

**Randolph Township Schools
Randolph High School**

Criminal Law Honors Curriculum

*“When you are weak on the facts but strong on the law, pound the law.
When you are weak on the law but strong on the facts, pound the facts.
When you are weak on the facts and the law, pound the table.”*
-Oliver Wendell Holmes

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**Randolph Township Schools
Randolph High School
Department of Social Studies
Criminal Law Honors**

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Randolph Township Schools

Mission Statement

We commit to inspiring and empowering all students in Randolph schools to reach their full potential as unique, responsible and educated members of a global society.

Affirmative Action Statement

Equality and Equity in Curriculum

The Randolph Township School district ensures that the district's curriculum and instruction are aligned to the state's standards. The curriculum provides equity in instruction, educational programs and provides all students the opportunity to interact positively with others regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability or socioeconomic status.

N.J.A.C. 6A:7-1.7(b): Section 504, Rehabilitation Act of 1973; N.J.S.A. 10:5; Title IX, Education Amendments of 1972

RANDOLPH TOWNSHIP BOARD OF EDUCATION
EDUCATIONAL GOALS
VALUES IN EDUCATION

These statements represent the beliefs and values regarding our educational system. Education is the key to self-actualization, which is realized through achievement and self-respect. We believe our entire system must not only represent these values, but also demonstrate them in all that we do as a school system.

We believe:

- The needs of the child come first.
- Mutual respect and trust are the cornerstones of a learning community.
- The learning community consists of students, educators, parents, administrators, educational support personnel, the community and Board of Education members.
- A successful learning community communicates honestly and openly in a non-threatening environment.
- Members of our learning community have different needs at different times. There is openness to the challenge of meeting those needs in professional and supportive ways.
- Assessment of professionals (i.e., educators, administrators and educational support personnel) is a dynamic process that requires review and revision based on evolving research, practices and experiences.
- Development of desired capabilities comes in stages and is achieved through hard work, reflection and ongoing growth.

**Randolph Township Schools
Department of Social Studies
Criminal Law Honors**

Introduction

The Criminal Law Honors Course is a survey of the legal rights and responsibilities of American citizens with an emphasis on crimes against persons, crimes against property and crimes against the state. Elements will include those areas that are of practical importance to young adults and potential areas of concern to students in their immediate future. This course is intended as a companion to the Civil Law Honors course which will emphasize similarly focused areas of immediate concern to young adults in areas of civil law.

In this course, students will learn, analyze and evaluate the role of criminal law in society. Students will study the philosophy of criminal law, the goals of the criminal justice system, the workings of the local, state and federal criminal court systems, and the implementation of the criminal court system as it applies to minors. Students will study constitutional protections of the criminal prosecutorial system including limitations on police action and investigation, the rules of evidence and fair trial procedures.

Finally, the course will include a practicum that will permit the students to engage in mock trial programs within the class to enhance critical skills in analysis, evaluation, research, writing and public speaking, as students prepare for mock trial simulations.

The New Jersey State Core Curriculum Content Standards for Social Studies, the Common Core Content Standards, and the standards and goals established by the Randolph Township Board of Education will guide the course. This program will integrate and infuse information on New Jersey, the role of women, African-American and multi-cultural contributions, and social studies oriented vocations into the course of study, as mandated by the State of New Jersey.

RANDOLPH TOWNSHIP SCHOOL DISTRICT
Curriculum Pacing Chart
Criminal Law Honors

SUGGESTED TIME ALLOTMENT	UNIT NUMBER	CONTENT - UNIT OF STUDY
5 weeks	I	Foundations of Criminal Law
3 weeks	II	Crimes Against Persons
3 weeks	III	Crimes Against Property & Legal Defenses
3 weeks	IV	Crimes Against the State
4 weeks	V	Legal Practicum

**RANDOLPH TOWNSHIP SCHOOL DISTRICT
CRIMINAL LAW HONORS
UNIT I: Foundations of Criminal Law**

TRANSFER: Students will be able to analyze societal problems or issues, and using the principles of statutory law, design practical solutions to them.

STANDARDS/GOALS:	ENDURING UNDERSTANDINGS	ESSENTIAL QUESTIONS
<p>Common Core:</p> <p>RH.11-12.1 - Cite specific textual evidence to support analysis of primary and secondary sources, connecting insights gained from specific details to an understanding of the text as a whole.</p>	<p>The general purpose of criminal law is to circumscribe actions and activities to allow a society to function within generally agreed upon boundaries for the benefit of society as a whole.</p>	<ul style="list-style-type: none"> ● Why do humans create laws?
<p>RH.11-12.2 - Determine the central ideas or information of a primary or secondary source; provide an accurate summary that makes clear the relationships among the key details and ideas.</p>	<p>The American justice system is built on the bedrock of constitutional principles, clearly delineating rights of the accused and restricting the actions of the government.</p>	<ul style="list-style-type: none"> ● Who should create laws? ● Should laws be created and enforced based on certain beliefs?

