

CRIMINAL LAW – HEERY

Tentative Schedule and Readings for Fall 2024*

Note: All “CB” page numbers refer to our casebook, Angela Harris & Cynthia Lee, *CRIMINAL LAW*, Fourth Edition (2019). In addition to the readings below, I will also assign podcasts, video clips, supplementary readings, etc., throughout the semester by posting these on CANVAS.

***PLEASE NOTE: These readings are tentative and may change throughout the semester. You must check our Canvas site regularly to stay current on the assignments for each week.**

IMPORTANT DATES TO WRITE DOWN NOW!!:

1. ***INTRO ASSIGNMENT:** (Available in Canvas under the assignment tab. Submit your response in Canvas by **11:59 p.m. on 8/25/24.**)
2. **QUIZ ONE:** Available following completion of Concurrence (tentatively available on canvas **9/25–9/29 at 11:59 p.m.*****)
3. **MIDTERM EXAM: 10/23**
4. **QUIZ TWO:** Available following completion of defenses (tentatively available on canvas **11/13-11/17 at 11:59 p.m.*****)
5. **WRITTEN ASSIGNMENTS (2) Due by: 4/29/24 at 11:59 p.m.**
6. **FINAL EXAM: TBD**

WEEK 1: Intro, Class Expectations, and Basic Principles of Criminal Law

Monday 8/26:

-READ THE SYLLABUS IN ITS ENTIRETY!

-Complete the Introduction Assignment: About You, via canvas.

-CB

-CB v-vi (Preface)

-CB 1-3 (Intro)

-CB 5-6 (Sources of Criminal Law and Justifications for Punishment, stop before *Dudley*)

-CB 38-41 (Presumption of Innocence, Beyond a Reasonable Doubt, and Standards of Review)

-CB 45-48 (The Role of Counsel, the Role of the Jury)

-CB 953-955 (Model Penal Code 1.02 and 1.04 only, stop at top of 955 before 1.13)

-CANVAS:

-Mass Incarceration Trends (PDF)

-Americans with Criminal Records Poverty and Opportunity Profile (PDF)

Wednesday, 8/28:

-Please block off one hour of listening for another assignment after Monday’s class.

-CB 6-12 (*Dudley* (Content warning, please take care) + Note)

-CB, 12-20 (*Suitte*)

-Robert Sand: More carrots please (PDF available on canvas)

WEEK 2: Finish Basic Principles of Criminal Law

Monday, 9/2: NO CLASS, LABOR DAY

Wednesday, 9/4:

-CB 65-73 (Statutory Interpretation and *Dauray*)

WEEK 3: Actus Reus

Monday, 9/9:

-CB 147-150, 153-161 (Brian Dalton, *Martin*, *Decina*, and Kelman article)

Wednesday, 9/11: *Note: content warning for this class, please take care when reading and understand the discussion in class will be difficult.*

-CB 161-167; 173-175 (Omissions: *Beardsley*, Gunning Article; stop before Good Samaritan statutes)

WEEK 4: Mens Rea

Monday, 9/16:

-CB 197-204 (*Regina*, *Yermian*)

-CB 956-958 (Section 2.02 of the MPC)

Wednesday, 9/18:

-CB 211-218 (*Fugate*, *Jewell* & Intro to Transferring Intent)

-CB 228-233 (*Morissette*)

WEEK 5: Causation and Concurrence

Monday, 9/23:

-CB 301-312 (*Rementer* and *Govan*)

Wednesday, 9/25:

-*U.S. v. Burrage* (U.S. Supreme Court opinion, PDF available in Canvas)

-Listen to SCOTUS oral arguments via Oyez (link available in Canvas)

-CB 316 (paragraph about concurrence)

*****TENTATIVE DATE QUIZ 1 IS AVAILABLE ON CANVAS: 9/25-9/29 at 11:59 p.m.*****

WEEK 6: Begin Homicide

Monday, 9/30:

-Begin Homicide CB 319-324, 330-342 (Overview of homicide; *Bingham* and *Gilbert*)

Wednesday, 10/2:

-CB 342-344 (Introduction to manslaughter)

-CB 349-362 (The Modern Reasonable Person Test and *Berry*, *Coker* and *Taylor* articles, Note, and “Who Is the Reasonable Person?”)

-CB 370 (MPC’s EED Test—only read the short paragraph description of EED on page 370)

WEEK 7: Continue Homicide

Monday, 10/7:

-CB 377-389 (Depraved Heart Murder: *Malone, Knoller* + Note)

Wednesday, 10/9:

-CB 389-394 (top) (Involuntary Manslaughter: *Welansky* + Note)

-check canvas for supplemental reading assignment!

WEEK 8: Continue Homicide

Monday, 10/14 NO CLASS, INDIGENOUS PEOPLE'S DAY AND FALL BREAK – ENJOY!

Wednesday, 10/16:

-CB 401-420 (Felony Murder and its limitations, Inherently dangerous, *James, Hines*, Res Gestae Req, *Bodely, Stamp, King*)

WEEK 9: Finish Homicide and Midterm

Monday, 10/21:

-CB p. 420 (short Merger Intro, stop before *Rose*)

-*State v. Heemstra* (PDF in Canvas) (finish felony murder limitations, merger)

-CB 432 (overview of Misdemeanor Manslaughter)

Wednesday, 10/23:

****IN-CLASS 1 HOUR MIDTERM EXAM****

WEEK 10: Theft-Based Offenses

Monday, 10/28:

-CB 573-575 (stop before “e”)

-CB 577-578 (embezzlement)

-CB 579 (consolidated theft statutes)

-CB 585-588 (Burglary: *Eichman*)

Wednesday, 10/30:

-CB 593-602 (Robbery: *Crocker* and *Miller*)

WEEK 11: Begin Defenses

Monday, 11/4:

-CB 603-611 (overview of defenses, Self-defense, *Goetz* + Note)

-CB 614-623 (Lee article, No Duty to Retreat Rule, Gruber article, Note)

-CB 629-633, 637-638 (start with Note on page 629 and continue through Juries and Experts, imperfect self-D, and defense of others)

Wednesday, 11/6:

-United States v. Britt (pdf available on canvas)

WEEK 12: Finish Defenses

Monday, 11/11:

-CB 642-654 (defense of habitation--*Brown*, defense of property—*Ceballos*)

Wednesday, 11/13:

-CB 657-659 (overview of necessity)

-CB 675-681 (overview of duress and *Contento-Pachon*)

-CB 687 (overview of intoxication)

*****TENTATIVE DATE QUIZ 2 IS AVAILABLE IN CANVAS: 11/13-11/17 at 11:59 p.m.*****

WEEK 13: Accomplice Liability and Attempts

Monday, 11/18:

-CB 833-837 (Intro, *Pace*, skip *Foster*)

-CB 841-852 (*Wilson*, *Roy*)

Wednesday, 11/20:

-CB 801-807 (*Rizzo* and *Staples*)

-CB 807-816 (*LaTraverse* and *Harris*)

WEEK 14: Constitutional Limits on the Power to Punish

Monday, 11/25:

-CB 75-76 (overview of Constitutional Limits)

-CB 134-45 (EP: *McCleskey v. Kemp*)

-Watch Bryan Stevenson's TedTalk "We Need to Talk About an Injustice" (link on Canvas)

Wednesday, 11/27: NO CLASS, ENJOY THANKSGIVING!

WEEK 15: Catch-up and Review

Monday, 12/2:

Catch-up and Review!

Wednesday, 12/4:

Catch-up and Review!

FINAL EXAM: TBD