CRIMINAL LAW AND PROCEDURE
Winter 2008 Legal 119 5 CREDITS
Tuesday/Thursday 1210-2:20 p.m.
Building 29 Room 214

INSTRUCTOR: Joy K. Smucker, Attorney at Law
878-3710 ext. 3856
Building 29 Room 345
jsmucker@highline.edu
Office Hours:

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<th>Monday</th>
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Handouts provided

OPTIONAL!!!!OPTIONAL!!!!OPTIONAL
CRIMINAL LAW AND PROCEDURE FOR THE
PARALEGAL MCCORD AND MCCORD (this is on reserve
at the library as well)

COURSE DESCRIPTION:
This course looks at the substantive criminal laws (statutes and case law) and
the criminal procedural laws found in statutes, case law and the Constitution.
The focus will be on criminal laws in the State of Washington. Topics include laws
of arrest, constitutional rights of the criminally accused, various crimes,
preparation for hearing and trials, sentencing guidelines, and post-trial relief.

COURSE OBJECTIVES:
Criminal law is one of the most exciting areas of law; my personal favorite. The
work is fast paced and never dull. Whether the paralegal works in a criminal
defense firm or the prosecuting attorney's office, he or she will be dealing with
contemporary issues, drama, psychology, sociology, and difficult issues of right
and wrong.

Upon completion of this course, the successful student will have a thorough
introduction to the basics of criminal law and the particular statutes and cases
that govern the law in Washington. Students will study and analyze individual
crimes and understand the distinctions between them. Students will be
knowledgeable about the various court systems; municipal courts, district courts,
traffic court, superior court and juvenile court. Students will also acquire
knowledge regarding determinate sentencing and the controversial three strikes
you are out law and the hard times for crimes law. Students will also work
through the stages of a criminal trial.

A primary objective of this course is that you become intimately familiar with the Criminal Code (RCWs) and be able to use it intelligently and efficiently. You are expected to bring this text with you to every class. All exams will be open-book with respect to this text.

We will have three assignments and one presentation in this class and each of these are intended to give you opportunities to think about the criminal justice system in the real world. This includes how it impacts each and everyone of us, and how it may or may not be fair to people from different economic classes, people of different races or ethnicity and of different gender. The assignments will also have you explore how we learn about the criminal justice system, sometimes correctly and sometimes not so correctly, through various media forms, including news and video.

Every student will report on a criminal case or issue that is in the newspaper or a news magazine and be prepared to discuss it with the rest of the class. In addition, each student will be expected to attend a criminal trial and prepare a written report on the proceedings observed. You will also each prepare a movie review on a movie that portrays some aspect of the criminal justice system.

Finally, you will attend an event during MLK week and provide a written response discussing the issues as they relate to criminal justice.

STUDENT RESPONSIBILITIES:

1. You are expected to complete the assigned readings prior to the indicated class and come prepared to discuss them in class.

2. You are expected to complete the assignments on time. Late assignments will be penalized if they are late and may be refused completely at the instructor's discretion.

3. You are expected to attend class regularly, AND TO ARRIVE ON TIME. It is extremely disruptive to have students coming in late when class has already begun. It is disruptive to your fellow students and to me. I do not like it. At least half of our class time will be devoted to material outside the text, including guest speakers. Student presentations are also an important part of the class and your grade for which your attendance is necessary. Absences will further limit your ability to effectively address assignments and exams. Each student starts the class with 30 bonus points. For each absence you will lose 10 points, and after three, it will be deducted from your overall point spread towards your grade. Each late arrival or early departure is equivalent to 5 points.