	KNOWLEDGE	SKILLS
<p>RH.11-12.3 - Evaluate various explanations for actions or events and determine which explanation best accords with textual evidence, acknowledging where the text leaves matters uncertain.</p> <p>RH.11-12.4 - Determine the meaning of words and phrases as they are used in a text, including analyzing how an author uses and refines the meaning of a key term over the course of a text (e.g., how Madison defines faction in Federalist No. 10).</p> <p>RH.11-12.5 - Analyze in detail how a complex primary source is structured, including how key sentences, paragraphs, and larger portions of the text contribute to the whole.</p> <p>RH.11-12.6 - Evaluate authors' differing points of view on the same historical event or issue by assessing the authors' claims, reasoning, and evidence.</p> <p>RH.11-12.7 - Integrate and evaluate multiple sources of information presented in diverse formats and media (e.g., visually, quantitatively, as well as in words) in order to address a question or solve a problem.</p> <p>RH.11-12.8 - Evaluate an author's premises, claims, and evidence by corroborating or challenging them with other information.</p> <p>RH.11-12.9 - Integrate information from diverse sources, both primary and secondary, into a coherent understanding of an idea or event, noting discrepancies among sources.</p> <p>WHST.11-12.1.A-E - Write arguments focused on discipline-specific content.</p>	<p>Students will know:</p> <p>Criminal law relates to conduct that is prohibited by the state and the punishments imposed on those who breach these laws.</p> <p>The American legal system is based on an adversarial model, adapted from British legal tradition.</p> <p>The United States Constitution codifies and protects the rights of individuals against the state and sets forth the practical rules of criminal procedure, thereby forming the backbone of the American legal system.</p> <p>Limitations of the state's power, including shouldering the burden of proof and the inability to prosecute twice for the same offense, help protect the accused and make the job of prosecution more challenging than in other legal traditions.</p> <p>Substantive Law defines how the facts in the case will be handled as well as how a crime is to be charged. Procedural Law determines how a proceeding concerning the enforcement of the substantive law will occur.</p> <p>Major Enlightenment philosophers, including John Locke and Thomas Hobbes, wrote extensively on the law and legal rights, offering new ideas about natural rights and the social contract.</p> <p>American law derives from five sources: federal and state</p>	<p>Students will be able to:</p> <p>Define criminal law and civil law, and contrast the areas of interest for both.</p> <p>Trace the origins of the American legal system to historical foundations.</p> <p>Enumerate the basic protections of the United States Constitution and apply them with modern examples.</p> <p>Explain the reasoning behind constitutional mandates on the rules of prosecution and evaluate the necessity of these protections in the modern world.</p> <p>Explain the relationship between substantive law and procedural law.</p> <p>Compare and contrast the legal views of selected Enlightenment philosophers and their impact on American legal tradition.</p> <p>Identify the various sources of law in the U.S. and explain how</p>

<p>WHST.11-12.4.A - Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.</p> <p>NJCCCS:</p> <p>6.1.12.A.14.b - Analyze how the Supreme Court has interpreted the Constitution to define the rights of the individual, and evaluate the impact on public policies.</p> <p>6.1.12.A.2.e - Explain how judicial review made the Supreme Court an influential branch of government, and assess the continuing impact of the Supreme Court today.</p>	<p>constitutions, statutory law, administrative regulations, executive orders, and judicial decisions. These rules and regulations establish a citizen’s rights and regulates the relationships between citizens.</p> <p>The Bill of Rights (specifically the Fourth, Fifth, Sixth, and Eighth Amendments) enshrines rights including protection from illegal search and seizure, double jeopardy, self-incrimination, the right to a speedy trial & an impartial jury, and from excessive bail and cruel and unusual punishment.</p> <p>Every crime is made up of specific elements, typically including both a <i>mens rea</i> and an <i>actus rea</i>, or an intention and an action.</p> <p>VOCABULARY & KEY TERMS: Jurisprudence, criminal laws, felonies, misdemeanors, defendant, prosecutor, reasonable doubt, preponderance of the evidence, limited government, separation of powers, statutes, judicial review, unconstitutional, federalism, Bill of Rights, adversarial system, voir dire, peremptory challenges, trial court, appeals court, precedent, natural rights, social contract, substantive, procedural, <i>mens rea</i>, <i>actus rea</i>, double jeopardy, self-incrimination, cruel and unusual punishment</p>	<p>each source fits into our traditional ideas of how law is supposed to be made.</p> <p>Investigate and report on modern cases involving each of the rights of the accused delineated in the Bill of Rights.</p> <p>Identify and differentiate the <i>mens rea</i> and <i>actus rea</i> in given crimes.</p>
<p>ASSESSMENT EVIDENCE: Students will show their learning by:</p>		

- Designing a bill/law, which would garner legislative approval that solves a societal problem using the principles of statutory law.
- Analyzing a criminal case, paying specific attention to the evidence relied on by both the prosecution and defense, and defending opinions using textual evidence as to the outcome of the case.

KEY LEARNING EVENTS AND INSTRUCTION:

- Readings based on real cases regarding religious freedom, freedom of expression, national security, rights of criminal defendants, etc.
- Analyze evidence used by the prosecution and the defense in a given case to guide argumentation for conviction and/or acquittal.
- Identify and discuss key components and criteria of model bills/laws such as rationale, regulation, enforcement, time frame, etc, and use those criteria to draft a piece of legislation.

**RANDOLPH TOWNSHIP SCHOOL DISTRICT
CRIMINAL LAW HONORS
Unit I: Foundations of Criminal Law**

SUGGESTED TIME ALLOTMENT	CONTENT-UNIT OF STUDY	SUPPLEMENTAL UNIT RESOURCES

<p>5 Weeks</p>	<p>Foundations of Criminal Law</p> <ul style="list-style-type: none"> ● Composition of Federal & State Courts ● Legal Precedents ● Parties in a Criminal Case ● Burdens of Proof: Criminal vs. Civil ● Double Jeopardy ● Substantive Law vs. Procedural Law ● Thomas Hobbes & John Locke: Natural Rights and the Social Contract ● What is Law? And the Sources of American Law ● The Bill of Rights, Rules of Criminal Procedure & the Criminal Justice Process ● Elements of a Crime: <i>Mens Rea</i> & <i>Actus Rea</i> ● Determining the Specific Elements of a Crime ● Types of Criminal Actors ● Inchoate Crimes: Attempt, Solicitation & Conspiracy 	<p>Daley, J. (Ed.). (2006). <i>Landmark decisions of the Supreme Court</i>. Mineola, NY: Dover Publications.</p> <p>Hobbes, T. (1988). <i>Leviathan</i>. London: Penguin.</p> <p>Lindsay, C.L. (2005). <i>The college student's guide to the law</i>. Lanham: Taylor Trade Publishing.</p> <p>Locke, J. (1988). <i>Two treatises of government</i> (3rd ed.) P. Laslett, (Ed.). Cambridge: Cambridge University Press.</p> <p>Friedman, L.M. (1993). <i>Crime and punishment in American history</i>. New York: Basic Books.</p> <p>Miller, G.D. (2001). <i>Criminal law (New Jersey practice)</i>. St. Paul, MN: West Group.</p> <p>Robinson, P. (1999). <i>Would you convict? Seventeen cases that challenged the law</i>. New York: NYU Press.</p>
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**RANDOLPH TOWNSHIP SCHOOL DISTRICT
CRIMINAL LAW HONORS
UNIT II: Crimes Against Persons**

TRANSFER: By evaluating and analyzing fact patterns in both hypothetical and actual scenarios, students will be able to apply their knowledge of criminal statutes to contemporary examples.

