Class Schedule:
Class meets Mondays and Wednesdays at 10:30-11:45.

Office hours:
I will hold office hours after class on Wednesdays until 12:30 p.m. Please also feel free to stop by my office (433H) at any time or you can email me at clerener@gmu.edu to arrange an appointment. My phone number is 703-993-8080.

Required course material:
The principal reading material is drawn from Kadish, Schulhofer, Steiker and Barkow: Criminal Law and its Processes (9th ed. 2012). You will also be responsible for studying those sections of the Model Penal Code that correspond to the assigned material. The MPC is reprinted as an appendix in the casebook. I will supplement the casebook reading with others materials throughout the semester.

Classroom participation:
I will take attendance. Students are expected to be present and prepared. If you know you will be absent or are unable to prepare, email me prior to the class. I reserve the option of raising or lowering grades based on class participation. Use of the internet in any form is prohibited during class. Audiotaping or videotaping of class is also prohibited.

Final exam:
The exam is on May 6 at noon. It will be a closed-book exam.

Reading assignments:
The syllabus includes assignments for every class (see pages 4-5). This may be revised over the course of the semester. Every Wednesday, I will email the assignment for the following week.

First Assignment:
Kadish, Schulhofer, Steiker, and Barkow, pages 82-124.
All page numbers below are from Kadish, Schulhofer, Steiker and Barkow: Criminal Law and its Processes (9th ed. 2012). Material may be deleted or added over the course of the semester.

I. Purposes of Punishment: pages 82-124

II. Defining Criminal Conduct
   A. Proportionality: 186-204
   B. Beyond a Reasonable Doubt: 31-36
   C. Principle of Legality: 149-155 and 171-179
   D. Actus Reus
      1. Voluntary acts: 205-218 and 1009-1011
      2. Omissions: 218-241
   E. Mens Rea
      1. Common law: 241-252
      2. Model penal code: 252-266
      3. Mistake of fact: 266-282
      5. Mistake of law: 303-329

III. Homicide
   A. Statutory Frameworks: 419-427
   B. Intended Killings
      1. Premeditation: 427-437
      2. Provocation: 437-463
   C. Unintended Killings
      1. Creation of Homicidal Risk: 463-490
      2. Felony Murder: 490-523

IV. Rape
   A. Statutory Frameworks: 338-342
B. Actus Reus: 342-359

C. Eliminating the Force Requirement: 363-389

D. Consent: 376-389

E. Mens Rea: 389-397

V. Significance of Resulting Harm

A. Causation
   1. Foreseeability: 571-586
   2. Subsequent human acts: 586-607

B. Attempts
   1. Introduction: 607-610
   2. Mens Rea: 611-617
   3. Preparation: 617-636
   4. Impossibility: 636-655

VI. Exculpation

A. Justification
   1. Protection of human life: 817-832 and 848-872
   2. Protection of property and law enforcement: 872-885
   3. Necessity: 885-904

B. Excuse
   1. Introduction: 921-924
   2. Duress: 924-940
   3. Intoxication: 943-954
   4. Insanity: 958-996

VI. Group Criminality

A. Introduction: 657-660

B. Mens Rea: 661-686

C. Actus Reus: 687-693

D. Conspiracy: 723-740
Tentative list of assignments

This will be adjusted over the course of the semester. All page numbers below are from Kadish, Schulhofer, Steiker and Barkow: Criminal Law and its Processes (9th ed. 2012). I will supplement these assignments over the course of the semester with material from other sources.

January 11/Class 1:  82-124 (purposes of punishment)

January 13/Class 2:  186-204 (proportionality); 31-36 (beyond a reasonable doubt); and 149-155 and 171-179 (legality)

January 18/Class 3:  205-218 and 1009-1011 (actus reus)

January 20/No Class—MLK Day

January 25/Class 4:  218-236 (omissions)

January 27/Class 5:  241-259 (mens rea)

February 1/Class 6:  260-266 (mens rea) and 266-272 and 276-282 (mistake of fact)

February 3/Class 7:  282-303 (strict liability)

February 8/Class 8:  303-329 (mistake of law)

February 10/Class 9:  419-427 and 163-168 (homicide statutory frameworks) and 427-437 (premeditation)

February 15/Class 10:  437-463 (provocation)

February 17/Class 11:  463-481 (recklessness and negligence)

February 22/Class 12:  482-490 (recklessness and negligence) and 490-502 (felony murder)

February 24/Class 13:  502-523 (felony murder)

February 29/Class 14:  338-342 (rape statutory frameworks); 342-347 and 355-359 (actus reus) and 363-368 (eliminating force requirement)

March 2/Class 15:  376-389 (consent) and 389-397 (mens rea)
March 7:  No class/vacation

March 9:  No class/vacation

March 14/Class 16:  571-586 (causation)

March 16/Class 17:  586-607 (causation)

March 21/Class 18:  607-631 (attempts)

March 23/Class 19:  631-641 (attempts)

March 28/Class 20:  817-832 and 848-863 (self-defense)

March 30/Class 21:  863-885 (self-defense)

April 4/Class 22:  885-904 (necessity)

April 6/Class 23:  921-940 (duress) and 943-954 (intoxication)

April 11/Class 24:  958-971 (insanity)

April 13/Class 25:  971-996 (insanity)

April 18/Class 26:  656-686 (group liability)

April 20/Class 27:  687-693 and 723-740 (group liability and conspiracy)

April 21/Class 28:  Catch up material and go over practice exam questions