GAVILAN COLLEGE
5055 Santa Teresa Blvd
Gilroy, CA 95023

Course Outline

COURSE: AJ 14 DIVISION: 50 ALSO LISTED AS:

TERM EFFECTIVE: Fall 2023 CURRICULUM APPROVAL DATE: 12/12/2023

SHORT TITLE: CRIMINAL LAW

LONG TITLE: Criminal Law

Units	Number of Weeks	Type	Contact Hours/Week	Total Contact Hours/Units
3	18	Lecture:	3	54 / 3 Units of Lecture
		Lab:	0	0
		Other:	0	0
		Total:	3	54

Out of Class Hrs:	108.00
Total Learning Hrs:	162.00

COURSE DESCRIPTION:

Historical development, philosophy of law and constitutional provisions; definitions, classifications of crime, and their applications to the system of administration of justice; legal research, review of case law, methodology, and concepts of law as a social force. Explores crimes against persons, property, and the state. (C-ID: AJ 120)

CREDIT STATUS: D - Credit - Degree Applicable

GRADING MODES

L - Standard Letter Grade

REPEATABILITY: N - Course may not be repeated

SCHEDULE TYPES:

02 - Lecture and/or discussion
05 - Hybrid
71 - Dist. Ed Internet Simultaneous
72 - Dist. Ed Internet Delayed
73 - Dist. Ed Internet Delayed LAB

STUDENT LEARNING OUTCOMES:

By the end of this course, a student should:

1. Discuss the goals and characteristics of criminal law.
2. Explain the adversary system and sources of criminal law.
3. Discuss the philosophical and historical evolution of criminal law, noting the role of the judiciary in its development.
4. Explain the basic terminology, definitions, and theories of criminal law.
5. Identify elements of offenses against the person, property, morals, and public welfare.
6. Classify crimes according to severity.
7. Explain the concept of lesser included offenses.

COURSE OBJECTIVES:

By the end of this course, a student should:

1. Define, compare, and contrast criminal law and criminal procedure.
2. Compare and contrast civil and criminal law.
3. Describe the organization and role of courts in the American criminal justice system.
4. Describe the separation of powers with an emphasis on how it impacts criminal law and criminal procedure.
5. Describe federalism and explain its impact on criminal law and procedure.
6. Compare and contrast general, specific, strict vicarious, and corporate mens rea under the common law.
7. Define, compare, and contrast the various forms of murder and manslaughter at the common law.
8. Compare and contrast the elements for assault and battery.

COURSE CONTENT:

Curriculum Approval Date: 12/12/2023

4 Hours

CONTENT: SCOPE AND SOURCE OF CRIMINAL LAW.

Origin and development of criminal law. Sources of criminal law. The purpose and nature of criminal law. Concepts of Stare Decisis. Classification of laws. Statute of limitation. Case citations and appeals. Attorney General opinions. Police power of the state. The concept of preemption. Ex Post Facto laws. Distinction between crimes and torts. Definition of terms. Venue and jurisdiction.

3 Hours

CONTENT: CLASSIFICATION OF CRIMES AND PENALTIES. Quiz.

Language of criminal statutes. Vague and indefinite statutes. Construction of penal statutes. Conflict between statutes. Penal code terms defined. Felonies, misdemeanors, and infractions defined. Punishment for offenses not otherwise prescribed. Initiative measures. Major Proposition 8 and 115 changes. Prior conviction - penalty enhancement.

3 Hours

CONTENT: THE ELEMENTS OF CRIME AND CORPUS DELICTI. Quiz.

Corpus delicti. The criminal act. Multiple offenses - punishment. Proximate cause. Criminal intent - how manifested. Types of intent. How intent is proved. Intent in negligence cases. Motive and intent distinguished. Intoxication as affecting intent. Diminished capacity.

3 Hours

CONTENT: CAPACITY TO COMMIT CRIME - INSANITY DEFENSE. Quiz.

Persons capable of committing crime. Children under age fourteen. Mentally incapacitated. Ignorance or mistake of fact. Unconsciousness of act. Accident and misfortune. Crimes committed under threats. Insanity as a defense.

3 Hours

CONTENT: PARTIES TO CRIME. Quiz.

Principles of shared liability. Principles defined. Penal code provisions. Aid and abet defined. Co-principles equally guilty. Accessory defined. Accomplice defined. Feigned accomplice.

3 Hours

CONTENT: ATTEMPTS - SOLICITATION - OBSTRUCTING JUSTICE - CONSPIRACY. Quiz.

Attempt defined. Abandonment of attempt. Possibility of completion. Solicitation to commit crime. Obstructing justice - compounding crimes. Perjury. Subornation of perjury. Bribery. Other bribery statutes. Falsification crimes. Conspiracy. Overt act in conspiracy. Agreement necessary in conspiracy. Abandonment of conspiracy. Criminal liability in conspiracy.

3 Hours

CONTENT: LAWS OF ARREST. Quiz.

Arrest defined. Encounters and detentions. Peace officer defined. Peace officer status primary duty. Arrests by peace officers without warrant. Duty following arrest. Private person arrests. Misdemeanor citations. Probable cause to arrest. Entrapment. Accomplishing the arrest. Resisting arrest. The Miranda admonishment. Arrest pursuant to warrant. Escape, pursuit, and retaking. Posse comitatus. Threatened offenses. Diplomatic immunity. Arrested person's rights. Law enforcement and civil liability.

