CRIMINAL LAW

Section 2

Fall 2012

Professor Alison G. Myhra

Introduction to the Course

Through a study of cases, statutes, and scholarly commentary, along with discussion of various hypothetical problems, this course will examine what happens when an individual harms society, as opposed to a person, by engaging in conduct defined by the legislature as criminal. In such cases, the focus turns to punishment, as opposed to compensation, and a determination of what sentence, if any, is appropriate to punish the individual for his morally blameworthy behavior.

The course will focus on the general principles, doctrines, and specific crimes that comprise criminal law. In this course, as Professor Dressler has noted, “doctrine matters.” Much of the course will focus on the general principles and doctrines of the criminal law that are grounded in the common law. Necessarily, the course will also focus on specific crimes both in their common law and statutory forms. In thinking about and discussing principles, doctrines, and specific crimes, this course will also examine theories of punishment, the rule of law concept, and professional ethics.

Class Meetings

Class will meet on Mondays, Tuesdays, Wednesdays, and Thursdays in Room 255 from 1:00 p.m. until 1:50 p.m. Please come to class prepared and ready to discuss the cases and materials assigned for that day.

Grading

At the conclusion of the semester, students will take a final examination. Later in the semester, we will discuss the final examination in detail, along with test-taking tips and best practices. Subject to the rules governing attendance, which are discussed below, the grade earned on the final examination is the final grade for the course.

Course Materials

Finding the Professor Outside of Class

Office: Room 362
Email: amyhr@law.ua.edu
Telephone: 205-348-8504

Attendance

Under the Law School’s attendance policy, students may not miss more than three classes per credit hour. Because class attendance and participation are critical, the policy for this course will be modified. If a student misses more than six classes, the student will be withdrawn from the course and likely will receive a “fail” for the course.

Special Accommodations

The Law School is committed to meeting the needs of students with physical, learning, and other disabilities, and provides appropriate accommodations and services tailored to each student’s specific requirements. The Law School’s assistant deans and the University’s Office of Disability Services work together to help students with disabilities achieve and maintain individual autonomy. Students with disabilities are encouraged to contact Chad Tindol, Associate Dean for Academic Services, at 205-348-6557 or ctindol@law.ua.edu so that the student’s needs for support services can be evaluated and accommodated in a timely manner.

Class Topics and Reading Assignments

The following is a summary of the reading assignments. Its purpose is to present the chronological order in which we will cover the various topics in the course. **YOU SHOULD STAY APPROXIMATELY FIFTEEN TO TWENTY-FIVE PAGES AHEAD OF THE CLASS DISCUSSION FROM THE PREVIOUS DAY.** Please remember that our pace will vary and that if you read ahead, you should review the materials prior to the class in which they will be discussed. I may add materials; I may delete materials; I will notify you, of course, of any modifications.

I. GENERAL PRINCIPLES OF CRIMINAL LAW
   A. Introduction and the Purposes of Criminal Law - Chapter 1 (pp. 1-15)
   B. Actus Reus - The Requirement of a “Voluntary Act - Chapter 2 (pp. 17-61)
   C. Mens Rea - The Defendant’s Mental State - Chapter 3 (pp. 63-141)
   D. Causation - Chapter 4 (pp. 143-182)
II. DOCTRINES: GROUP AND INCHOATE CRIMINALITY
   A. Complicity-Chapter 5 (pp. 183-241)
   B. Attempt-Chapter 6 (pp. 243-290)
   C. Conspiracy-Chapter 7 (pp. 291-354)

III. SPECIFIC CRIMES
   A. Homicide-Chapter 8 (pp. 355-421)
   B. Assault and Battery-Chapter 9 (pp. 423-469)
   C. Rape and Sexual Assault-Chapter 10 (pp. 471-527)
   D. Theft Crimes-Chapter 11 (pp. 529-578)

IV. MORE DOCTRINES: DEFENSES
   A. Justification Defenses-Chapter 12 (pp. 579-622)
   B. Excuses-Chapter 13 (pp. 623-693)

V. WRAP-UP AND DISCUSSION OF FINAL EXAMINATION