

COURSE OUTLINE

Criminal Law and Procedure
Course Title

CJ211
Dept. & Course No.

I. COURSE DESCRIPTION

This course will provide students with the nature and purposes of criminal law and general principles of criminal responsibility and defenses. This course also covers the basic elements of criminal offenses and criminal procedure with an emphasis on the challenges placed on police during investigation, prosecutorial practice and the requirements of a fair trial.

II. SEMESTER CREDITS: 3

III. CONTACT HOURS PER WEEK: $\frac{3}{\text{Lecture}}$ $\frac{0}{\text{Lab}}$ $\frac{3}{\text{Total}}$

IV. PREREQUISITES: CJ 111

V. STUDENT LEARNING OUTCOMES:

Upon completion of the course, the student will be able, with 65% accuracy, to:

1. Explain the concepts of criminal law, its purpose, administration, and application in the U.S. and Palau.
2. Explain topics in the Palau National Code as they relate to criminal law.
3. Explain the essential elements of crimes and identify and define crimes against the person, property and habitation, the public, parties, and inchoate offenses.

VI. COURSE CONTENT:

- A. Introduction to criminal law
 1. Introduction to the legal system
 2. Introduction to criminal law
 3. Differentiate between criminal law and criminal procedure
 4. Sources of criminal law
 5. The purpose of punishing violators
 6. Common law vs. statutory law
 7. Constitutional law
 8. Model penal code
 9. Criminal court rules
 10. U.S. vs. Palau courts
- B. The Palau Criminal Code
 1. Crimes
 2. Criminal procedures
 3. Fundamental rights
- C. The two essential elements
 1. Mens Reus
 2. Actus Reus
- D. Types of Crimes
 1. Crimes against the person
 2. Crimes against property and habitation

4. Explain factual defenses, statutory defenses, and constitutional defenses.
 3. Crimes against the public
 4. Parties and inchoate offenses
5. Discuss criminal procedure.
 - E. Defenses
 1. "Defense" defined
 2. Affirmative defenses
 3. Insanity
 4. Duress and Necessity
 5. Use-of-force defenses
 6. Infancy
 7. Intoxication
 8. Mistake
 9. Entrapment
 10. Alibi and consent
 11. Double jeopardy
 12. Freedom to speak, practice one's religion, privacy, to be treated equally, and substantive and procedural due process
 - F. Criminal Procedure
 1. Criminal procedure defined
 2. The participants
 3. Constitutional aspects of criminal procedures
 4. Searches, seizures, and arrests
 5. Interrogations, electronic surveillance, and other police practices
 6. Pretrial process, trial, sentencing, and appeal

VII. MATERIALS AND EQUIPMENT

- A. Projector
- B. Handouts
- C. Films
- D. Library materials
- E. Routine classroom materials

VIII. TEXTS:

Text:

Hall, Daniel E. *Criminal Law and Procedure* 4th Edition, Clifton Park, NY: Delmar Learning, a division of Thompson Learning Inc., 2004.

IX. METHOD OF INSTRUCTION

- A. Lecture
- B. Discussion
- C. Assignments
- D. Guest lecturer/speaker
- E. Courtroom proceeding observation

X. METHOD OF EVALUATION

The following criteria will be used to determine the final grade:

1. Participation	10%
2. Quizzes/Tests/Assignments	10%
3. Midterm Exam	30%
4. Final Exam	30%
5. Projects/Reports	<u>20%</u>
6. Total	100%

Transmutation of percentage to grade is as follows:

90 – 100%	A
80 – 89%	B
70 – 79%	C
65 – 69%	D
0 – 64%	F

Palau Community College
CJ 211 Criminal Law and Procedure
Course Learning Outcomes

During the course experience, the course learning outcomes (CLOs) will be assessed through the use of signature assignments. A rating scale will be used to determine the students' proficiency level of each CLO using specifically aligned assignments. The numerical ratings of 4, 3, 2 and 1 are not intended to represent the traditional school grading system of A, B, C, D and F. The descriptions associated with each of the numbers focus on the level of student performance for each of the course learning outcomes listed below.

- Rating Scale:**
- 4 – Exceeds Expectations
 - 3 – Meets Expectations
 - 2 – Developing
 - 1 – Below Expectations

CLO1: At the completion of the course, students will be able to explain the concepts of criminal law, its purpose, administration, and application in the United States and Palau.

Numerical Value	
4	Perform all of the following tasks accurately and completely: <ul style="list-style-type: none"> * Explain the difference between criminal law and criminal procedure. * Explain the source of criminal law. * Explain the purpose of punishing criminal law violators. * Explain Common law vs. statutory law. * Explain Constitutional law.
3	Perform the tasks mentioned above with mixed quality, but most are adequate and complete.
2	Perform the tasks mentioned above with mixed quality, but most are inadequate or incomplete.
1	Perform the tasks mentioned above inaccurately or incompletely.

CLO 2: At the completion of the course, students will be able to identify types of crimes and their elements.

Numerical Value	
4	Perform all of the following tasks accurately and completely: <ul style="list-style-type: none"> * Explain the essential elements of crimes: mens reus, actus reus * Identify and define crimes against persons * Identify and define crimes against property * Identify and define crimes against habitation * Identify and define crimes against the public
3	Perform the tasks mentioned above with mixed quality, but most are adequate and complete.
2	Perform the tasks mentioned above with mixed quality, but most are inadequate or incomplete.
1	Perform the tasks mentioned above inaccurately or incompletely.

CLO 3: At the completion of the course, students will be able to discuss criminal responsibility and defenses.

Numerical Value	
4	Perform all of the following tasks accurately and completely: <ul style="list-style-type: none">* Discuss factual defenses.* Discuss statutory defenses.* Discuss constitutional defenses.
3	Perform the tasks mentioned above with mixed quality, but most are adequate and complete.
2	Perform the tasks mentioned above with mixed quality, but most are inadequate or incomplete.
1	Perform the tasks mentioned above inaccurately or incompletely.

CLO 4: At the completion of the course, students will be able to discuss criminal procedure.

Numerical Value	
4	Perform all of the following tasks accurately and completely: <ul style="list-style-type: none">* Define criminal procedure.* Identify the participants and their roles.* Discuss the constitutional aspects of criminal procedures.* Discuss the limitations and challenges placed on law enforcement and prosecution regarding searches, seizure, arrests, interrogations, and other practices.* Discuss pretrial, trial, sentencing, and appeal.
3	Perform the tasks mentioned above with mixed quality, but most are adequate and complete.
2	Perform the tasks mentioned above with mixed quality, but most are inadequate or incomplete.
1	Perform the tasks mentioned above inaccurately or incompletely.