STANDARDS/GOALS:	ENDURING UNDERSTANDINGS	ESSENTIAL QUESTIONS
<p>Common Core:</p> <p>RH.11-12.1 - Cite specific textual evidence to support analysis of primary and secondary sources, connecting insights gained from specific details to an understanding of the text as a whole.</p> <p>RH.11-12.2 - Determine the central ideas or information of a primary or secondary source; provide an accurate summary that makes clear the relationships among the key details and ideas.</p> <p>RH.11-12.3 - Evaluate various explanations for actions or events and determine which explanation best accords with textual evidence, acknowledging where the text leaves matters uncertain.</p> <p>RH.11-12.4 - Determine the meaning of words and phrases as they are used in a text, including analyzing how an author uses and refines the meaning of a key term over the course of a text (e.g., how Madison defines faction in Federalist No. 10).</p> <p>RH.11-12.5 - Analyze in detail how a complex primary source is structured, including how key sentences, paragraphs, and larger portions of the text contribute to the whole.</p> <p>RH.11-12.6 - Evaluate authors' differing points of view on the same historical event or issue by assessing the authors' claims, reasoning, and evidence.</p> <p>RH.11-12.7 - Integrate and evaluate multiple sources of information presented in diverse formats and media (e.g., visually, quantitatively, as well as</p>	<p>Crimes against the person refer to a broad array of criminal offenses which usually involve bodily harm, the threat of bodily harm, or other actions committed against the will of an individual.</p>	<ul style="list-style-type: none"> ● What are the most critical elements of the common crimes against the person? Why?
	<p>Crimes against the person are deemed by society to be the most reprehensible.</p>	<ul style="list-style-type: none"> ● Why should moral distinctions determine the severity of a crime? ● Why should certain offenses be criminalized more severely than others?
	<p>In making sentencing decisions, judges weigh a number of factors in determining the appropriate punishment.</p>	<ul style="list-style-type: none"> ● What should the response of society be if a member violates societal mandates regarding protection of a person?
	<p>KNOWLEDGE</p>	<p>SKILLS</p>
	<p>The students will know:</p> <p>Crimes against the person include the following: homicide, suicide, robbery, assault, battery, domestic violence, hate crimes, harassment, kidnapping/false imprisonment and stalking.</p> <p>Any attempt to wrongfully harm or wrongfully imprison another's person is considered to be a crime against persons.</p> <p>Criminal homicide is classified by intent or reckless actions, while non-criminal homicide can be categorized as justifiable</p>	<p>Students will be able to:</p> <p>Identify the specific crimes categorized under crimes against persons.</p> <p>Determine the necessary elements to constitute a crime against the person.</p> <p>Distinguish between criminal and noncriminal homicide.</p>

<p>in words) in order to address a question or solve a problem.</p> <p>RH.11-12.8 - Evaluate an author's premises, claims, and evidence by corroborating or challenging them with other information.</p> <p>RH.11-12.9 - Integrate information from diverse sources, both primary and secondary, into a coherent understanding of an idea or event, noting discrepancies among sources.</p> <p>WHST.11-12.1.A-E - Write arguments focused on discipline-specific content.</p> <p>WHST.11-12.4.A - Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.</p> <p>NJCCCS:</p> <p>6.1.12.A.14.b - Analyze how the Supreme Court has interpreted the Constitution to define the rights of the individual, and evaluate the impact on public policies.</p> <p>6.1.12.A.2.e - Explain how judicial review made the Supreme Court an influential branch of government, and assess the continuing impact of the Supreme Court today.</p> <p>6.1.12.D.16.c - Determine past and present factors that led to the widening of the gap between the rich and poor, and evaluate how this has affected individuals and society.</p>	<p>and not subject to criminal charges.</p> <p>Malice means having the intent to kill or seriously harm another person or acting in an extremely reckless manner which shows a lack of regard for human life.</p> <p>The different types of criminal homicide include: first-degree murder, felony murder, second-degree murder, voluntary manslaughter, involuntary manslaughter, and negligent homicide.</p> <p>Courts often view suicide attempts as a plea for help and require the person who attempted suicide to undergo psychological examinations and treatment for mental health issues.</p> <p>Assault and battery requires only that a person intended to cause bodily harm and are commonly used as interchangeable terms. There are multiple degrees of assault and battery including aggravated and simple assaults as well as domestic violence.</p> <p>Stalking occurs when a person repeatedly follows or harasses another person and makes threats, causing the victim to fear death or bodily injury.</p> <p>Sexual assault is the kind of assault that may include rape (intercourse without consent) or attempted rape; however, it may also include a range of victimizations of a sexual nature including, but not limited to, unwanted sexual contact.</p> <p>Rape is the act of sexual intercourse without consent of the victim and can be classified into a number of categories,</p>	<p>Evaluate the role malice plays in determining a crime against a person.</p> <p>Identify and differentiate the differences between the types of criminal homicide.</p> <p>Justify the reasons as to why courts often treat suicide as a plea for help rather than a crime.</p> <p>Distinguish the different classifications for assault and battery.</p> <p>Explain the crime of stalking and conclude how it is categorized as a crime against the person.</p> <p>Discuss the similarities and differences between the various forms of sexual assault.</p> <p>Define the crime of rape and determine the differences between its sub-classifications.</p>
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including: statutory rape, date rape and aggravated rape.

Vocabulary & Key Terms:

Homicide, criminal homicide, noncriminal homicide, malice, murder, manslaughter, negligent homicide, first- degree murder, felony murder, second-degree murder, voluntary manslaughter, involuntary manslaughter, suicide, assault, battery, stalking, sexual assault, rape, statutory rape, date rape/acquaintance rape.

