

# STRANDS AND STANDARDS

## CRIMINAL LAW



### Course Description

This course examines the criminal law and its importance and application in our system of justice in the United States. Students will learn the sources of criminal law, historical origins of law, functions of law in society, elements of a crime, interpretation of laws by the judicial system and compliance with the U.S. Constitution, classifications of crimes, terms of imprisonment and forms of punishment, and defenses to crimes. Students will analyze mock factual scenarios to determine what, if any, crime has occurred.

Intended Grade Level	11-12
Units of Credit	0.5
Core Code	40.06.00.00.108
Concurrent Enrollment Core Code	40.06.00.13.108
Prerequisite	None
Skill Certification Test Number	N/A
Test Weight	N/A
License Area of Concentration	CTE and/or Secondary Education 6-12
Required Endorsement(s)	
Endorsement 1	Law Enforcement
Endorsement 2	
Endorsement 3	

## STRAND 1

Students will be able to understand what behaviors are crimes and why they are prohibited and punished in society.

### Standard 1

Define “what is a crime?”

### Standard 2

Compare and contrast the differences between civil and criminal law.

### Standard 3

Describe the classifications of crimes.

### Standard 4

Identify the purposes of punishment.

### Standard 5

Identify the sources of law that define crimes.

- Constitution
- Statutory
- Case Law

## STRAND 2

Students will be able to understand the legal system in the United States.

### Standard 1

Define the system of federalism in the United States.

### Standard 2

Identify the three branches of government.

- Executive
- Legislative
- Judicial

### Standard 3

Identify the different judicial systems in the United States.

- Local
- State
- Federal

### Standard 4

Identify and describe the different burdens of proof.

- Preponderance of the evidence – civil standard
- Beyond a reasonable doubt – criminal standard

## STRAND 3

Students will be able to understand the role and influence of the U.S. Constitution in criminal justice.

### Standard 1

Describe the applicability of the U.S. Constitution to alleged criminal behaviors.

### Standard 2

Describe the application of the due process and equal protection clauses of the 5th and 14th amendments of the U.S. Constitution.

### Standard 3

Describe “freedom of speech” and “freedom of religion” and identify the exceptions to these protections.

### Standard 4

Describe the sources and application of the “right to privacy”.

### Standard 5

Explain the applicability of the “right to bear arms”.

### Standard 6

Explain the limitations provided by the 8th amendment.

## STRAND 4

Students will be able to understand the elements of crimes and how they differ from crime to crime.

### Standard 1

Define the criminal act element (actus reus).

### Standard 2

Define the mental state element (mens rea).

### Standard 3

Identify the other elements which may or may not be part of a crime.

- Harm
- Causation
- Attendant circumstances

### Standard 4

Identify crimes which do not require a mental state -- strict liability crimes.

## STRAND 5

Students will understand the variety of defenses available to an accused who has been charged with a crime.

### Standard 1

Describe the difference between an affirmative defense and a denial or failure of proof defense.

### Standard 2

Compare and contrast the difference between a perfect defense and an imperfect defense.

**Standard 3**

Compare and contrast the difference between a justification defense and an excuse defense.

**Standard 4**

Describe the use and applicability of self-defense.

**Standard 5**

Explain the application of consent as a defense.

**Standard 6**

Explain the application of defense based on choice.

- Necessity
- Compulsion

**Standard 7**

Explain the application of defense based on entrapment, infancy, intoxication, or mistake.

**Standard 8**

Explain the circumstances of the application of an insanity defense.

**STRAND 6**

**Students will understand who may be a party to a crime, inchoate crimes, and the concept of group criminality.**

**Standard 1**

Identify the various parties to a criminal act.

- Principal, accomplice, accessory
- Vicarious liability

**Standard 2**

Identify the various incomplete crimes.

- Attempt crimes
- Conspiracy crimes/RICO
- Solicitation

**STRAND 7**

**Students will understand the different types of crimes.**

**Standard 1**

Identify the various types of homicide crimes.

- Aggravated murder
- Murder
- Manslaughter
- Negligent homicide (involuntary manslaughter)

**Standard 2**

Identify the various sex offenses and other crimes against the person.

- Rape and sodomy
- Assault

- Battery
- Domestic violence
- Stalking
- Kidnapping/false imprisonment

### Standard 3

Identify the various types of crimes against property.

- Non-violent theft/receiving stolen property/embezzlement
- Extortion/robbery
- Burglary/trespass/criminal mischief/arson

### Standard 4

Identify the various types of crimes against the public.

- Quality of life crimes
  - Disorderly conduct
  - Vagrancy
  - Loitering
  - Pan-handling
- Group conduct crimes
  - Unlawful assembly
  - Rioting
  - Gang violence
- Vice crimes
  - Alcohol
  - Drugs
  - Prostitution
  - Gambling

### Standard 5

Identify the various types of crimes against the government.

- Treason
- Sedition
- Espionage
- Sabotage
- Perjury/bribery/obstruction of justice
- Terrorism

### Performance Skills

- Analyze mock factual scenarios to determine what, if any, crime has occurred. Scenarios should be from each of the substantive crime categories.
- Research and write a report describing a crime in your local community or a current event of local or national significance. Include the following elements:
  - Provide a factual summary of the situation/event.
  - Identify the crime, if any that occurred
  - Identify the elements of the crime
  - Based on the available facts, determine if you would prosecute the crime. Why?
  - Report should be type written and consistent with professional formatting requirements.

## **Workplace Skills**

- Communication
- Problem Solving
- Teamwork
- Critical Thinking
- Dependability
- Accountability
- Legal Requirements/expectations