

Professor Michael Russo

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Office Hours: Let's discuss what works for *your* schedules. I'll almost always be available after classes on Monday through Thursday for most of the rest of the day. Drop-ins are always welcome, and you can come alone or in groups.

Syllabus and Class Schedule

Criminal Law (Crim-100)

Monday, Wednesday: 10:00am-11:50am, Room C-1

Course Information and Policies:

Welcome to Criminal Law. Our text for this semester will be *Criminal Law: Doctrine, Application and Practice*, Third Ed., by Professor Jens David Ohlin. A new edition was scheduled to be released in late 2024 and, like many law books, it's hideously expensive. I have chosen to remain with the Third edition because the changes have not been too significant and that choice will allow you to buy used or discounted copies. Please don't purchase a First or Second Edition, as these are now out of date.

Below is a class schedule for the first part of the semester, including the assigned reading for each session. Changes may be made to this schedule and to the assigned reading as the semester goes on. If and when a change is in the works, I promise to give you as much advance notice as possible.

I will expect that you will have completed all of the assigned reading prior to each class session. I will also expect that you will have briefed the cases you have read and will be prepared to discuss them in class. In other words, I want *you* to do most of the talking because nobody--especially me--enjoys lectures. To that end, I will call upon students and ask for volunteers to keep things (hopefully) lively and interesting.

I have also included questions for discussion for most of our class sessions. We may or may not always get to these questions, but you should think about them and be prepared to discuss them. Working through them will help you to prepare for the final exam.

Grading: Grades will be based mainly on a final exam, but class participation and attendance will factor in as well.

Final Exam: The final exam will consist of (probably) four essay questions, and will cover material from the text and from our class discussions. You will have three and a half hours to complete the exam and it will be closed-book.

Midterm: There will be an **ungraded** practice midterm, just to give you a sense for the sorts of questions I may ask on the final and how you might approach answering them. It will be distributed sometime around the middle of the semester. You will have one hour to complete the midterm and submitting your

answer is a required assignment. I will review an outline of a sample answer in class and will set up appointments to give you individual feedback after that. Failure to submit an answer to the midterm will lower your final grade for the course.

Class participation: Class participation is a vital part of learning the law. It's also a great way to avoid boring lectures and uncomfortable silences. Students whose participation over the course of the semester is exceptional in terms of both *quality and quantity* will be given an enhancement of one-third of a grade (i.e., from a B to a B+). Students who miss two or more classes without excuse (see below) will not be eligible to receive the class participation credit.

Attendance: Attendance is also *very* important. Attendance means not just showing up, but showing up on time and *prepared* for each class. Unexcused absences will affect your final grade and students with four (4) unexcused absences over the course of the term will have their grades reduced. Additional unexcused absences will result in further grade reductions or possible dismissal from the class. Absences will be excused in exigent circumstances (i.e., circumstances that would justify postponing a final exam), as long as every effort is made to let me know ahead of time.

Class Schedule, Topics, and Reading:

JANUARY 13, CLASS 1: THE CRIMINAL PROCESS, READING CASES and STATUTES, AND THE ROLE OF THE JURY

Criminal Law, Chapter 1; pg. 3-24

Questions for discussion:

1) Identify the elements in the following statutes:

RCW 9A.48.030: Arson in the second degree.

A person is guilty of arson in the second degree if he or she knowingly and maliciously causes a fire or explosion which damages a building, or any structure or erection appurtenant to or joining any building....

Model Penal Code (MPC) Section 212.1: Kidnapping.

A person is guilty of kidnapping if he unlawfully removes another from his place of residence or business, or a substantial distance from the vicinity where he is found, or if he unlawfully confines another for a substantial period in a place of isolation, with any of the following purposes: (a) to hold for ransom or reward, or as a shield or hostage; or (b) to facilitate commission of any felony or flight thereafter; or (c) to inflict bodily injury on or to terrorize the victim or another; or (d) to interfere with the performance of any governmental or political function.

2) "Problem Case", pg. 20: Did the jury in the O.J. Simpson murder trial engage in jury nullification? Were they invited to do so by the defense? For those who have never heard of O.J. Simpson or his infamous murder trial, here's a link to a quick summary from Prof. Douglas Linder of the University of Missouri-Kansas City School of Law [WARNING: The language used by one of the LAPD detectives in this trial included vile racist references]. Pay particular attention to the excerpt of the closing argument of Simpson's lead attorney, Johnny Cochran: <https://famous-trials.com/simpson/1862-home>