ASSESSMENT EVIDENCE: Students will show their learning by:

- Analyzing the facts of real life scenarios, and citing evidence from within, articulate which crime(s) against the person have been committed.
- Analyzing and determining what factors could result in either a conviction or acquittal of a crime based on the required elements as determined by the particular statute and explain through writing.

KEY LEARNING EVENTS AND INSTRUCTION:

- Examine practice scenarios related to crimes against persons individually or in groups, and identify appropriate charges based on the required statutory elements.
- Full-class analysis and discussion of the New Jersey sexual assault statute as a model for how to dissect criminal statutes.

**RANDOLPH TOWNSHIP SCHOOL DISTRICT
CRIMINAL LAW HONORS
Unit II: Crimes Against Persons**

SUGGESTED TIME ALLOTMENT	CONTENT-UNIT OF STUDY	SUPPLEMENTAL UNIT RESOURCES
3 Weeks	Crimes against the Person <ul style="list-style-type: none"> ● Homicide (Murder, Manslaughter, etc.) ● Suicide ● Assault & Battery ● Stalking ● Sexual Offenses 	Arnold, L.N. (2004). <i>Criminal practice and procedure</i> (Vols.31-32). St. Paul: Thomson West Uelman, G.F. (1996). <i>Lessons from the trial: The people v. O.J. Simpson</i> . Kansas City: Andrews and McMeel. Wootton, J. (1998). <i>Criminal Justice: Opposing Viewpoints</i> . San Diego: Greenhaven Press. New Jersey Code of Criminal Justice

RANDOLPH TOWNSHIP SCHOOL DISTRICT
Criminal Law Honors
UNIT III: Crimes Against Property & Legal Defenses

TRANSFER: By analyzing a statute and identifying its legal parameters, students will be able to evaluate their own conduct and the conduct of others.

STANDARDS/GOALS:	ENDURING UNDERSTANDINGS	ESSENTIAL QUESTIONS
<p>Common Core:</p> <p>RH.11-12.1 - Cite specific textual evidence to support analysis of primary and secondary sources, connecting insights gained from specific details to an understanding of the text as a whole.</p> <p>RH.11-12.2 - Determine the central ideas or information of a primary or secondary source; provide an accurate summary that makes clear the relationships among the key details and ideas.</p> <p>RH.11-12.3 - Evaluate various explanations for actions or events and determine which explanation best accords with textual evidence, acknowledging where the text leaves matters uncertain.</p> <p>RH.11-12.4 - Determine the meaning of words and phrases as</p>	<p>Property protections are a cornerstone of the American legal system, thanks in large part to the philosophical and economic thinkers in the Western tradition who believed property was a core right afforded to any member of society.</p>	<ul style="list-style-type: none"> ● Is property an inalienable human right? ● What can or should be owned?
	<p>Crimes against property are as varied as property itself, and include various types of related theft, destruction, deception, and other uses of force.</p>	<ul style="list-style-type: none"> ● What makes some crimes worse than others?
	<p>Because the burden of proof falls to the government, successful prosecution often depends on eliminating or disproving criminal defenses that contest guilt based on a variety of factors.</p>	<ul style="list-style-type: none"> ● What circumstances excuse wrongdoing? ● How responsible are human beings for their own actions?
	KNOWLEDGE	SKILLS
	The students will know:	Students will be able to:

<p>they are used in a text, including analyzing how an author uses and refines the meaning of a key term over the course of a text (e.g., how Madison defines faction in Federalist No. 10).</p> <p>RH.11-12.5 - Analyze in detail how a complex primary source is structured, including how key sentences, paragraphs, and larger portions of the text contribute to the whole.</p> <p>RH.11-12.6 - Evaluate authors' differing points of view on the same historical event or issue by assessing the authors' claims, reasoning, and evidence.</p> <p>RH.11-12.7 - Integrate and evaluate multiple sources of information presented in diverse formats and media (e.g., visually, quantitatively, as well as in words) in order to address a question or solve a problem.</p> <p>RH.11-12.8 - Evaluate an author's premises, claims, and evidence by corroborating or challenging them with other information.</p> <p>RH.11-12.9 - Integrate information from diverse sources, both primary and secondary, into a coherent understanding of an idea or event, noting discrepancies among sources.</p> <p>WHST.11-12.1.A-E - Write arguments focused on discipline-specific content.</p>	<p>Crimes against property are crimes of varying severity that separate people from said property, whether through destruction or deprivation.</p> <p>Harm or potential harm to property includes arson (unlawful burning), and vandalism (defacing or damaging).</p> <p>In general, theft of property involves any purposeful taking of property belonging to someone else with the intent of permanent deprivation, regardless of the circumstances of possession.</p> <p>Some kinds of theft, such as robbery, also involve the use of force on people or residences, and are thus taken more seriously by the criminal justice system.</p> <p>There are various forms of crimes relating to money, including extorting individuals, embezzling when in a position of trust, and forging official documents and currency.</p> <p>Of increasing concern to the public and the criminal justice system is the rise in computer crime and identity theft, which use stolen personal and/or digital information for criminal purposes.</p> <p>While defense attorneys may simply force the prosecution to prove guilt, many employ strategies that challenge the evidence or claims presented in hopes of a favorable verdict or sentencing.</p> <p>Some defenses rely on showing that actions were not criminal or not committed by the defendant, while others admit the action took place but show the defendant was not or should not</p>	<p>Classify the basic criteria for determining that a crime against property has been committed.</p> <p>Discuss the varying crimes committed against property.</p> <p>Explain the requirements outlining property theft according to statute requirements.</p> <p>Assess the factors as to why certain property crimes are treated more harshly by the criminal justice system.</p> <p>Compare and contrast the various forms of crimes related to money.</p> <p>Evaluate the threat of computer crime and identity theft in today's society.</p> <p>Determine and evaluate the strategies and tactics a defense attorney may employ to gain a favorable verdict for their defendant.</p> <p>Distinguish the reasons an attorney may decide to establish a particular defense for their client.</p>
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<p>WHST.11-12.4.A - Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.</p> <p>NJCCCS:</p> <p>6.1.12.A.16.b - Analyze government efforts to address intellectual property rights, personal privacy, and other ethical issues in science, medicine, and business that arise from the global use of new technologies.</p> <p>6.3.12.D.1 - Analyze current laws involving individual rights and national security, and evaluate how the laws might be applied to a current case study that cites a violation of an individual's constitutional rights.</p> <p>8.1.12.D.2 - 2 Evaluate consequences of unauthorized electronic access (e.g., hacking) and disclosure, and on dissemination of personal information.</p>	<p>be responsible for their actions due to other factors.</p> <p>VOCABULARY & KEY TERMS: Arson, vandalism, larceny, embezzlement, extortion, burglary, forgery, uttering, joyride, carjacking, identity theft, alibi, Make My Day laws, Stand Your Ground laws, Use of Force, entrapment, duress, necessity</p>	
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ASSESSMENT EVIDENCE: Students will show their learning by:

