

AJ 22 Course Outline as of Fall 1981**CATALOG INFORMATION**

Dept and Nbr: AJ 22 Title: CRIM LAW CONCPT-CP2

Full Title: Concepts of Criminal Law - CP2

Last Reviewed: 9/25/2017

Units		Course Hours per Week		Nbr of Weeks	Course Hours Total	
Maximum	3.00	Lecture Scheduled	3.00	17.5	Lecture Scheduled	52.50
Minimum	3.00	Lab Scheduled	0	17.5	Lab Scheduled	0
		Contact DHR	0		Contact DHR	0
		Contact Total	3.00		Contact Total	52.50
		Non-contact DHR	0		Non-contact DHR	0

Total Out of Class Hours: 105.00

Total Student Learning Hours: 157.50

Title 5 Category: AA Degree Applicable

Grading: Grade Only

Repeatability: 00 - Two Repeats if Grade was D, F, NC, or NP

Also Listed As:

Formerly:

Catalog Description:

Historical development, philosophy of law and constitutional provisions; definitions, classification of crime and their application to the system of Administration of Justice; legal research, study of case law, methodology and concepts of law as a social force.

Prerequisites/Corequisites:**Recommended Preparation:**

Eligibility for English 100A or equivalent.

Limits on Enrollment:**Schedule of Classes Information:**

Description: Historical development, philosophy of law & constitutional provisions; definitions, classifications of crime & their application to the system of Administration of Justice; legal research, study of case law, methodology & concepts of law as a social force. (Grade Only)

Prerequisites/Corequisites:

Recommended: Eligibility for English 100A or equivalent.

Limits on Enrollment:

Transfer Credit: CSU;UC. (CAN AJ4)

Repeatability: Two Repeats if Grade was D, F, NC, or NP

ARTICULATION, MAJOR, and CERTIFICATION INFORMATION:

AS Degree:	Area	Effective:	Inactive:
CSU GE:	Transfer Area	Effective:	Inactive:

IGETC:	Transfer Area	Effective:	Inactive:
---------------	----------------------	------------	-----------

CSU Transfer:	Transferable	Effective:	Fall 1981	Inactive:
----------------------	--------------	------------	-----------	-----------

UC Transfer:	Transferable	Effective:	Fall 1981	Inactive:
---------------------	--------------	------------	-----------	-----------

CID:

CID Descriptor: AJ 120 Concepts of Criminal Law

SRJC Equivalent Course(s): AJ22

Certificate/Major Applicable:

Certificate Applicable Course

COURSE CONTENT

Outcomes and Objectives:

COURSE OUTCOMES:

This course supplements the degree program with an historical overview of the development of law. There is a review of constitutional provisions of law as they integrate with fundamentals of State law.

The course covers the conceptual aspects of substantive law so that students will develop an appreciation of legal concepts as they relate to the justice process.

COURSE OBJECTIVES:

1. The student will respond to the stated evaluation criteria with acceptable accuracy to questions regarding the historical perspective, cultural evolution, and the origin of criminal law.
2. When introduced to the basic legal definitions and concepts of law for nonlawyers, the student will demonstrate the ability to cope with operational experiences by applying these definition and concepts to the relevant legal codes in the administration of justice.
3. When confronted with specific legal problems, the student will be able to locate the appropriate related statutes or cases and exercise sound judgment based upon a deductive analysis. Judgment and ability to communicate this position will be demonstrated through development of assigned written case studies.
4. When confronted with constitutional legal issues, the student will demonstrate awareness through presentation of assigned written case studies.
5. The student will learn concepts of Introduction to Criminal Law, LD5 (min. 6 hrs.) of the Basic Law Enforcement Course curriculum adopted by the California Commission on Peace Officer Standards

and Training (P.O.S.T.). Performance Objective numbers are identified herein: 3.1.1, 3.1.5, 3.1.6, 3.3.1, 3.4.3, and 3.5.1. (Refer to complete outline for specific content).
3.8.3, 3.37.1, 3.38.1, 3.38.2, 3.38.4, 3.38.7, 3.38.9, 3.38.12-3.38.13 (Refer to complete outline for specific content).

