

Criminal Law and Procedure

LS - 1070 351

Course Description

Overview of criminal law and criminal procedure topics such as elements of crime, mental states, defenses to crimes, constitutional and statutory limitations on prosecutions, the trial process, sentencing and appellate issues. Requires "C" grade or higher to progress in the Paralegal program.

Semester: All

Course Student Learning Outcomes

- Draft Legal Documents.
- Understand basic substantive and procedural legal principles.
- Extract relevant data from complex information, process it appropriately, and draw reasonable conclusions.
- Developing competence in ethical and moral reasoning relating to legal environments.

Engagement Plan

The best way to contact me is via the Canvas Inbox, as I will prioritize this email over other modes of communication.

Required Text or Materials

Title: RECOMMENDED BUT NOT REQUIRED: Criminal Law and Procedure an Overview

Authors: Bacigal & Tate

Publisher: Cengage

Edition: Any

For more information on textbook accessibility, contact Accessibility & Disability Services at ads@slcc.edu.

Brief Description of Assignments/Exams

Students will use Utah Code and Court Hearings to learn about the criminal justice system, take an exam to demonstrate that understanding and generate a number of sample legal documents.

LS 1070 Criminal Law and Procedure

Tentative Class Schedule – Subject to Change

1. Introduction/Overview
2. The Roles of Actors in the System
 - a. The Branches of Government
 - b. Law Enforcement Personnel (Attorneys and Police)
 - c. Court Personnel
 - d. Defendant and Counsel(Chapter 1 & App. A– Bacigal)
3. Sources of law
 - a. The Constitution
 - b. The Model Penal Code
 - c. Statutes

Burdens of Proof, Production and Persuasion

Utah Code §76 – appropriate sections

(Chapter 1 & App. A – Bacigal)

4. Levels of Offense: felonies and misdemeanors

Criminal Punishments

a. Purposes

b. Probation vs. Incarceration

c. Indeterminate Sentencing

d. Consecutive vs. Concurrent

Utah Code §76 -appropriate sections

(Chapter 16 pp. 297-307 of Bacigal)

(Chapter 1 of Bacigal)

5. The Elements of an Offense

a. Actus Reus (the Act Requirement)

b. Mens Rea (Criminal Intent Requirement)

1. Levels of Intent

c. Strict Liability Offenses, Causation, Parties to a Crime

Utah Code §76 – appropriate sections

(Chapter 2 of Bacigal)

6. Inchoate Offenses & Parties to Crimes

a. Attempts

1. Specific Intent

2. Plea Bargains

b. Conspiracy & RICO

Utah Code §76 – appropriate sections

(Chapter 3 of Bacigal)

7. Constitutional Limitations on the Prohibition of Criminal Conduct

Utah Code §76 – appropriate sections

(Chapter 14 pp. 266-270 and Appendix A of Bacigal)

8. Criminal Responsibility and Defenses

Utah Code §76 – appropriate sections

(Chapter 4 of Bacigal)

9. Defenses Cont'd

10. Overview of Element Structure, Types of Offense

From Utah Code Ann. & Model Penal Code

Utah Code Ann. §76

(App. B of Bacigal)

11. Offenses Against Persons

a. Homicide

b. Assault

1. Domestic Violence Issues

Utah Code §76 – appropriate sections

(Chapter 5 of Bacigal)

12. Person Crimes Cont'd

- a. Sex Crimes

- b. Civil Rights and Hate Crimes

13. Property Crimes

Utah Code §76 – appropriate sections

(Chapter 6 of Bacigal)

14. Offenses Against the Public – non-drug or alcohol

- a. Public Order Offenses

- b. Governmental Administration

- c. Public Morality Offenses

Utah Code §76 – appropriate sections

(Chapter 7 of Bacigal)

15. Review for Midterm and Dist. Of Midterm Materials

16. Midterm – Work Period

17. Public Crimes – Cont'd

- a. Drug and Alcohol Offenses

- b. DUI

Utah Code §76 – appropriate sections

18. Pretrial Process

- a. How to read Police Reports

- b. Identity and procedure for Identification

- c. The Information or Indictment

- 1. The Probable Cause Statement

(Chapter 13 & 14 and Chapter 9 pp. 159-166 of Bacigal)