- Analyzing fact patterns to determine what, if any, property crimes have been committed.
- Analyzing fact patterns to determine applicability of legal defenses.
- Reading, analyzing, and evaluating similarities and differences between New Jersey, Colorado and Florida use of force statutes.

KEY LEARNING EVENTS AND INSTRUCTION:

- Students will create their own fact patterns for a property crime(s). These scenarios will then be exchanged with another student who will have to evaluate the scenario for the purpose of identifying what particular crimes, if any, were committed.

- Working in small groups, students will analyze three types of use of force statutes (NJ, CO & FL). Students will then compare and contrast each statute's provisions in order to complete a graphic organizer detailing the parameters of using force to protect oneself, other people, and one's property.

RANDOLPH TOWNSHIP SCHOOL DISTRICT
Criminal Law Honors
Unit III: Crimes Against Property & Legal Defenses

SUGGESTED TIME ALLOTMENT	CONTENT-UNIT OF STUDY	SUPPLEMENTAL UNIT RESOURCES
3 Weeks	<p>Crimes Against Property</p> <ul style="list-style-type: none"> • Arson • Vandalism • Theft/Larceny/Shoplifting • Theft of Lost, Mislaid, or Misdemeanor Property • Embezzlement • Robbery / Burglary • Extortion • Forgery/Uttering • Receiving Stolen Property (RSP) • Joyriding/Carjacking • Computer Crime • Identity Theft 	<p>http://www.cybercrime.gov [Cyber Crimes]</p> <p>Heinrichs, A. (2009). <i>Fire investigator</i>. Ann Arbor: Cherry Lake.</p> <p>Vandalism Resources: http://www.ncjrs.gov/pdffiles1/ojjdp/fs200010.pdf http://www.popcenter.org/problems/vandalism/</p>

	<p>Legal Defenses</p> <ul style="list-style-type: none"> ● Actions do not constitute a Crime ● Mistaken Identity/Alibi ● Self Defense/Defense of Others ● Defense of Property ● Make My Day/Stand Your Ground Laws ● NJ's Use of Force Law ● Infancy ● Intoxication ● Insanity ● Entrapment ● Duress ● Necessity 	
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RANDOLPH TOWNSHIP SCHOOL DISTRICT
Criminal Law Honors
UNIT IV: Crimes Against the State

<p>TRANSFER: Using knowledge of crimes against the state, students will be able to debate and confront major constitutional questions.</p>		
<p>STANDARDS/GOALS:</p> <p>Common Core:</p>	<p>ENDURING UNDERSTANDINGS</p>	<p>ESSENTIAL QUESTIONS</p>
<p>RH.11-12.1 - Cite specific textual evidence to support analysis of primary and secondary sources, connecting insights gained from specific details to an understanding of the text as a whole.</p> <p>RH.11-12.2 - Determine the central ideas or information of a primary or</p>	<p>The law prohibits certain actions in order to preserve a free and fair democratic political process.</p> <p>Actions and behavior that tamper with witnesses, evidence, and testimony are criminalized because they would unjustly influence outcomes in the legal system.</p>	<ul style="list-style-type: none"> ● What makes a political system fair? ● How can representative democracy and the law co-exist? ● What makes a legal system fair? ● At what point do individual actions infringe on the rights of others?

<p>secondary source; provide an accurate summary that makes clear the relationships among the key details and ideas.</p>	<p>Crimes relating to terrorism have stretched the boundaries of legal responses by the government.</p>	<ul style="list-style-type: none"> • What limits should be placed on rights? • Do some crimes by their nature negate the rights of the perpetrator? Why?
<p>RH.11-12.3 - Evaluate various explanations for actions or events and determine which explanation best accords with textual evidence, acknowledging where the text leaves matters uncertain.</p>	<p>KNOWLEDGE</p>	<p>SKILLS</p>
<p>RH.11-12.4 - Determine the meaning of words and phrases as they are used in a text, including analyzing how an author uses and refines the meaning of a key term over the course of a text (e.g., how Madison defines faction in Federalist No. 10).</p> <p>RH.11-12.5 - Analyze in detail how a complex primary source is structured, including how key sentences, paragraphs, and larger portions of the text contribute to the whole.</p> <p>RH.11-12.6 - Evaluate authors' differing points of view on the same historical event or issue by assessing the authors' claims, reasoning, and evidence.</p> <p>RH.11-12.7 - Integrate and evaluate multiple sources of information presented in diverse formats and media (e.g., visually, quantitatively, as well as in words) in order to address a question or solve a problem.</p> <p>RH.11-12.8 - Evaluate an author's premises, claims, and evidence by</p>	<p>Students will know:</p> <p>Crimes against the state are typically those that are directed against the existence or actions of the state.</p> <p>Crimes specifically against the legal system, courts, law enforcement, or the political process as a whole are considered crimes against justice.</p> <p>Using money, privilege, or items of value to influence the actions of an official or other person with a legal or public duty is considered bribery. It is criminalized because it affects the fairness and impartiality of the legal and political systems.</p> <p>Intentionally violating an oath to tell the truth when delivering information to an official proceeding is known as perjury. It can be criminally prosecuted if it affects or influences the outcome of the proceeding.</p> <p>Altering or attempting to alter testimony of witnesses or evidence (including concealing, destroying, or falsifying) is called tampering. If tampering is committed by authorities, it violates the right to due process.</p>	<p>Students will be able to:</p> <p>Define specific crimes against state, and provide real-world examples of each.</p> <p>Evaluate the severity of the crimes against justice and justify which harm the legal system most.</p> <p>Prepare a plan to combat bribery and its effects in the modern American political system.</p> <p>Identify several real-world instances of perjury and hypothesize the motivations that the individuals in question had to do so.</p> <p>Examine hypothetical situations and, using evidence, analyze whether the situation warrants a charge of evidence or witness tampering.</p>