4. Cheating and other acts of academic dishonesty will not be tolerated.
GRADING:

I do not grade on a curve. Final grades will be computed as follows:

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Your grade will be based on the following methods of assessment:

- Quiz One: 50 Points
- Quiz Two: 100 Points
- Exam One: 150 Points
- Exam Two: 200 Points
- Assignment One: Court Visit: 150 Points
- Assignment Two: Reflection MLK: 100 Points
- Assignment Three: Movie Review: 100 Points
- News Presentation: 150 Points

**TOTAL**: 1000 Points

Bonus (Attendance): 30 Points

SCHEDULE:

Week One

1/8  Course Orientation/Syllabus
     Foundations of Criminal Law
     History and Purpose behind Criminal Law

1/10 Chapter 1, 2, and RCW and Sentencing Reform Act (SRA)
     Organization of the Criminal Justice System, Sentencing
     RCW 9.94A
Week Two

1/15  Sentencing RCW 9.94A (including death penalty, 3 strikes and 2 strikes)

1/17  Trial Procedure, Sentencing and Organization of the Court system in Washington; SRA; RCW 9.94A

Week Three

1/22  Trial Procedure, Sentencing and Organization of the Court system in Washington; SRA RCW 9.94A
     Quiz One

1/24  Attend one or both of these events during MLK week. The event on Wednesday, 1/23 is the most directly relevant and I encourage you to make this work along with the caucus following the discussion.

You will receive extra credit up to 30 points if you attend both events and turn in the reflective assignments that will accompany these presentations.

1/23  Prison Industrial Complex
     12:10pm, Building 7
     With over 2 million people incarcerated in prison each year, America has the highest number of inmates of any industrialized nation. With new prison facilities being created across the country, this number is only going to rise. Award winning pro bono attorney and Northwestern Law graduate Beth Colgan will talk about this current phenomena, raise awareness around the motivations for locking people up and connect corporate profit with the prison industry.

**Please join us for a caucus follow up discussion on the prison industrial complex hosted by our Social Justice Caucus. Discussion starts at 1:30pm in the Leadership Resource Room(Student Union, 3rd Floor).**

1/24  Boys of Baraka
     9am & 12:10pm, Highline Student Union-Mt. Constance
     "The Boys of Baraka" documentary reveals the human face of a tragic statistic — 61 percent of Baltimore's African-American boys fail to graduate from high school; 50 percent of them go on to jail. Behind those grim figures lie the grimmer realities of streets ruled by drug dealers, families fractured by addiction and prison and a public school system seemingly surrendered to chaos. Please join highline instructor Monica Lemoine and Devon Brown, both featured in the documentary, as they share with us their experiences with life in Baltimore and the Baraka school.
Week Four

1/29 Components of a Crime; RCW's 9A Crimes Against Persons
1/31 Day off for Court

Week Five

2/5 Sex Offenses and Sex Predator laws RCW 9A and materials provided
2/7 Crimes Against Property RCW 9A Quiz Two

Week Six

212 Crimes Against Property RCW 9A Driving Offenses RCW 46
2/14 Driving Offenses RCW 46

Week Seven

2/19 Exam One
2/21 Police Stops; Search and Seizure

Week Eight

2/26 Drug Offenses RCW 69
2/28 Confessions and Miranda; Juvenile Law RCW 13

Week Nine

3/4 Confessions and Miranda; Juvenile law; RCW 13
3/6 Juvenile Law; RCW 13

Week Ten

3/11 Defenses; RCW 9A Insanity, Diminished Capacity, Incompetent to Stand Trial
3/13 Review

Week Eleven

Tuesday, March 18 Final Exam 12:30-2:20
Syllabus subject to change depending on guest speakers and other factors beyond instructor’s control. Students are responsible for all materials and announcements made during class whether they are there or not. Due dates are final unless prior arrangements are made.

If you need course adaptations or accommodations because of a disability; if you have emergency medical information to share with the instructor; or if you need special arrangements in case the building must be evacuated, please provide the instructor with the Letter of Accommodation you have received from the Office of Access Services.

Access Services is located in Building 99 on the first floor. You can access off of Pacific Highway where there is parking in front of the building or through the east parking lot if you are on foot.

In the event that the building needs to be evacuated, or other related emergencies, you will follow the instructor’s direction and lead. In the case of evacuation the gathering location is just outside the north end of the building (the opposite end from the street entrance).