

MIDSTATE COLLEGE  
411 W. NORTHMOOR RD.  
PEORIA, IL 61614  
(309) 692-4092 (800) 251-4299  
Summer Term 2019

**Course number & Name:** LEG 102—Criminal Law

**Credit hours:** 4 Quarter Hours

**Method of Delivery:** Traditional/Classroom (Wednesday nights)

**Course Description:** Students will gain a working knowledge of the Illinois and federal court systems, the sources of law, the stages of criminal litigation (including pre and post trial procedures), the rules of criminal procedure, criminal offenses and constitutional issues affecting the criminal justice process.

**Prerequisite:** Successful completion of LEG 100 Introduction to Law or permission of Department Director.

**Text(s) & Manual(s):** Criminal Law and Procedure, (Sixth Edition)

**Author(s):** Daniel E. Hall, J.D., Ed.D.

**Publisher:** Delmar, Cengage Learning 2012

**ISBN:** 978-1-1113-1272-5

**Materials needed for this course:** Access to computer (including Internet/email).

**Topics:**

1. The U.S. Legal System (Courts and Jurisdiction), Criminal Law, and the Illinois Compiled Statutes.
2. The Essential Elements to every Crime (a look at mens rea, motive, and actus reus), and the Illinois Compiled Statutes.
3. The Different Types of Crimes (Against the Person, Against Property and Habitation, Against the Public, and inchoate offenses), and the Illinois Compiled Statutes.
4. The Parties to Crimes and the Participants in the Criminal Justice System (Criminal Procedure).
5. Defenses used in Criminal Proceedings (Factual, Statutory, and Constitutional), and the Illinois Compiled Statutes.

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6. The constitutional aspects of criminal procedure involving searches, seizures, arrests (both with and without a warrant), interrogations, confessions, admissions, surveillance, and pretrial identification procedures.
7. The Criminal Litigation Process (with an emphasis on the rights of the defendant during the Pretrial, Trial, Sentencing, and Appeals Process/Stages).

**Learning Objectives:** Upon successful completion of this course, the student will be able to:

1. Identify the importance of criminal law in the protection of society.
2. Understand the continual counterbalance between the rights of society and of the accused.
3. Identify factual situations and determine whether a criminal offense occurred.
4. Understand the strengths and weaknesses of a criminal case from both the prosecution and the defense's point of view.
5. Understand the specific rules of procedure, discovery and trial conduct in criminal cases.
6. Demonstrate knowledge of criminal law by discussing currently decided cases.

**Midstate Grading Scale:**

A = 100% to 90%

B = 89% to 80%

C = 79% to 70%

D = 69% to 60%

F = 59% to 0%

All students must have a 70% or better to pass this course.

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**Academic Integrity:**

Academic integrity is a basic principle of the College's function. Midstate College students are expected to maintain a high level of academic honesty. Contrary actions may result in penalties such as failure of the assignment(s), a lesser grade on assignment(s), failure of the course and/or suspension from the College. The course instructor will review all submitted documents and supporting evidence in connection to the infraction. The course instructor will also review the student's personal file for other notifications of academic dishonesty before determining the level of action to be applied. The course instructor will complete the Academic Dishonesty Report form to document and describe the incident and actions taken, then kept on file. The student may appeal the decision to administration, whose decision will be final.

The following (**plagiarism, cheating, deception, sabotage, computer misuse and copyright infringement**) are included in the actions Midstate College considers behavior contrary to the academic integrity policy; however, the policy is not limited to these examples. Further discussion of consequences regarding academic dishonesty are addressed in the Student Handbook.

**Plagiarism:**

Plagiarism is using another person's words, either by paraphrase or direct quotation, without giving credit to the author(s). Plagiarism can also consist of cutting and pasting material from electronic sources by submitting all or a portion of work for assignment credit. This includes papers, computer programs, music, sculptures, paintings, photographs, etc. authored by another person without explicitly citing the original source(s). These actions violate the trust and honesty expected in academic work. Plagiarism is strictly against the academic policy of Midstate College. Its seriousness

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requires a measured, forceful response which includes consequences for inappropriate and/or no citation.

In courses containing writing assignments, the College promotes the use of Turnitin which compares the student's writing against previously submitted papers, journals, periodicals, books, and web pages. Students and instructors can use this service to reduce the incidence of plagiarism. This electronic resource has been found to conform to legal requirements for fair use and student confidentiality. It is able to provide a report to the student indicating the parts of the assignment that match.

**Student Success and Tutoring:**

Contact Student Success: Room 110; (309) 692-4092, ext. 1100;  
studentsuccess@midstate.edu;

The Office of Student Success offers help in the following areas:

- Tutoring: Tutoring is encouraged for students who are doing their best to complete assignments yet still are experiencing difficulty in this course. Tutoring may be provided by the instructor outside of scheduled class times or through the office of Student Success.
- Writing assignment assistance: This may include learning how to conduct research; using proofreading tools such as Turnitin; outlining a topic; and applying MLA/APA standards.
- Math, accounting, and computer skills (including file management).
- Test-taking techniques.
- Note-taking skills development.
- Study skills development.
- Time management.

**Assessment Portfolio Reminder:** Students (depending on your program major) may be required to prepare an assessment portfolio for graduation. Keep a copy of this syllabus in the portfolio. Use the "Evidence for Success".

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list from your program portfolio (or consult your Program Director) and instructions from the instructor to determine the assignment(s) that should be placed in the assessment portfolio.

**Instructor:** Cynthia Volk, Attorney at Law  
Adjunct Faculty Professor, Legal Studies  
[cvolk@midstate.edu](mailto:cvolk@midstate.edu)

\*Office Hours (I will be either in the classroom or in the Midstate College Library Legal Reference Room 1 hour before class, after class as needed, and by appointment.

**Assistant Instructor:** Mark Wiltse, Legal Studies Director  
[mwiltse@midstate.edu](mailto:mwiltse@midstate.edu)

Legal Studies Department  
Office: 219  
Phone: (309) 692-4092, Extension 2190  
Fax: (309) 692-3893

**Participation Requirements:** Each student is expected to participate in research/homework assignments relating to the subject materials for the week. Discussions will take place each week relating to the required weekly research/homework assignments. Attendance is mandatory in this class. Students will be deducted 10 points from participation grade for each course missed. If a student does not attend the entire class (arrives late, leaves early, etc.), partial points (at the instructor's discretion) will be assessed from the class participation grade. See Instructor's Final Grade Determination Below. Students that miss 30% or more of the scheduled classes will not be allowed to successfully complete this course (unless departmental approval is obtained).

**Course Policies and Procedures:**

1. This course is taught from a lecture format with integrated discussion of examples and assignments. The student is encouraged to take an active role in the learning process. Students that miss 30% (or more) of the scheduled classes will not be allowed to successfully complete this course (unless departmental approval is obtained).
2. All assignments in this course must have a professional appearance (submitted in typewritten form, using 12-point Times New Roman font, double spaced, with proper grammar/spelling/structure).
3. In the event you are absent, you will need to email the assignments for the class you miss. In return, I will email the assignments you need to have completed by the following class period. If assignments are not turned-in on their due date, they (if accepted by the instructor) may be assessed a late penalty. Late assignments will only be accepted up to 7 days after their due dates. Any assignment turned in after this 7-day period expires will receive no credit. Please see the Final Grade Determination section below for more information on late assignments.
4. Exams must be taken on the dates scheduled by the instructor. Failure to take an exam on the scheduled date will result in a grade of "F" (0 points). Make-up exams will be given only when special circumstances are approved by the instructor. Make-up exams must be taken in the testing center. It is the student's obligation to make the appropriate arrangements to have a test administered.
5. "Pop-Quizzes" may be given throughout the term. Make-up quizzes will not be given.
6. All work must be completed by week 12 (Wednesday, August 07, 2019 at 8:00 PM).
7. Academic dishonesty (cheating / plagiarism) in any form will not be tolerated in this course and may result in the dismissal / suspension from the course / program / college.
8. Cell phones / beepers are prohibited from use in this course.
9. Extra Credit: Opportunities for extra credit may be provided throughout the term at the instructor's discretion. However, extra



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credit points will only be factored into a student's final grade if all homework assignments have been turned in by the night of the final exam. This policy is to make it clear that extra credit is not available in place of homework assignments, but rather to make up points missed due to absence from class or points missed on exams or completed homework/drafting assignments.

10. This is a tentative syllabus and outline and is subject to change at the discretion of the instructor.

**Examination Information:** There will be 2 examinations administered in this class. Our Midterm Examination will consist of 50 points covering chapters 1 - 9. It will be administered in week 6. Our Final Examination will consist of 50 points covering chapters 10 - 16. It will be administered in week 12.

**Methods of evaluating student performance:** Please see the "Instructor's Grading Scale" section for the methods of evaluating student performance.

**Instructor Final Grade Determination:** Your final grade in this course will be based on 765 points.

1. 50 Points = Midterm Examination
2. 50 Points = Final Examination
3. 90 Points = Vocabulary Quizzes (There will be 15 vocabulary quizzes throughout the term. Each vocabulary quiz is worth 6 points. You will receive 6 points if you get a 100%, 5 points if your score is in the 90% range, 4 points if your score is in the 80% range, 3 points if your score is in the 70% range, 2 points if your score is in the 60% range, and 1 point if your score is in the 50% range, and 0 points if your score is lower than 50%. Vocabulary quizzes cannot be taken late (if you miss/do not complete a quiz, 0 points will be added to your class final grade.
4. 220 Points = Study Problems (22 Study Problems worth 10 points each). Ten points will be deducted from your class participation grade if assignments are not turned in. Five points will be deducted

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from your class participation if assignments are turned in late, contain spelling/grammar errors, and/or are lacking in content. Late assignments will only be accepted up to 7 days after their due dates. Any assignment turned in after this 7-day period expires will receive no credit.

5. 80 Points = Discussion Questions (8 Discussion Questions worth 10 points each). Ten points will be deducted from your class participation grade if assignments are not turned in. Five points will be deducted from your class participation if assignments are turned in late, contain spelling/grammar errors, and/or are lacking in content. Late assignments will only be accepted up to 7 days after their due dates. Any assignment turned in after this 7-day period expires will receive no credit.
6. 50 Points = Complaint Drafting Assignment (worth 50 points).
7. 50 Points = Drafting Motions (5 Motions worth 10 points each). Ten points will be deducted from your class participation grade if assignments are not turned in. Five points will be deducted from your class participation if assignments are turned in late, contain spelling/grammar errors, and/or are lacking in content. Late assignments will only be accepted up to 7 days after their due dates. Any assignment turned in after this 7-day period expires will receive no credit.
8. 120 Points = Class Participation – 12 classes x 10 points per class for full attendance (partial points for partial attendance).
9. 55 Points = Weekly Summaries (11 summaries worth 5 points each). There is a summary assignment each week of the course except for week 1. Five points will be deducted from your class participation grade if assignments are not turned in. Two points will be deducted from your class participation if assignments are turned in late, contain spelling/grammar errors, and/or are lacking in content. Late assignments will only be accepted up to 7 days after their due dates. Any assignment turned in after this 7-day period expires will receive no credit.



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**Criminal Law – LEG 102**  
**Summer Term 2019**  
**Class Schedule**

**Week 1 (Wednesday, May 22):**

1. Introduction and Course Goals
2. Pretest

**Learning Objectives Covered in Week 1:**

1. Identify the importance of criminal law in the protection of society.
2. Understand the continual counterbalance between the rights of society and of the accused.
3. Identify factual situations and determine whether a criminal offense occurred.
4. Understand the strengths and weaknesses of a criminal case from both the prosecution and the defense's point of view.
5. Understand the specific rules of procedure, discovery and trial conduct in criminal cases.
6. Demonstrate knowledge of criminal law by discussing currently decided cases.

**Week 2 (Wednesday, May 29):**

1. Chapter 1: Introduction to the Legal System of the United States
2. Chapter 2: Introduction to Criminal Law

**Learning Objectives Covered in Week 2:**

1. Identify the importance of criminal law in the protection of society
2. Understand the continual counterbalance between the rights of society and of the accused.
3. Understand the specific rules of procedure, discovery and trial conduct in criminal cases.

4. Demonstrate knowledge of criminal law by discussing currently decided cases.

**Week 3 (Wednesday, June 05):**

1. Chapter 3: The Two Essential Elements
2. Chapter 4: Crimes Against the Person

**Learning Objectives Covered in Week 3:**

1. Identify the importance of criminal law in the protection of society.
2. Understand the continual counterbalance between the rights of society and of the accused.
3. Identify factual situations and determine whether a criminal offense occurred.
4. Understand the strengths and weaknesses of criminal case from both prosecution and the defense's point of view.
5. Understand the specific rules of procedure, discovery and trial conduct in criminal cases.
6. Demonstrate knowledge of criminal law by discussing currently decided cases.

**Week 4 (Wednesday, June 12):**

1. Chapter 5: Crimes Against Property
2. Chapter 6: Crimes Against the Public

**Learning Objectives Covered in Week 4:**

1. Identify the importance of criminal law in the protection of society.
2. Understand the continual counterbalance between the rights of society and of the accused.
3. Identify factual situations and determine whether a criminal offense occurred.
4. Understand the strengths and weaknesses of criminal case from both prosecution and the defense's point of view.

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5. Demonstrate knowledge of criminal law by discussing currently decided cases.

**Week 5 (Wednesday, June 19):**

1. Chapter 7: The Parties to a Crime/Inchoate Offenses
2. Chapter 8: Factual and Statutory Defenses
3. Chapter 9: Constitutional Defenses

**Learning Objectives Covered in Week 5:**

1. Identify the importance of criminal law in the protection of society.
2. Understand the continual counterbalance between the rights of society and of the accused.
3. Identify factual situations and determine whether a criminal offense occurred.
4. Understand the strengths and weaknesses of criminal case from both prosecution and the defense's point of view.
5. Understand the specific rules of procedure, discovery and trial conduct in criminal cases.
6. Demonstrate knowledge of criminal law by discussing currently decided cases.

**Week 6 (Wednesday, June 26):**

1. Midterm Examination (Chapters 1 – 9)
2. Introduction to Drafting Complaints

**Learning Objectives Covered in Week 6:**

Our objective this week is to assess your knowledge of chapters 1 - 9 in Criminal Law and Procedure and the Course Objectives covered in weeks 1 – 6.

**Week 7 (Wednesday, July 03):**

1. Chapter 10: Participants in Criminal Procedure
2. Chapter 11: Constitutional Aspects

**Learning Objectives Covered in Week 7:**

1. Identify the importance of criminal law in the protection of society.
2. Understand the continual counterbalance between the rights of society and of the accused.
3. Identify factual situations and determine whether a criminal offense occurred.
4. Understand the strengths and weaknesses of criminal case from both prosecution and the defense's point of view.
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6. Demonstrate knowledge of criminal law by discussing currently decided cases.

**Week 8 (Wednesday, July 10):**

1. Chapter 12: Searches, Seizures and Arrests

**Learning Objectives Covered in Week 8:**

1. Identify the importance of criminal law in the protection of society.
2. Understand the continual counterbalance between the rights of society and of the accused.
3. Identify factual situations and determine whether a criminal offense occurred.
4. Understand the strengths and weaknesses of criminal case from both prosecution and the defense's point of view.
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6. Demonstrate knowledge of criminal law by discussing currently decided cases.

**Week 9 (Wednesday, July 17):**

1. Chapter 13: Interrogation

**Learning Objectives Covered in Week 9:**

1. Identify the importance of criminal law in the protection of society.
2. Understand the continual counterbalance between the rights of society and of the accused.
3. Identify factual situations and determine whether a criminal offense occurred.
4. Understand the strengths and weaknesses of criminal case from both prosecution and the defense's point of view.
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6. Demonstrate knowledge of criminal law by discussing currently decided cases.

**Week 10 (Wednesday, July 24):**

1. Chapter 14: The Pre-Trial Process
2. Chapter 15: Trial

**Learning Objectives Covered in Week 10:**

1. Identify the importance of criminal law in the protection of society.
2. Understand the continual counterbalance between the rights of society and of the accused.
3. Identify factual situations and determine whether a criminal offense occurred .
4. Understand the strengths and weaknesses of criminal case from both prosecution and the defense's point of view.
5. Understand the specific rules of procedure, discovery and trial conduct in criminal cases.
6. Demonstrate knowledge of criminal law by discussing currently decided cases.

**Week 11 (Wednesday, July 31):**

1. Chapter 16: Sentencing and Appeal
2. Posttest (covers objectives 1 – 6)

**Learning Objectives Covered in Week 11:**

1. Identify the importance of criminal law in the protection of society.
2. Understand the continual counterbalance between the rights of society and of the accused.
3. Understand the strengths and weaknesses of criminal case from both prosecution and the defense's point of view.
4. Understand the specific rules of procedure, discovery and trial conduct in criminal cases.
5. Demonstrate knowledge of criminal law by discussing currently decided cases.

**Week 12 (Wednesday, August 07):**

1. Final Examination (Chapters 10 – 16)

**Learning Objectives Covered in Week 12:**

Our objective this week is to assess your knowledge of chapters 10 – 16 in Criminal Law and Procedure and the Course Objectives covered in weeks 7 – 12.