<p>corroborating or challenging them with other information.</p> <p>RH.11-12.9 - Integrate information from diverse sources, both primary and secondary, into a coherent understanding of an idea or event, noting discrepancies among sources.</p> <p>WHST.11-12.1.A-E - Write arguments focused on discipline-specific content.</p> <p>WHST.11-12.4.A - Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.</p> <p>NJCCCS:</p> <p>6.1.12.D.2.b - Explain why American ideals put forth in the Constitution (i.e., due process, rule of law, and individual rights) have been denied to different groups of people throughout time.</p> <p>6.1.12.A.14.h - Assess the effectiveness of government policies in balancing the rights of the individual against the need for national security.</p> <p>6.1.12.D.15.d - Analyze the reasons for terrorism and the impact that terrorism has had on individuals and government policies, and assess the effectiveness of actions taken by the United States and other nations to prevent terrorism.</p> <p>6.1.12.A.16.a - Determine the impact</p>	<p>In the modern world, few crimes against the state are as politically and socially important as terrorism, the use or threat of violence in pursuit of political or ideological goals.</p> <p>In response to the 9/11 terrorist attacks, the Congress passed the USA PATRIOT Act, which has controversially expanded the federal government’s ability to perform electronic and physical searches, detain non-citizens, and increase domestic surveillance.</p> <p>The legal system, political branches of government, and the American public are still exploring the boundaries of post-9/11 legal proceedings related to terrorism, including the rights of the accused, the use of military tribunals, detainment, interrogation and torture, and the use of electronic surveillance.</p> <p>Of particular interest regarding the legal issues of post-9/11 America is the status of detainees housed at the Guantanamo Bay prison, and whether the evidence against them justifies their continued detention.</p> <p>VOCABULARY & KEY TERMS: Bribery, corruption, perjury, witness tampering, evidence tampering, contempt of court, terrorism, USA PATRIOT Act, domestic surveillance, detention, enhanced interrogation/torture, military tribunal, Guantanamo Bay, enemy combatant,</p>	<p>Classify various actions and crimes based on whether they meet the definition of terrorism, and explain reasoning why.</p> <p>Investigate one or multiple controversial sections of the USA PATRIOT Act, and evaluate if the controversy surrounding it is warranted.</p> <p>Debate the limits of constitutional rights and law in regards to terrorism using legal argumentation and terminology.</p> <p>Develop and defend a plan to solve the legal and political impasse of the status of Guantanamo Bay detainees.</p>
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<p>of media and technology on world politics during this time period.</p> <p>6.2.12.A.6.c - Analyze why terrorist movements have proliferated, and evaluate their impact on governments, individuals, and societies.</p> <p>6.3.12.D.1 - Analyze current laws involving individual rights and national security, and evaluate how the laws might be applied to a current case study that cites a violation of an individual's constitutional rights.</p> <p>8.1.12.C.1 - Develop an innovative solution to a real world problem or issue in collaboration with peers and experts, and present ideas for feedback through social media or in an online community.</p>		
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ASSESSMENT EVIDENCE: Students will show their learning by:

- Debating topics related to terrorism and the criminal justice system that deal with the trial rights of citizens, indefinite detention, and the use of enhanced interrogation/torture to prevent future terrorist acts. Topics may include the following: Should Guantanamo Bay detainees be charged and released, or remain detained indefinitely? Should American citizens who engage in terrorism be tried as “enemy combatants?” Is enhanced interrogation/torture justified if there is a chance to prevent future terrorist attacks?

KEY LEARNING EVENTS AND INSTRUCTION:

- In teams, students will be assigned a debate topic for which they will research and prepare an argument to be delivered to their classmates.
- Students will develop analytic and challenging questions to be used for discussion while other groups debate.

RANDOLPH TOWNSHIP SCHOOL DISTRICT
Criminal Law Honors
Unit IV: Crimes Against the State

SUGGESTED TIME ALLOTMENT	CONTENT-UNIT OF STUDY	SUPPLEMENTAL UNIT RESOURCES
3 Weeks	<p>Crimes Against State</p> <ul style="list-style-type: none"> ● Bribery ● Perjury ● Witness Tampering ● Evidence Tampering ● Espionage & Sedition ● Terrorism ● Responses to Terrorism <ul style="list-style-type: none"> ● USA PATRIOT Act ● Expanded Surveillance ● Detention & Interrogation ● Trial Rights & Military Tribunals ● Guantanamo Bay 	<p>Cohen, B. (Producer), & Else, J. (Director). (2009). <i>Inside Guantanamo</i> [Motion picture]. United States: National Geographic.</p> <p>Egendorf, L.K. (Ed.). (2000). <i>Terrorism: Opposing viewpoints</i>. San Diego: Greenhaven Press.</p> <p><i>H.R. 3162 – USA PATRIOT Act of 2001.</i> [https://www.congress.gov/bill/107th-congress/house-bill/03162]</p>

RANDOLPH TOWNSHIP SCHOOL DISTRICT
Criminal Law Honors
UNIT V: Legal Practicum

TRANSFER: By participating in a mock trial, students will understand the complex dynamics of a courtroom and will apply their legal training to a relevant court case.

