**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
Please send e-mail to me only from your MCC e-mail account. Otherwise your message may be blocked by MCC's spam filter or may be diverted to my junk mail folder.

**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 such as registration, job opportunities, etc.** You can access your e-mail account from the MCC web page. Click on “Current Students”, then click on “E-mail Login” on the right side of the page. For help in logging in or for other questions about your e-mail account, click on the “Information”, Password Help”, and/or “E-mail Troubleshooting” links.

**Web Page:** [http://web.monroecc.edu/susancable/](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 Campus, Room 4168
Mon and Wed: 2:30 - 3:30 pm; Tues and Thurs: 11:00 am - 12 noon; or by appointment

**REQUIRED COURSE MATERIALS**

1. Penal Law of the State of New York
   Looseleaf Law Publications, 2007/2008 edition *(must have this most recent edition!)*
   The subscription request page (first page in the packet) will read “Update for 2007-2008” or “Update for 2007-2008A”.

2. Shapiro's Explanatory Quizzer for New York State Penal Law
   Looseleaf Law Publications, 2007/2008 edition *(must have this most recent edition)*


4. folder or binder for notes and 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 begin with a discussion of the sources of law and issues related to reading, interpreting, and applying statutory law. We will spend most of the semester in 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:

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 pages 241-243 of the 2008-2009 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.

ACADEMIC HONESTY

Students are expected to be familiar with and to abide by the College's policies on academic honesty, on pages 249-250 of the 2008-2009 MCC Catalog/Student Handbook and attached to the last page of this document. Acts of academic dishonesty on assignments or exams will result in a grade of zero for all involved students. Penalties for academic dishonesty that affect a student’s final grade must be reported in writing to the department chairperson and the Vice President for Student Services.

LEARNING CENTERS and TUTORING

The Electronic Learning Centers at the Brighton (11-106) and Damon (4-071) campuses provide a central location for students to use computers, audio-visual equipment and materials. In addition, there are discipline-specific learning and resource centers on both campuses that provide tutoring services and video instruction or computer software. At the Damon Campus, these services are provided for multiple disciplines in one location, the Integrated Learning Center (4-258). For a list of MCC learning and resource centers and their locations and phone numbers, go to the MCC Web Page, click on “College Directory” at the top of the page, then click on “Learning/Resource Centers”.

The Law and Criminal Justice Department has a Legal Learning Resource Center which is
available to all students during posted hours. The LLRC is located next to the Law and Criminal Justice office suite at the Damon Campus, Room 4-160.

Also, the SUNY Resource Center, located at the Rundel Library on South Avenue, has the most up-to-date computers and resource materials available for use by MCC students.

Tutoring services for all Criminal Justice courses, including CRJ 104, are available in the Integrated Learning Center at the Damon campus. These services have proven to be very helpful for many students. Please check with the ILC for the hours when the tutor is available.

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.

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. I will provide a review sheet summarizing information about the exam at least a week before the exam is scheduled.

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. Students are permitted to use underlining and highlighting and to have brief notations written in their books (such as definitions of words you looked up in a dictionary or cross references to other sections in the Penal Law). 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.

WRITTEN HOMEWORK
There will be approximately six to eight written homework assignments during the semester. The assignments will consist of case studies and hypothetical problems. The written homework is an essential tool for students to develop the analytical skills that are necessary to successfully read, interpret, and apply the Penal Law.

I will distribute separately the written guidelines for submitting homework assignments. To receive proper credit for your written assignments, you must follow the written homework guidelines. These assignments, along with class attendance and participation, will count as the equivalent of an examination in calculating your final grade.

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. Please arrange your schedule so that you will be present for the entire class period. If there is a compelling reason why you must leave early, please 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. If you have a medical problem or other concern that may make it necessary for you to leave the room during class, please speak to me privately before class begins.

5. **All cell phones, pagers, and other electronic devices must be silenced and out of sight during class, including during exams.** Students are not permitted to use phones for any purpose during class (no text messaging, checking e-mail or phone messages, internet searches, games, etc.). Students are not permitted to leave the room during class to answer phone calls or pages. Exceptions will be made only for urgent situations. If you anticipate possibly receiving an urgent call, please inform me before class.

6. **Audio and video recording during class is permitted only with my prior permission.** If Please let me know in advance if you would like to record the class session so that you can review later.

7. **Laptop computers are to be used during class time only for note-taking or other in-class, course-related work.** Any student who uses a laptop for purposes not related to class, or to complete out-of-class work during class time, will be instructed to leave the laptop at home for the remainder of the semester.

8. No **food** is to be consumed in the classroom.

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

10. 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 please dispose of the container properly at the end of class.

11. All students are expected to respect the rights of others. Please 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) Written homework; class participation, preparation, demeanor, and attendance; 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
- I Failure to complete course requirements
- W Withdrawn from course

COURSE SYLLABUS BY TOPIC

Please note that the syllabus below is subject to change (modification, additions, or deletions) during the semester. We will study some topics out of the order in which they are listed. For example, Topics #7 (Homicide) and 7A (Assault) will be covered before Topics 5 and 6. 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 changes to these assignments and/or additional assignments announced in class throughout the semester. Students are responsible for keeping track of the assignments as announced in class.

PLEASE NOTE: For every Penal Law reading assignment, students also are expected to read the applicable sections of Shapiro's Explanatory Quizzer for the NYS Penal Law.

**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

Read:
2. PL Article 1 (General Purposes of the 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**

**Read:**
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. 57-68; PL Sections 125.05 -125.27; P v. Moye, p.72-73; P. v. Matos, pp.85-86; news articles, pp. 74-80, 87-88; chart, p. 81
2. Abortion Offenses: Study Guide, p.68; PL Section 125.05; PL Sections 125.40 through 125.55; news article, pp. 69-71
3. Assault and Related Offenses: Study Guide, pp. 89-91; PL Article 120; People v. Owusu, pp. 92-93; news article, pp. 94-95
4. Kidnapping, Coercion, and Related Offenses: Study Guide, pp. 96-98; all of PL Article 135, except Sections 135.55 and 135.70

**Topic #8: Sex Offenses**

2. All of Article 130, except Section 130.16
3. News article, p. 104

**Topic #9: Crimes Against Habitation**

Read: 1. Burglary and Related Offenses: Study Guide, pp. 105-106; all of PL Article 140, except Section 140.40
2. Criminal Mischief and Related Offenses: Study Guide, p. 108; PL Sections 145.00 through 145.12 only
3. Arson: Study Guide, p. 109; PL Article 150

**Topic #10: Crimes Against Property**

Read: 1. Larceny: Study Guide, pp. 110-111; all of PL Article 155, except Sections 155.10 and 155.45
2. Robbery: Study Guide, p. 112; PL Article 160
3. Criminal Possession of Stolen Property: Study Guide, p. 113-114; 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.