Topics and Scope:

WEEK

1. COURSE ORIENTATION

- A. Attendance and class participation
- B. Testing and grading policies
- C. Outside class assignments
- D. AJ/Basic Course "Transition Program - Pilot Project"

2. LEGAL RESEARCH AND METHODOLOGY

- A. Case citations and case reporters
- B. Legal encyclopedias
- C. Annotated Codes
- D. How to write a case brief
- E. Use of the law library
- F. Attorney General opinions

3. LEGAL, PHILOSOPHICAL AND HISTORICAL DEVELOPMENT OF THE LAW

- A. Statute Law (3.1.6)
 - 1. Legislative
 - 2. Initiative
- B. Constitutional (3.1.6)
- C. Case law and Stare Decisis (3.1.6)
 - 1. Doctrine of Judicial Review
- D. Common law (3.1.6)
- E. Historical periods in England
- F. Historical periods in U.S.
- G. Diversity among societies in the world

4 & 5 SOURCES OF STATUTE LAW

- A. United States Code (principal references)
- B. California statutory law (principal references)
 - 1. Business and Professions Code
 - 2. Education Code
 - 3. Fish and Game Code
 - 4. Health and Safety Code
 - 5. Penal Code
 - 6. Evidence Code
 - 7. Welfare and Institutions Code
 - 8. Vehicle Code
- C. Municipal Codes and County ordinances (3.1.6)
- D. Repeal/Amendment
- E. Mala in se vs. mala prohibita crimes
- F. Crimes without victims
- G. Pre-emption and Police power of the state

6 & 7. CONSTITUTIONAL LAW

- A. U.S. Constitution provisions
 - 1. Identify key constitutional rights protected by the 1st, 4th, 5th, 6th, 8th and 14th (Due Process and Equal Protection)

Amendments.

B. California constitution provisions

1. Independent state grounds

8. NATURE OF CRIMINAL LAW

A. Definition of a crime (3.1.6)

B. Purpose of criminal law

C. The language and construction of penal statutes

D. Conflicts between statutes

E. Difference between a crime and tort (3.1.5 & 3.1.6)

9. CLASSIFICATION OF CRIMES

A. Felonies, misdemeanors, "wobblers", and infractions (3.1.6)

B. Punishments

1. Determinate sentencing

2. Indeterminate sentencing

3. Enhancements

4. "Three Strikes"

5. Special Circumstances

C. Lesser and included offenses

D. Double jeopardy & dual sovereignty doctrine

E. Statute of limitations

F. Jurisdiction and venue

G. District Attorney charging considerations

10. CORPUS DELICTI - ELEMENTS OF A CRIME

A. Role of corpus delicti (3.1.6)

B. Criminal transaction (20 P.C.) (3.1.6)

C. General, specific (transferred intent (3.1.6)

D. Criminal negligence (3.1.6)

11. CAPACITY TO COMMIT AN OFFENSE

A. Exemptions to criminal liability (26 P.C.)(3.1.6)

1. Children under 14 years

2. Idiots

3. Ignorance or mistake of fact

4. Unconscious of the act

5. Accident or misfortune

6. Acting under threats or menaces

B. Intoxication

1. Voluntary (22 P.C.)

2. Involuntary (26 P.C.)

C. Mitigating factors and other defenses

12. PARTIES TO A CRIME (3.1.6 & 3.4.3)

A. Principal

B. Accomplice and feigned accomplice

C. Accessory

13 & 14. LAWS OF ARREST

A. Arrest defined (834 P.C.)

B. Custody defined (835 P.C.)

C. Use of force in making an arrest (834a P.C.)

D. Peace officer authority to arrest (836 P.C.)

E. Service of arrest warrants (840 P.C.)

F. Residential entry (Ramey and Steagald rules)

G. Knock and notice (844 P.C.)

H. Private person arrests (837, 847, 142 P.C.)

Assignment:

1. Clarify terms and develop analytical skills by studying a text which is certified as college level.
2. Develop skills in writing as a result of case history analysis and statute interpretation.
3. Assign oral presentation in class requiring deductive analysis from text, law and case analysis.
4. Demonstrate skills mastered by the completion of essay and objective examinations requiring timed responses.

Methods of Evaluation/Basis of Grade:

Writing: Assessment tools that demonstrate writing skills and/or require students to select, organize and explain ideas in writing.

Written homework

Writing
10 - 20%

Problem Solving: Assessment tools, other than exams, that demonstrate competence in computational or non-computational problem solving skills.

Homework problems, Quizzes, Exams

Problem solving
10 - 30%

Skill Demonstrations: All skill-based and physical demonstrations used for assessment purposes including skill performance exams.

Class performances, Performance exams

Skill Demonstrations
5 - 10%

Exams: All forms of formal testing, other than skill performance exams.

Multiple choice, True/false, Completion

Exams
25 - 60%

Other: Includes any assessment tools that do not logically fit into the above categories.

None

Other Category
0 - 0%

Representative Textbooks and Materials:

PEACE OFFICERS GUIDE TO CRIMINAL LAW (Current Edition), George T. Payton, Criminal Justice Services, San Jose, 1995.

CALIFORNIA CRIMINAL LAW CONCEPTS (Current Edition), Donald D. Hunt, Burgess International Group, Edina, Minnesota.

CALIFORNIA COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING, Basic Law Enforcement Course Unit Guides, L.D.#2, 5 and 15, 1995.