STANDARDS/GOALS:	ENDURING UNDERSTANDINGS	ESSENTIAL QUESTIONS
<p>Common Core:</p> <p>RH.11-12.1 - Cite specific textual evidence to support analysis of primary and secondary sources, connecting insights gained from specific details to an understanding of the text as a whole.</p> <p>RH.11-12.2 - Determine the central ideas or information of a primary or secondary source; provide an accurate summary that makes clear the relationships among the key details and ideas.</p> <p>RH.11-12.3 - Evaluate various explanations for actions or events and determine which explanation best accords with textual evidence, acknowledging where the text leaves matters uncertain.</p> <p>RH.11-12.4 - Determine the meaning of words and phrases as they are used in a text, including analyzing how an author uses and refines the meaning of a key term</p>	<p>Constitutional rights can only be safeguarded by a reliable and impartial judicial system, which includes a neutral and detached magistrate, the right to an attorney, trial by jury, and proof beyond a reasonable doubt.</p>	<ul style="list-style-type: none"> ● How does our adversarial system of justice safeguard the constitutional rights of a criminal defendant?
	<p>A criminal case is comprised of many different types of proceedings, each one of which serves a particular purpose and together provide a criminal defendant a fair and impartial process within which to resolve their charges.</p>	<ul style="list-style-type: none"> ● Is the American adversarial system of justice too complicated? Why? ● What stages of a criminal case are essential to protecting a criminal defendant’s constitutional rights?
	<p>Complex rules of evidence have been established to govern the procedures by which witnesses are examined and evidence introduced in order to ensure a criminal defendant receives a fair trial.</p>	<ul style="list-style-type: none"> ● What makes evidence reliable? ● What types of evidence should be admitted in court and under what circumstances? ● If some evidence is excluded, is a trial really a search for the truth? Why?
	KNOWLEDGE	SKILLS
	Students will know:	Students will be able to:

<p>over the course of a text (e.g., how Madison defines faction in Federalist No. 10).</p> <p>RH.11-12.5 - Analyze in detail how a complex primary source is structured, including how key sentences, paragraphs, and larger portions of the text contribute to the whole.</p> <p>RH.11-12.7 - Integrate and evaluate multiple sources of information presented in diverse formats and media (e.g., visually, quantitatively, as well as in words) in order to address a question or solve a problem.</p> <p>RH.11-12.9 - Integrate information from diverse sources, both primary and secondary, into a coherent understanding of an idea or event, noting discrepancies among sources.</p> <p>WHST.11-12.1.A-E - Write arguments focused on discipline-specific content.</p> <p>WHST.11-12.4.A - Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.</p> <p>NJCCCS:</p> <p>6.1.12.D.4.e - Analyze the impact of the Civil War and the 14th Amendment on the development of the country and on the relationship between the national and state governments.</p>	<p>The various stages of a criminal justice process, what each stage entails and the purpose they serve in ensuring that a defendant receives a fair hearing.</p> <p>Some of the rules of evidence, the philosophical reasoning behind them, and their practical application in a trial.</p> <p>The elements and requirements essential to conduct a mock trial exercise by creating opening and closing statements, as well as detailed sets of questions to be used during a direct and cross-examination.</p> <p>VOCABULARY & KEY TERMS: Prosecutor, Defendant, Judge, Arrest, Bail, First Procedure, Grand Jury, Arraignment, Status Conference, Plea Bargain, Pre-Trial Conference, Jury Trial, Opening Statement, Direct Examination, Cross-Examination, Closing Statement, Jury Instructions, Verdict, Sentencing - Aggravating and Mitigating Factors, Relevance, Privilege, Opinion Testimony, Expert Testimony, Competency, First-Hand Knowledge, Hearsay, Impeachment, Admissibility.</p>	<p>Analyze and evaluate fact patterns to develop arguments for use in mock court proceedings.</p> <p>Analyze, evaluate and synthesize evidentiary rules and procedures to address issues of reliability in presentation of evidence and courtroom procedures.</p> <p>Engage in analysis and evaluation of hypothetical fact patterns and synthesize strategies for presentation of materials in a mock trial setting.</p>
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6.1.12.A.14.b - Analyze how the Supreme Court has interpreted the Constitution to define the rights of the individual, and evaluate the impact on public policies.

8.1.12.A.2 - Produce and edit a multi-page digital document for a commercial or professional audience and present it to peers and/or professionals in that related area for review.

ASSESSMENT EVIDENCE: Students will show their learning by:

- Preparing a written summary of the mock trial case, which shall include the identification of the issues that will need to be addressed during the trial and a review of the evidence to be relied on by both the prosecution and the defense relative to those issues.
- Drafting either an opening or closing statement, or a detailed set of questions for the direct and/or cross-examination of a trial witness.
- Participating in the mock trial in their assigned role (prosecutor, defense attorney, witness) by delivering an opening or closing statement, by examining a witness, or by acting the part of a trial witness.

KEY LEARNING EVENTS AND INSTRUCTION:

- Students will create and/or act out various proceedings in the criminal justice process to prepare for the mock trial.
- Students will be given sentencing scenario fact patterns that detail a defendant's current crimes and background information and will be tasked with identifying the applicable aggravating and mitigating factors. Once these factors are identified, the students will need to weigh these factors to determine an appropriate sentence.

