

**SYLLABUS**  
STETSON UNIVERSITY COLLEGE OF LAW

**CRIMINAL LAW - SECTION 3**

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Fall 2013

Tuesday & Thursday  
10:00 - 11:50 A.M.  
Classroom A  
Four (4) Credits

**COURSE DESCRIPTION:**

An examination of substantive criminal law. The course will analyze common law concepts as well as statutory revisions.

**COURSE MATERIAL:**

*Criminal Law: Concepts & Practice 3d Edition* (Carolina 2013)

OUTSIDE MATERIALS: For those interested in examining outside sources, the following books have been placed on reserve in the library:

Joshua Dressler, *Understanding Criminal Law 5<sup>th</sup> & 6<sup>th</sup> Edition* (LexisNexis 2009)

Podgor, Henning, Cohen, *Mastering Criminal Law* (Carolina 2009)

**ATTENDANCE:**

Regular attendance at class sessions is required. Please familiarize yourself with the College's attendance policy as it applies for this class.

There will be no break in this class.

On Thursday, September 5, 2013 the class will be viewing a video. If you are unable to make that class, please see me as I will be scheduling an alternate time for viewing this video.

There will be no class on Thursday, September 19th. That class will be made up as part of Family & Friends Day, Friday, October 25<sup>th</sup> from 3:00-4:50 p.m.

**TWEN:**

There is a TWEN site for this course that has old exams, some web links, and a discussion board. The password for entry into the site is: **Punishment**. Please feel free to post comments related to the course material or class discussion. Please make certain that your comments are respectful of others.

**TAPING:**

You are not permitted to tape this class.

**MAKE-UP EXAMINATION:**

Arranged through the Office of the Associate Dean in accordance with policies stated in the College of Law Bulletin.

**OFFICE HOURS:**

Open Door Policy.

My office is located on the Second Floor in Crummer Hall. On rare occasions there is a dog in my office. If you would prefer to meet with me without the dog being present, just let me know in advance and I will accommodate this request. If you would like to schedule a specific appointment time, please email me ([epodgor@law.stetson.edu](mailto:epodgor@law.stetson.edu)) and I would be happy to set an appointment time with you. **Please make certain you put Criminal Law in the subject line of all emails sent to me.**

**TEACHING ASSISTANT:**

Eric Martucci is the teaching assistant for this class. His email is [emartucc@law.stetson.edu](mailto:emartucc@law.stetson.edu). Emails to him should have Criminal Law in the subject line. He will be located in Study Room 123 of the Gulfport Campus Library on Mondays from 1:00-3:00 p.m. with the exception of school holidays.

**GRADING:**

Your grade will be based on a **closed book** examination at the time scheduled by the law school. The examination will be part essay and part multiple choice and/or true-false questions. The examination will cover material from class and also material that is in the assigned readings that might not be covered in class. I will increase the final grade by .25 for any student(s) whose overall class participation (which includes participation on the discussion board) I deem extraordinary. I reserve the right to lower a grade by .25 for unpreparedness, tardiness, and absences.

There will be a practice midterm given during the semester. It will not count in your final grade, but can be used to help you in assessing your progress in the course.

**PREPARING FOR CLASS:**

It is important that you read the assigned material prior to class. In the beginning of the semester our approach will be to focus more on the cases and on statutory material, although we will occasionally do problems or a case study. As the semester progresses we will move to a more problem approach.

**CLASS****TOPIC****ASSIGNMENT**

1 & 2

Punishment

Text pp. 1 - 46

**CLASS**

3 & 4

**TOPIC**

Interpreting Criminal Statutes

**ASSIGNMENT**

Text pp. 47-77

Innocence

Select one Individual who was exonerated on an innocence claim after serving at least five years in prison. See Innocence Project - <http://www.innocenceproject.org/know/Browse-Profiles.php> or Medill Innocence Project - <http://www.medillinnocenceproject.org/home>  
Be prepared in class to actually be that individual and explain in approximately 1-2 minutes what went wrong in your case.

Proving the Case

Background Reading  
Text pp. 263 (starting w/ § 7.03) - 277 (Up to Case Study Two)

5

Actus Reus

Text pp. 79-101

6, 7, & 8

Mens Rea

Text pp. 103-133 (Up to Worthy); 138 (starting w/ § 4.04) - 174 (Up to Case Study Two)

9

Causation

Text pp. 177-181 (Up to Oxendine); 186 (starting with Model Penal Code) -199

10

Concurrence and Proof

Text pp. 201-231

11, 12, & 13

Homicide

Text pp. 279-344

<u>CLASS</u>	<u>TOPIC</u>	<u>ASSIGNMENT</u>
14	Rape	Text pp. 345-387 (Up to § 9.07)
15	Theft & Property Offenses	Text pp. 395-434
16 & 17	Attempt	Text pp. 435-472
	Solicitation	Text pp. 473-480 (Up to § 12.03)
18	Conspiracy	Text pp. 489-519
19	Accessory Liability	Text pp. 521-541
20	Defenses	Text pp. 545-573
	Entrapment	Text pp. 653-663
21 & 22	Defending Self, Others & Property	Text pp. 575-631
23	Necessity & Duress	Text pp. 633-651
24	Insanity & Diminished Capacity	Text pp. 667 - 697
	Intoxication	Text pp. 699 -716
25-26	Criminal Law Perspectives & Review	

**The course syllabus provides a general plan for the course; deviations may be necessary.**