3 Hours

CONTENT: OFFENSES AGAINST THE PUBLIC PEACE. Midterm.

Disturbing the peace. Unlawful assembly. Failure to disperse. Rout and riot defined. Inciting a riot. Lynching - prisoner rescue. Disturbing public and religious meetings - hate crimes. Trespassing. Forcible entry and detainer. School disturbance laws. Disorderly conduct. Public security and safety.

3 Hours

CONTENT: DANGEROUS WEAPONS CONTROL LAWS. Quiz.

Seizure of weapons at domestic violence scene. Destructive devices, explosives and WMD. Less-lethal weapons. Weapons and devices other than firearms. Knives and similar weapons. Firearms.

COURSE CONTENT(CONTINUED):

3 Hours

CONTENT: TYPES OF ASSAULT. Quiz.

Simple assault. Battery. Exhibiting deadly weapon. Assault with a deadly weapon. Assault with caustic chemicals. Poisoning food-drink-water-medicine. Throwing objects or shooting at vehicles-dwellings-aircraft. Assault with intent to commit certain felonies. Administering stupefying drugs. Train wrecking. Mayhem. Abandonment of assault. Assaults - justification and excuse. Domestic violence. Victims of violent crime statute.

3 Hours

CONTENT: HOMICIDES. Quiz.

Homicide defined. Murder defined. Degrees of murder. Penalty for murder. Proximate cause - felony murder rule. Manslaughter. Voluntary manslaughter. Involuntary manslaughter. Vehicle manslaughter. Excusable homicide. Justifiable homicide by public officers. Justifiable homicide by any person. Capital crimes.

3 Hours

CONTENT: FALSE IMPRISONMENT - RESTRAINT CRIMES - KIDNAPPING - CHILD ABDUCTION - RAPE - UNLAWFUL SEXUAL INTERCOURSE. Quiz.

False imprisonment. Crimes of restraint. Kidnapping. Kidnapping for ransom - extortion - robbery - rape. Extortion by posing as kidnapper. Child abduction. Rape. Rape of spouse. Unlawful sexual intercourse.

3 Hours

CONTENT: PUBLIC SAFETY AND MORALS. Quiz.

Sexually explicit material. Harmful matter - minors. Contributing to delinquency of minor. Crimes against children. Sodomy and oral copulation. Incest. Indecent exposure. Annoying or molesting children. Loitering near schools - public places. Sex offender registration.

3 Hours

CONTENT: BURGLARY. Quiz.

Burglary defined. The act of entry in burglary. The intent in burglary. Structures subject to burglary. Degrees of burglary. Punishment for burglary. Burglary with explosives or acetylene torch. Possession of burglary tools - unauthorized keys - devices. Unlawful forced entry.

3 Hours

CONTENT: ROBBERY AND EXTORTION. Quiz.

Robbery defined. Elements of robbery. Ownership and value of property. Miscellaneous aspects - increased penalty. Punishment for robbery. Extortion defined. Consent - force - fear - threats. Threat of unlawful injury. Attempted extortion. Obtaining signature by threat. Sending threatening letters. Penalty for extortion.

6 Hours

CONTENT: THEFT AND EMBEZZLEMENT. Quiz. Review for final.

Theft defined. The act of taking in theft. The intent in theft. Analysis of types of theft. Theft in general. Theft by false pretenses. Theft by trick or device. Theft by embezzlement. Theft of access cards. Theft of lost property. Degrees of theft. Punishment for theft. Petty theft prior convictions. Separate multiple thefts. Receiving or concealing stolen property. Related thefts. Disposal of stolen property by officials. Defrauding an innkeeper. Articles with serial numbers removed, altered.

2 Hours

Final Exam.

METHODS OF INSTRUCTION:
Lecture, discussion, multi-media presentations.

OUT OF CLASS ASSIGNMENTS:
Required Outside Hours 108
Assignment Description
OUT-OF-CLASS-ASSIGNMENT: Read appropriate textbook chapters and answer the student workbook study guide questions. Review notes. Study for quizzes/midterm/final.

METHODS OF EVALUATION:
Writing assignments
Evaluation Percent 50
Evaluation Description
Discussion Boards,
Term Paper

Objective examinations
Evaluation Percent 50
Evaluation Description
Multiple Choice,
True/False

REPRESENTATIVE TEXTBOOKS:
Criminal Law and Procedure, Daniel E. Hall, J.D., Ed.D, Cengage, 2023 or a comparable textbook/material.
ISBN: 9780357619339
12th Grade Grade Verified by: Dr. Roberto LaCarra

ARTICULATION and CERTIFICATE INFORMATION

CSU TRANSFER:

Transferable CSU

UC TRANSFER:

Transferable UC

SUPPLEMENTAL DATA:

Basic Skills: N
Classification: Y
Noncredit Category: Y
Cooperative Education:
Program Status: 1 Program Applicable
Special Class Status: N
CAN: AJ4
CAN Sequence: XXXXXXXX
C-ID: AJ 120
Prior to College Level: Y
Non Credit Enhanced Funding: N
Funding Agency Code: Y
In-Service: N
Occupational Course: C
Course Control Number: CCC000299279
Sports/Physical Education Course: N
Taxonomy of Program: 210500
CIP: