



TECHNICAL COLLEGE OF THE LOWCOUNTRY

Technical College of the Lowcountry
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Leg-231 Criminal Law

Course Description

This course is designed to familiarize the student with terminology and classification of criminal offenses and to provide a detailed analysis of the types, elements, and degrees of crimes, defenses to each crime, criminal procedures and constitutional guarantees, trial procedures and post conviction relief. Prerequisites: Leg-135, Introduction to Law and Ethics or instructor approval.

Course Focus

Upon successful completion of this course, the students will be able to recognize Constitutional guarantees as they apply within the criminal justice system. Apply constitutional and statutory rules in the evaluation of factual situations. Students will also be able to recognize and evaluate proper procedures for investigation, arrest and interrogation of criminal defendants in light of constitutional and statutory rules.

Text and References

Criminal Law and Procedure. Daniel Hall, J. D., 7th Edition, Delmar/Cengage Learning, Clifton Park, New York (2015).

Student Contributions

Students should review all assigned material. Students are expected to complete 13 multiple choice quizzes, two essay examinations and assigned discussion questions.

STATEMENT OF NON-DISCRIMINATION

The Technical College of the Lowcountry is committed to a policy of equal opportunity for all qualified applicants for admissions or employment without regard to race, gender, national origin, age, religion, marital status, veteran status, disability or political affiliation or belief.

ADA STATEMENT

The Technical College of the Lowcountry provides access, equal opportunity and reasonable accommodation in its services, programs, activities, education and employment for individuals with disabilities. To request disability accommodation, contact the counselor for students with disabilities at (843) 525-8228 during the first ten business days of the academic term.

ACADEMIC MISCONDUCT

There is no tolerance at TCL for academic dishonesty and misconduct. The College expects all students to conduct themselves with dignity and to maintain high standards of responsible citizenship.

It is the student's responsibility to address any questions regarding what might constitute academic misconduct to the course instructor for further clarification.

The College adheres to the Student Code for the South Carolina Technical College System. Copies of the Student Code and Grievance Procedure are provided in the *TCL Student Handbook*, the Division Office, and the Learning Resources Center.

ATTENDANCE

The College's statement of policy indicates that students must attend ninety percent of total class hours or they will be in violation of the attendance policy.

- Students not physically attending class during the first ten calendar days from the start of the semester must be dropped from the class for NOT ATTENDING.
- Students taking an this class must sign in within the first nine calendar days from the start of the semester and complete the INTIAL QUIZ by the midnight, Wednesday, February 14th, to indicate attendance in the class. The quiz has three basic questions regarding student information and does not require that you review any materials except this syllabus before you complete it. Students not attending class during the first nine calendar days from the start of the semester must be dropped from the class for NOT ATTENDING.
- Reinstatement requires the signature of the division dean.

☒ In the event it becomes necessary for a student to withdraw from the course OR if a student stops attending class, it is the student's responsibility to initiate and complete the necessary paperwork. Withdrawing from class may have consequences associated with financial aid and time to completion.

☒ When a student exceeds the allowed absences; the student is in violation of the attendance policy. The instructor MUST withdrawal the student with a grade of "W", "WP", or "WF" depending on the date the student exceeded the allowed absences and the student's progress up to the last date of attendance

or

o under extenuating circumstances and at the discretion of the faculty member teaching the class, allow the student to continue in the class and make-up the work. This exception must be documented at the time the allowed absences are exceeded.

☒☒ Absences are counted from the first day of class. There are no "excused" absences. All absences are counted, regardless of the reason for the absence.

- A student must take the final exam or be excused from the final exam in order to earn a non-withdrawal grade.

☒☒ A copy of TCL's **STATEMENT OF POLICY NUMBER: 3-1-307 CLASS ATTENDANCE (WITHDRAWAL)** is on file in the Division Office and in the Learning Resources Center.

HAZARDOUS WEATHER

In case weather conditions are so severe that operation of the College may clearly pose a hardship on students and staff traveling to the College, notification of closing will be made through the following radio and television stations: WYKZ 98.7, WGCO 98.3, WGZO 103.1, WFXH 106.1, WWVV 106.9, WLOW 107.9, WGZR 104.9, WFXH 1130 AM, WLVA 101.1, WSOK 1230 AM, WAEV 97.3, WTOG TV, WTGS TV, WJWJ TV, and WSAV TV. Students, faculty and staff are highly encouraged to opt in to the Emergency Text Message Alert System. www.tcl.edu/textalert.asp

Emergency Text Message Alert

Students, faculty and staff are highly encouraged to opt in to the Emergency Text Message Alert System. Participants receive immediate notification of emergency events and weather cancellations via text messaging on their cell phones. Participants can also opt in to receive non-emergency news and announcements. Go to www.tcl.edu. On the homepage, click on "emergency TextAlert at TCL" and fill out the form or go to www.tcl.edu/textalert.asp

BROADCAST LEARNING FORMAT: This class is being taught in a broadcast learning format. Images and word of class participants may be transmitted live or on a delayed basis to other locations. Classes may be rebroadcast due to extenuating circumstance.

Course Evaluation

Your performance objective and exams will be translated to points and the points to grades. There are 520 points possible and grades will be earned as follows: A = 468 to 520, B = 416 to 467, C = 364 to 415, D = 312 to 363. The instructor will make the calculations which will be the equivalent of grading on a 10 point scale.

90 – 100	=	A
80 – 89	=	B
70 – 79	=	C
60 – 69	=	D

Below 60 = F

Course Schedule and Information

1. Online course Communication:

This is an online course. You may contact other students by using the discussion board or e-mail course function. Postings on the discussion board are public and can be read by any member of the class. The discussion board is primarily for student to student discussion of issues. As such, I generally will not read or make any postings on the discussion board. I have posted questions on the discussion board which are meant as study aids. **Do not turn in responses to these questions.** The questions are meant for student to student interaction and as practice questions.

Messages sent via e-mail are private and can only be accessed by the person to whom the e-mail is addressed. E-mails are appropriate for student to student questions and are the primary way I will communicate with you. Please do not hesitate to send me an e-mail regarding any matter in this course or in the paralegal program. I encourage you to use both of these functions to discuss issues that arise in the course.

2. Online Quizzes:

In order to ensure that you understand the content of the course, I have set up quizzes that correlate to the materials covered in each unit outlined in the course schedule. The quizzes are 20-25 multiple-choice questions and the time period that each quiz is available is set out in the schedule. Do not wait until the last minute as you will not have time to complete all the quizzes. If it appears that you are not satisfactorily progressing in the class, I will set up a conference and we will discuss options to improve your understanding of the materials. If at any time, you feel you do not understand any of the course concepts, please immediately contact me.

Unit 1 Weeks 1-3

Chapter 1 Introduction and Overview of the Legal System of the United States – Study Chapter 1.

Chapter 2 Introduction to Criminal Law – Study Chapter 2

Chapter 3 The two essential elements in Criminal Law – *Mens Rea* and *Actus Rea*. Study Chapter 3.

Weeks 4-6

Chapter 4 Crimes against the Person – Study Chapter 4.

Chapter 5 Crimes against Property and Habitation – Study Chapter 5.

Chapter 6 Crimes against the Public – Study Chapter 6

Unit 1 quizzes available from Tuesday, February 6th – Friday, March 23rd.,
MID-TERM EXAMINATION – CHAPTERS 1-6 available from Monday, March 12th- Friday,
March 30th.

Unit 2 Weeks 6-9

Chapter 7 Parties and Inchoate Offenses – Study Chapter 7

Chapter 8 Factual and statutory Defenses – Study Chapter 8

Chapter 9 Constitutional Defenses – Study Chapter 9

Chapter 10 Criminal Procedure – Introduction and Participants – Study
Chapter 10

Weeks 10-12

Chapter 11 Constitutional Aspects of Procedure – Study Chapter 11.

Chapter 12 Searches, Seizures and Arrests – the Fourth Amendment – Study Chapter
12.

Chapter 13 Interrogation, Confessions, Self-Incrimination – Study Chapter 13

Chapter 14 The Pre-Trial Process, the Preliminary Stages; Investigation through Pre-trial
Motions – Study Chapter 14.

We will not cover chapters 15 and 16 through a quiz or on the exam.

Unit 2 quizzes available from Friday, March 23rd – Friday, May 4th

FINAL EXAMINATION – CHAPTERS 7-14 Monday April 23rd- Monday, May 7th.

Course Goals

The following list of course goals will be addressed in the course.

1. categorize basic state and federal governmental constitutional structure
2. distinguish between civil and criminal law
3. examine three branches of government
4. learn criminal law objectives
5. distinguish between various criminal law sources
6. brief judicial opinion
7. breakdown United States legal system history
8. examine mens rea and actus rea
9. understand guilty mind
10. learn crimes against the person elements
11. develop case analysis and legal reasoning skills
12. analyze legal elements
13. understand common defenses
14. analyze common law homicide
15. classify assault and battery and sex crime elements
16. describe property and habitation criminal offenses
17. delineate arson elements
18. define burglary
19. distinguish between theft crimes
20. consider ineffective assistance of counsel ethical issues
21. define crime against the public
22. describe public morality crimes
23. identify administration of government crimes
24. distinguish between crimes against sovereignty and security
25. discuss environmental crimes
26. understand criminal participants relative culpability
27. understand attempted criminal acts legal culpability
28. review legal reasoning skills
29. identify common factual defenses
30. learn common statutory defenses
31. critique defenses
32. analyze insanity defense
33. understand use of force defenses
34. synthesize other miscellaneous defenses
35. assess constitutional defenses
36. review fourth and fifth amendment protections
37. define criminal procedure
38. analyze due process and crime control considerations
39. understand key criminal justice enforcers role
40. review defense attorneys legal and ethical responsibilities

41. specify judicial ethical and legal considerations
42. understand constitutional search seizure and arrest procedural issues
43. review Miranda and interrogation procedures
44. analyze South Carolina pretrial process
45. understand South Carolina trial procedure
46. review sentencing and appeal issues
47. cultivate case analysis skill development

SAFETY ADDENDUM

Purpose

The purpose of this safety addendum is to provide each student with safety guidelines during an incident, emergency, or disaster at TCL. In addition, it provides students guidelines for lockdown procedures, evacuation procedures, and active shooter.

Definitions

An incident is any event, potential or actual, that may impact normal operations but has no immediate health or life threatening consideration or serious effect on the overall functional capacity of the College. An event of this nature should be reported to the Office of the Vice President for Administrative Services. Also notify the off-site campus administrator if applicable.

An emergency is any incident, potential or actual, which may endanger life or health or which affects an entire building or buildings, and will disrupt the overall operations of the College. Outside emergency services will probably be required, as well as major efforts from campus support services. Major policy considerations and decisions will usually be required from the college administration during times of crises. An emergency should be reported immediately by directly using **911** if life or health/injury considerations exist and then to the Office of the President or Vice President for Administrative Services as quickly as possible. Also notify the off-site campus administrator if applicable.

A disaster is any event or occurrence that has taken place and has seriously impaired or halted the operations of the College. In some cases, mass personnel casualties and severe property damage may be sustained. A coordinated effort of all campus-wide resources is required to effectively control the situation. Outside emergency services will be essential. In all cases of disaster, an Emergency Control Center will be activated, and the appropriate support and operational plans will be executed. The disaster should be immediately reported, first by calling **911** and then to the Office of the President or Vice President for Administrative Services. Also notify the off-site campus administrator if applicable.

Types of Emergencies

- Hurricane
- Tornado
- Fire
- Biochemical or Radiation Spill
- Explosion/Bomb
- Downed Aircraft (crash which directly impacts campus operations)
- Utility Failures
- Violent or criminal behavior
- Psychological Crisis

Procedures

Active Shooter

Run/hide/fight (<http://www.fbi.gov/about-us/cirg/active-shooter-and-mass-casualty-incidents/run-hide-fight-video>)

Building Evacuation

1. Building evacuations occur when an alarm sounds and/or upon notification by Security or the Emergency Director.
2. When the building evacuation alarm is activated during an emergency, individuals should exit according to the building evacuation plan and alert others to do the same.
3. Once outside, individuals should proceed to a clear area that is at least 500 feet away from the affected building. Streets, fire lanes, hydrant areas and walkways should be kept clear for emergency vehicles and personnel.
4. Individuals should not return to an evacuated building unless told to do so by Security or the Emergency Director.
5. Individuals should assist persons with disabilities in exiting the building. Elevators are reserved for disabled persons

Campus Evacuation

1. A uniformed Security Guard, the Emergency Director, or an Emergency Resource Team member will announce evacuation of all or part of the campus grounds.
2. All persons (students and staff) are to immediately vacate the campus, or in the case of a partial evacuation relocate to another part of the campus grounds as directed.

Lockdown

1. Clear the halls
 2. Report to the nearest classroom/office
 3. Assist those needing special assistance
 4. Ensure classroom/office doors are closed and locked
 5. Turn off lights
 6. Stay away from doors and windows (out of the line of sight)
 7. BE QUIET and follow instructor's directions
 8. Silence cell phones
- Wait for the "All Clear" before leaving

Developed/Revised: August 2019