

AJ 22 Course Outline as of Fall 2000**CATALOG INFORMATION**

Dept and Nbr: AJ 22 Title: CRIM LAW CONCEPT

Full Title: Concepts of Criminal Law

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. Law as it affects the correctional component of the justice system will be clearly identified.

Prerequisites/Corequisites:**Recommended Preparation:**

Eligibility for ENGL 100A or ENGL 100.

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 ENGL 100A or ENGL 100.

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:

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

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| IGETC: | Transfer Area | Effective: | Inactive: |
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| CSU Transfer: | Transferable | Effective: | Fall 1981 | Inactive: |
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| UC Transfer: | Transferable | Effective: | Fall 1981 | Inactive: |
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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 in the Common 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. The student will be able to outline the classifications of criminal laws and their punitive applications.
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. The student will examine the Constitutional basis of criminal law, and when confronted with constitutional legal issues, the student will demonstrate awareness through presentation of

assigned written case studies.

5. The student will identify 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).
6. The student will outline the statutory provisions specific to correctional institutions.

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)
- F. Crimes against property
- G. Crimes against the person
- H. Crimes against the public order
- 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)
- H. Private person arrests (837, 847, 142 P.C.)
- 15. Criminal law as it affects the correctional component of the justice system.
 - A. Crimes against/within Penal institutions
 - 1. Control of contraband
 - 2. Assaults against staff
 - 3. Assaults against prisoners
 - 4. Escapes/attempts
 - B. Crimes by staff
 - 1. Assaults on inmates
 - 2. Introduction of contraband
 - 3. Undue familiarity/overfamiliarity
 - 4. Official Acts

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.

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| Written homework |
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| Writing 10 - 20% |
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Problem Solving: Assessment tools, other than exams, that demonstrate competence in computational or non-computational problem solving skills.

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| Homework problems, Quizzes, Exams |
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| Problem solving 10 - 30% |
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Skill Demonstrations: All skill-based and physical demonstrations used for assessment purposes including skill performance exams.

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| Class performances, Performance exams |
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| Skill Demonstrations 5 - 10% |
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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:

1. Chamlin, Robert and Richard Evans, CRIMINAL LAW FOR PEACE OFFICERS, 5th ed., Prentice Hall.
2. Del Carmen, Rolando V., Susan E. Ritter and Betsy A. Witt, BRIEFS OF LEADING CASES IN CORRECTIONS, (Current Edition).
3. Hunt, Donald D., CALIFORNIA CRIMINAL LAW CONCEPTS (Current Edition), Burgess International Group, Edina, Minnesota.
4. Payton, George T., PEACE OFFICERS GUIDE TO CRIMINAL LAW (Current Edition), Criminal Justice Services, San Jose, 1995.
5. CALIFORNIA COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING, Basic Law Enforcement Course workbooks, L.D.#2, 5 and 15 (Current Edition).