19. Reading Reports – Issue Spotting - Drafting

Pretrial Process Cont'd

- a. More on the Information
- b. Custody and Pre-trial Release
- c. Discovery

20. Reading Reports – Issue Spotting - Drafting

Pre-trial Process Cont'd

- a. The Preliminary Hearing
- b. Motion Practice
- c. The Plea Bargain & The Statement of Defendant

21. Reading Reports – Issue Spotting - Drafting

4th 5th and 6th Amend. US Const. – Appendix A

- a. Exclusionary Rule
 - 1. Standing
- b. Fruits of the Poisonous Tree
- c. Federalism, State Constitutions and Incorporation

(Chapter 11 pp. 203-210 & Appendix A of Bacigal)

22. Reading Reports – Issue Spotting - Drafting

Search and Seizure

- a. The Rule - The 4th Amendment Warrant Requirement
 - 1. Probable Cause

23. Reading Reports – Issue Spotting - Drafting

Search and Seizure Cont'd

b. Defining a Search or Arrest and Levels of Encounter

(Chapter 9 pp. 146-158, Chapter 10 & Chapter 11 pp. 198-203 of Bacigal)

24. Reading Reports – Issue Spotting - Drafting

Interrogation And Self-Incrimination

a. Voluntariness

b. Miranda & Custodial Interrogation

25. Reading Reports – Issue Spotting - Drafting

Confessions Cont'd

26. Reading Reports – Issue Spotting - Drafting

The Criminal Trial

(Chapter 15 of Bacigal)

27. Reading Reports – Issue Spotting - Drafting

Post-Conviction Remedies and Appeal

(Chapter 16 pp. 308-318 of Bacigal)

28. Reading Reports – Issue Spotting - Drafting

Course review and distribution of Final Project

29 Final Project

WARNING: THE INSTRUCTOR RESERVES THE RIGHT TO MODIFY THE SYLLABUS AS CLASS NEEDS DEMAND. ALSO, REMEMBER THE NUMBERS REFLECT CLASS SESSIONS NOT DATES. THIS ALLOWS US TO CONTINUE WHERE WE LEFT OFF IF CANCELLATION, ETC. OCCURS. IT ALSO ALLOWS SOME FLEXIBILITY TO EXTEND TOPICS OR REVIEWS AS NEEDED TO MAKE SURE EVERYONE UNDERSTANDS THE MATERIAL COVERED.

Assignment Schedule

Due Date	Assignment Name	Assignment Type	Points
	Court Attendance	Assignment	30
	Extra Credit	Assignment	0
	Final Project	Assignment	40
	Mid-term Exam	Assignment	30

Grading Scale

93 or Higher: A

90-93: A-

87-89: B+

84-86: B

80-83: B-

77-79: C+

74-76: C

70-73: C-

67-69: D+

64-66: D

60-64: D-

60 or Lower: E

How to Navigate to Canvas

Institutional Policies

As members of our academic community, we would like to invite you to review the Institutional Syllabus which covers important policies and procedures. This document contains important links for students on the code of student rights and responsibilities, academic integrity, and grading policies, Title IX and other important acknowledgements. By familiarizing yourself with this information, you can help us create a safe and respectful environment for everyone.

For more information, navigate to the Institutional Policies tab on the [Institutional Syllabus](#) page.

Learning Support and Tutoring Services

We are pleased to offer a range of tutoring and learning support services to help you achieve your academic goals. Whether you need assistance with a specific subject or want to improve your study skills, you have many options for tutoring or other support.

To learn more about the services we offer and how to access them, visit the [Institutional Syllabus](#) page under the Tutoring and Learning Support tab. We encourage you to take advantage of these resources to help you succeed in your studies. If you have any questions or would like to schedule a tutoring session, please don't hesitate to reach out to us. We are here to support you in any way we can.

Advising and Counseling Support Services

At our institution, we are committed to supporting your academic and personal growth. That's why we offer a range of advising and counseling services to help you navigate the

challenges of college life. To learn more about the resources available to you and how to access them, visit the [Institutional Syllabus](#) page under the Advising and Counseling Support Services tab. Our advising team and the support centers across campus are here to support you in achieving your goals and overcoming any obstacles you may face.

Student Academic Calendar

As students you should be aware of all important dates in the semester, such as the day that courses begin and end, as well as the drop date and the last day to withdraw. To learn more about those dates, navigate to the Student Academic Calendar below:

[SLCC Student Academic Calendar](#)