESTY
Students are expected to be familiar with and to abide by the College's policies on academic honesty, as set out on pages 236-237 of the 2005/2006 MCC Catalog/Student Handbook. Acts of academic dishonesty on assignments or exams will result in a grade of zero for all involved students.

LEARNING CENTERS

Please see pages 210-211 of the 2005/2006 MCC Catalog/Student Handbook for information about the libraries and learning centers at both campuses. Criminal Justice majors are encouraged to make use of the resources available in the Law and Criminal Justice Department’s Legal Learning Resource Center, Room 4163.

EXAMINATIONS

There will be three non-comprehensive examinations. Each examination will consist of a mixture of multiple choice and short answer questions. Examination dates will be announced in class at least one week prior to the examination. The third examination will take place during final exam week, after classes have ended.

The examinations will be open Penal Law only; students are not permitted to use class notes, the Study Guide, the quizzer, or any materials other than the Penal Law book. I will check the students’ Penal Law books at the beginning of each exam to be sure that the books do not contain unauthorized notes. Students are not permitted to share books during the exams, and I do not provide copies of the Penal Law to students who have forgotten their books. If you forget your Penal Law book, you will have to take the exam without it. Please remember to bring your Penal Law book to each exam!

In addition to the three exams, there also may be occasional quizzes (sometimes unannounced) and/or writing assignments during classroom time.

HOMEWORK

There will be approximately six written homework assignments during the semester. The assignments will consist of hypothetical problems.

The following rules apply to all written homework assignments. Assignments that do not comply with these rules will not be accepted.

1. Homework must be turned in on the day it is due. If you are present in class the day an assignment is due, you CANNOT turn the assignment in late. Late assignments will be accepted only from those who were absent from class with a legitimate excuse on the due date.
2. Late assignments will be accepted only until the next class period, and will be marked as late, regardless of the reason why the assignment is being turned in late. No late assignments will be accepted after the next class period, unless you have made prior arrangements with the professor. Permission to turn in work after the “late” deadline will be granted only due to extraordinary circumstances (prolonged illness, for example). To avoid having an assignment marked as late, a student who is absent can submit the assignment to me by e-mail prior to class time on the due date. The assignment must be e-mailed from the student’s MCC e-mail account.

3. Students who were absent on the day the written assignment was announced are expected to find out what they missed in class by consulting other students and/or the instructor and are expected to turn in the written assignment on the due date.

4. Homework must be turned in at the beginning of the class period. Students are expected to have two hardcopies of their homework – one to turn in at the beginning of class, and one to refer to during class discussion that day. Assignments can be submitted by e-mail only when a student is absent from class and wishes to avoid having the assignment marked as late (see #2 above).

4. All assignments must be typed. Word processing computers are available to all students in the Electronic Learning Centers at both campuses.

5. Your name, course number (CRJ 104), section number, number of the assignment, and the due date of the assignment must appear at the top of all homework assignments. The homework questions must be answered in complete sentences, using correct grammar and spelling.

6. There will be approximately six written homework assignments. All students are required to turn in at least four of these assignments. Those students who would like extra credit may turn in five or six assignments. Each student must read and prepare every assignment for class discussion, even if he/she does not plan to submit the assignment as written homework.

7. Although students are encouraged to discuss and study the homework problems together in study groups, the homework you turn in must be completed by you individually – not as a “group” assignment. Copying other people’s homework is not permitted and will be considered an act of academic dishonesty.

MAKE UP POLICIES

A student who misses a class, for whatever reason, should make arrangements with me to attend
another section of the missed class. If making up the class is impossible, the student will be held responsible for borrowing another student's notes and/or discussing what happened in class with other students. It will be the student's responsibility to obtain from me any materials that were distributed during the missed class. The student is responsible for completing all homework assignments given during his/her absence and turning them in by the due date.

All examinations and quizzes MUST be taken on the assigned date. In case of absence caused by emergency ONLY, the student should notify me of the reason for his/her absence immediately and should make arrangements for a make up examination as soon as possible. Whenever possible, a student who must miss an examination should notify me before the exam takes place. Students will not be permitted to make up examinations which were missed without a legitimate excuse and will receive a grade of "0" for the missed exam.

There will be no makeups for missed quizzes.

CLASSROOM ENVIRONMENT

Every student has the right to a classroom environment that is conducive to learning. Every student also has the responsibility to do his or her part to maintain the appropriate learning environment. In order to assure that such an environment will exist for everyone in this class, students need to comply with the following expectations:

1. Arrive for class on time. Students who arrive after attendance has been taken are marked absent for the class period.

2. Do not pack up early.

3. If you need to leave early, inform me in advance and leave as quietly as possible so as to minimize the disturbance to others.

4. Do not leave and then reenter the classroom after class has begun. Please use the restroom facilities and take care of other personal needs before class.

5. All cell phones and pagers must be turned off during class. Students are not permitted to use such devices during class (to send text messages or to check messages, for example) and are not permitted to leave the room to answer phone calls or pages.

6. No food is to be consumed in the classroom.

7. No smoking, tobacco chewing, or tobacco spitting is allowed in the classroom.

8. You may consume beverages (soft drinks, coffee, etc.) during class, if it is done in such
way as to avoid damage to the classroom facilities and/or disruption of class. If you bring a beverage into class you are expected to dispose of the container properly at the end of class.

9. All students are expected to respect the rights of others. Listen attentively to the instructor and other students; avoid talking while others are speaking; and raise a hand if you wish to join in class discussion.

GRADING

The student's final grade for the course will be based upon the following criteria:

1) First Examination: 25%
2) Second Examination: 25%
3) Third Examination: 25%
4) Class participation, preparation, demeanor, and attendance; written homework; in-class assignments and quizzes (if any): 25%

TOTAL: 100%

The student's final grade will be a letter grade, based upon the following numerical breakdown:

A  93 or above
A- 90-92
B+ 88-89
B  82-87
B- 80-81
C+ 78-79
C  72-77
C- 70-71
D+ 68-69
D  62-67
D- 60-61
F  Below 60
W Withdrawn from course
I  Failure to complete course requirements
COURSE SYLLABUS BY TOPIC

Please note that the syllabus below is subject to change (modification, additions, or deletions) during the semester, depending upon how much progress we make in getting through the assigned material. We will study some topics out of the order in which they are listed. For example, Topic #5, Defenses to Criminal Liability, will be covered toward the end of the semester. Also, it is likely that certain topics will be skipped over completely or only partially covered. Students will be advised of such changes by announcements in class.

Please note that reading assignments are listed on the syllabus; however, there may be additional handouts distributed in class throughout the semester. Students are responsible for both the reading assignments above and any additional handouts distributed in class.

Topic #1  Introduction to CRJ 104 and to the Criminal Law
A. Orientation and review of course information outline
B. Introduction to the Criminal Law
2. PL Article 1 (General Purposes of the Penal Law)

Please note: For every Penal Law reading assignment, students also are expected to read the applicable sections of Shapiro’s Explanatory Quizzer for the New York State Penal Law.

Topic #2  Introduction to Reading the Penal Law
Read: 1. Study Guide, pp. 10-12
2. PL Article 5 (General Rules of Construction and Application)
3. PL Article 10 (Definitions)

Topic #3  General Principles of Criminal Liability/Culpability
Read: 1. Study Guide, pp. 13-16; People v Erby (p. 17); People v Haney (pp. 18-19); People v Heinsohn (pp. 20-21); People v Boutin (pp. 22-23); People v Kibbe (pp. 24-25); news articles, pp.25a-25c
2. All of PL Article 15 (Culpability)

Topic #4  Accomplice Liability
Read: 1. Study Guide, pp. 26-27; People v Reyes (p. 28); People v Karchefsky (pp. 29-30)
2. All of PL Article 20 (Parties to Offenses and LIABILITY through Accessorial Conduct), except Sections 20.10 and 20.15
Topic #5  Defenses to Criminal Liability
A.  Introduction to Defenses
Read:  1.  Study Guide, p. 33 (Topic 5A)
2.  PL Article 25 (Defenses in General)

B.  Justification
Read:  1.  Study Guide, pp. 33-34 (Justification generally); People v Crowley (pp. 35-36); news article p.37
2.  PL Section 35.05
3.  Study Guide, pp. 38-44 (Justification for Use of Physical Force); Tennessee v Garner (p. 45)
4.  PL Sections 35.10 through 35.30

C.  The Excuses
2.  PL Section 30 (Infancy)
3.  PL Section 40.00 (Duress)
4.  PL Section 40.05 (Entrapment)
5.  PL Section 40.10, subd 1 and 5 only (Renunciation)
6.  PL Section 40.15 (Mental Disease or Defect)

Topic #6  The Inchoate (Incomplete) Offenses and Related Offenses
Read:  1.  In General:  Study Guide, pp. 49-50
2.  Attempt:  Study Guide, pp. 51-53 (including People v Warren); PL Article 110
3.  Conspiracy:  Study Guide, p. 54; all of PL Article 105, except Sections 105.25 and 105.35
4.  Criminal Solicitation:  Study Guide, p. 54; all of PL Article 100, except Section 100.20
5.  Criminal Facilitation:  Study Guide, p. 55; all of PL Article 115, except Section 115.15
6.  Hindering Prosecution:  Study Guide, pp. 55-56; PL Sections 205.50 through 205.65
Topic #7  Crimes Against Persons
Read:  1.  Homicide Offenses: Study Guide, pp. 57-63; PL Sections 125.05 -125.27; P v. Moye, p. 68-69; P. v. Matos, pp. 78-79; news articles, pp. 70-76; chart, p. 77
2.  Abortion Offenses: Study Guide, p. 64; PL Section 125.05; PL Sections 125.40 through 125.55; news article, pp. 65-67
3.  Assault and Related Offenses: Study Guide, pp. 80-82; PL Article 120; People v. Owusu, pp. 83-84; news article, pp. 85-86
4.  Kidnapping, Coercion, and Related Offenses: Study Guide, pp. 87-89; all of PL Article 135, except Sections 135.55 and 135.70

Topic #8  Sex Offenses
Read:  1.  Study Guide, pp. 90-93a
2.  All of Article 130, except Section 130.16
3.  News article, p. 94

Topic #9  Crimes Against Habitation
Read:  1.  Burglary and Related Offenses: Study Guide, pp. 95-97; all of PL Article 140, except Section 140.40
2.  Criminal Mischief and Related Offenses: Study Guide, p. 98; PL Sections 145.00 through 145.12 only
3.  Arson: Study Guide, p. 99; PL Article 150

Topic #10  Crimes Against Property
Read:  1.  Larceny: Study Guide, pp. 100-101; all of PL Article 155, except Sections 155.10 and 155.45
2.  Robbery: Study Guide, p. 102; PL Article 160
3.  Criminal Possession of Stolen Property: Study Guide, p. 103-104; PL Sections 165.40 through 165.60

Many articles of the Penal Law have been intentionally omitted from this syllabus due to time constraints. However, the students should familiarize themselves in a general way with the omitted articles.

By the conclusion of this course, each student should be able to identify general types of criminal conduct, locate the applicable sections of the Penal Law which define those offenses, and analyze the elements of those offenses, even if the offenses were previously unfamiliar to the student.