

SYLLABUS

Professional Practice and Ethics – CJ 305
Room PSFA 350 – Thursdays, 4-6:40 P.M.
Spring Semester 2009
Required Text: **Criminal Justice Ethics**
Paul Leighton; Jeffrey Reiman

Professor Don Fobian
Office: PSFA 176 – hours by appointment
(619) 208-1828
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Class 1 – January 22, 2009

Introduction

Overview of course – 3 Exams (non-cumulative, scan-tron); 1 five- seven page paper (ethics issue in the news)

Discussion

Survey

MORAL FOUNDATION OF CRIMINAL GUILT

Class 2 – January 29th

The Morality of the Criminal Law; Crime, Minorities, and the Social Contract

Class 3 – February 5th

Mens Rea; The Crime that Never Was: _____

WHAT SHOULD BE A CRIME?

Class 4 – February 12th

II.1. PRINCIPLES

Excerpts from *Social Philosophy; the Moral Foundations of Decriminalization*

Review

Class 5 – February 19th

Exam 1

Class 6 – February 26th

II.2.a Drug Legalization

Excerpts from *Legalize It? Debating American Drug Policy*

II.2.b Prostitution

In re P: Let the 14-Year Old Go, the Prostitution Laws Are Unconstitutional; Prostitution and Civil Rights; International Committee for Prostitutes' Rights World Charter and World Whores' Congress Statements

Class 7 – March 5th

II.2.c Corporate Violence

A Crime by Any Other Name . . . ; The Brown and Williamson Documents: Where do We Go From Here?; Looking Through a Keyhole at the Tobacco Industry;

II 2 d Hate Crimes

Wisconsin v. Mitchell, A Few Opinions on Sentencing Enhancement for Hate Crime

Review

Class 8 – March 12th

Exam 2 –

MORAL PROBLEMS IN POLICING

Class 9 – March 20th

III.1 Police Ethics

Ethics and Codes of Conduct – Scan only

III.2 Deception and Influence

The Ethics of Deceptive Interrogations: Some Reflections on the State's Use of Sex and Deception in Law Enforcement

Class 10 – March 26th

III.2 Deception and Influence (continued)

The Dirty Harry Problem; Case Study: The United States v. Tobias – PCP Entrapment

Turn in Papers

SPRING BREAK

Class 11 – April 9th

III.3 Selective Enforcement

Selective Enforcement and the Rule of Law; Against Police Discretion; Reply to John Kleinig

MORAL ISSUES IN JUDICIAL PROCESSING AND JURISPRUDENCE

Class 12 – April 16th

IV.1 Lawyers' Ethics

The Behavior of Lawyers; Moral Philosophy's Standard Misconception of Legal Ethics

IV.2 Plea Bargaining and Due Process

Do Criminal Defendants Have Too Many Rights?

PENOLOGY

Class 13 – April 23rd

V.1 Treatment of Inmates

Excerpts from *Just and Painful*

V.2 Death Penalty

Is the Death Penalty What Murderers Deserve?; Against the Death Penalty; A Response to Reiman and Nathanson

Class 14 – April 30th

VI Emerging Issues

The Constitution in Cyberspace;; Megan's Law and the Protection of the Child

Review

Class 15 – May 7th

Exam 3

CRIMINAL LAW

Class: CJ 320 Instructor: Sharla L. Evert
Semester: Spring 2009 Phone: 619-531-3608
Time: Monday, 19:00-21:40 E-mail: sharla.evert@sdcdca.org
Room: PSFA310

I. COURSE OUTLINE

Constitutional law principles as implemented in criminal courts with emphasis on critical analysis of factual situations and the argument of legal issues in criminal cases from both defense and prosecution perspectives.

II. COURSE REQUIREMENTS

A. Your grade will be calculated as follows:

Midterm	30
Final	30
Paper	10
Class Assignments	20
Quizzes / Participation	10

The **exams** will be in essay and short answer format. You will be graded on content and organization of your essays.

Towards the end of the semester, you will be required to submit a 5-7 page **Analytical Paper** on a topic discussed in class. Due date: **5/11** *Don't forget to include the bibliography.*

Class assignments will consist of oral presentations, group projects, and short homework assignments.

Course **participation** consists of asking questions, giving feedback and being able to discuss relevant topics and assigned readings. **Quizzes** will be given at instructor's discretion. You will need a few scantrons.

B. Books and Readings:

1. Criminal Law, J. Samaha, 9th edition (required)
2. California Penal Code 2009 (optional)

III. SCHEDULE OF LECTURES AND READING ASSIGNMENTS

The following schedule incorporates your reading assignments into the class lectures. It is assumed that you will complete the readings assigned for a particular day before the lecture begins. Otherwise you will fall behind, you will not gain much from the lectures, and your lack of participation will be reflected in your final grade.

Lecture One – 1/26	Broad Overview of Course and Concepts	
Lecture Two – 2/2	Nature and Limits of Criminal Law in U.S. Society	Ch. 1
Lecture Three – 2/9	Constitutional Limits on Criminal Law	Ch. 2
Lecture Four – 2/16	General Principles of Criminal Liability: <i>Actus Reus</i>	Ch. 3
Lecture Five – 2/23	General Principles of Criminal Liability: <i>Mens Rea</i> , Concurrence and Causation	Ch. 4
Lecture Six – 3/2	Defenses to Criminal Liability: Justifications	Ch. 5
Lecture Seven – 3/9	Defenses to Criminal Liability: Excuse	Ch. 6
Lecture Eight – 3/16	Parties to Crime and Vicarious Liability	Ch. 7
Lecture Nine – 3/23	Midterm Exam	
Lecture Ten – 3/30	SPRING BREAK	
Lecture Eleven – 4/6	Inchoate Crimes: Attempt, Conspiracy, and Solicitation	Ch. 8
Lecture Twelve – 4/13	Crimes Against Persons I: Criminal Homicide	Ch. 9
Lecture Thirteen – 4/20	Crimes Against Persons II: Criminal Sexual Conduct, Bodily Injury, and Personal Restraint	Ch. 10
Lecture Fourteen – 4/27	Crimes Against Property	Ch. 11
Lecture Fifteen – 5/4	Crimes Against Public Order and Morals	Ch. 12
Lecture Sixteen – 5/11	Crimes Against the State	Ch. 13
Lecture Seventeen – 5/18	Final Exam	

This syllabus is subject to modification. It is important that students who are absent communicate with other students and/or the professor.

CRIMINAL LAW

CJ320