**RANDOLPH TOWNSHIP SCHOOL DISTRICT
CRIMINAL LAW HONORS
Unit V: Legal Practicum**

SUGGESTED TIME ALLOTMENT	CONTENT-UNIT OF STUDY	SUPPLEMENTAL UNIT RESOURCES
<p>4 weeks</p>	<p>Legal Practicum</p> <p>Stages of the Criminal Justice Process</p> <ul style="list-style-type: none"> ● Arrest ● Bail ● First Procedure ● Grand Jury ● Arraignment ● Status Conferences ● Plea Bargains and Other Pre-Trial Dispositions ● Pre-Trial Conference ● Trial & Verdict ● Sentencing <p>Rules of Evidence</p> <ul style="list-style-type: none"> ● Relevance ● Competency ● First-Hand Knowledge ● Privilege ● Opinion Testimony ● Expert Testimony ● Hearsay ● Impeachment <p>Evidentiary Procedures</p>	<p>American Bar Association Resources can be found at: http://www.americanbar.org/groups/public_education/resources/Educational_resources/teaching_resource_guides/Resources_for_Teachers_students.html</p> <p>Arnold, L.N. (2004). Criminal Practice and Procedure (Vols. 31-32), St. Paul: Thompson West.</p> <p>Kipnees, R.J. (2003). Criminal Trial Preparation. New Brunswick, NJ: New Jersey Institute for Continuing Legal Education.</p> <p>National High School Mock Trial Resources found at: http://www.nationalmocktrial.org/.</p> <p>New Jersey Rules of Court, New Jersey Judiciary</p> <p>New Jersey State Bar Foundation Mock Trial Program Resources found at: http://www.njsbf.org/educators-and-students/programs.html.</p> <p>Street Law Mock Trial Resources found at: http://www.streetlaw.org.</p>

	<ul style="list-style-type: none"> ● Introducing Documentary Evidence ● Introducing Physical Evidence ● Qualifying an Expert 	
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APPENDIX A

**RANDOLPH HIGH SCHOOL CIVIL & CRIMINAL LAW
BENCHMARK ASSESSMENT: A MOCK TRIAL EXERCISE**

The quarterly benchmark will be the preparation, rehearsal and participation in a mock trial exercise. The class will be divided into teams of students representing both the plaintiff and defendant in a civil or criminal trial.

The chosen cases will give the students an opportunity to argue the black letter law they have learned during the semester, prepare and examine witnesses, and practice giving opening and closing statements.

STEP ONE: ESTABLISHING LEGAL TEAMS

The class will be divided into trial teams representing both the prosecution and the defense. Each team will be comprised of students who will serve as attorneys and witnesses. An attorney from each side will be matched with a witness or be assigned the task of drafting and presenting an opening and/or closing statement. Each paired attorney-witness will be responsible for preparing and performing a direct examination and/or a cross-examination of one of the opposing team’s witnesses. The remaining attorneys will be assigned to conduct opening and/or closing statements.

STEP TWO: INITIAL PREPARATION & SUMMARY OF CASE

Each student will be responsible for reviewing the case materials that will be distributed in class and preparing a summary of the case. The summary shall include the following:

A summary of the facts of the case.

A summary of the applicable law and legal principles in the case.

A summary of the proofs necessary to establish the legal requirements of the case from the perspective of both sides of the case.

Due Date for Written Summaries: See Schedule of Assignments

STEP THREE: PREPARATION OF DIRECT/CROSS EXAMINATIONS AND OPENING/CLOSING STATEMENTS

Each paired attorney-witness shall provide a final draft of their direct testimony and anticipated cross-examination. The direct testimony will be limited to 10 minutes of testimony. Cross-examination will be limited to 10 minutes of testimony. Any re-direct examination will be limited to 5 minutes. These time limitations will not include any interruptions to hear issues or objections raised by the opposing side. The questioning of witnesses shall be conducted according to the Model Rules of Mock Trial contained within the packet of case materials.

Each attorney assigned to present an opening and/or closing statement will provide a final draft of their statement. Opening and closing statements will be limited to 10 minutes. There will be no objections by the opposing side during opening or closing statements. Any objections to these statements can be made after both sides have given their opening/closing.

Time for practice and preparation will be permitted during class time for the purpose of preparing witnesses, reviewing testimony, and rehearsing parts. However, students will also need to spend time outside of class preparing their written work and practicing their assigned role.

Due Date for Written Submissions: See Schedule of Assignments

Students may submit drafts of their openings, closings or trial questions for review prior to the final due date.

STEP FOUR: THE MOCK TRIAL

Students will conduct a full mock trial.

The mock trial will be conducted pursuant to the instructions in the mock trial packet.

Benchmark/Trial Dates: See Schedule of Assignments

Grading: See Attached Rubric

GENERAL RULES & EXPECTATIONS:

All students should read the entire set of materials and discuss the information, procedures and rules of the mock trial with their team members.

All team roles in the case should be practiced.

Credibility of witnesses is very important. Therefore, students acting as a witness need to think and act like the witness they are portraying. Student witnesses should read over their statements/affidavits many times and have other members of the team or the class ask them questions about the facts until you know them cold.

Student team members have primary responsibility for deciding what questions should be asked of each witness. Questions for each witness should be written down and/or recorded by other means.

Opening and closing statements should also be written out by team members. Legal and/or non-legal language should be avoided where its meaning is not completely understood by attorneys and witnesses.

Team members should take notes during the trial.

Draft cross-examination questions will probably need to be modified as a witness testifies during direct examination.

Draft closing statements will probably need to be modified to reflect developments that arise during the trial.

Each team will have to decide which are the most important points needed to prove their side of the case and to make sure they prove those points.

An opening statement should clearly state what the team intends to prove, while the closing statement should effectively argue how the facts and evidence presented at trial prove their case.

Courtroom etiquette is a must: standing up when the judge enters the room; standing up when addressing the judge; calling the judge “your honor”; etc.

During direct examinations, remember to use non-leading questions. Review the rule and watch for this type of questioning in practice sessions.

Do not prolong cross-examination so as to lose your well-made points. Zero-in a few key points and make them count.

You will have to think quickly on your feet when a witness gives an unexpected answer, an attorney asks an unexpected question, or a judge asks a question of an attorney or witness.

Most of all...remember to have fun with it!

Mock Trial Scoring Rubric

Scoring: Students can obtain a maximum of 100 points on this exercise. To determine the score, assign a point value to each category (e.g., Preparation and Research) and multiply that value by the number in parenthesis (e.g., 6).

PREPARATION AND RESEARCH (X6 = Max. 60 Points)

- 9-10 Witness statement fully developed, completely consistent with historical record, accurately performed. Attorney questions relevant, logical, and clear; questions properly formed and delivered. Opening/Closing is clear, concise, factual and persuasively delivered.
- 7-8 Witness statement adequately developed, fairly consistent, and accurately performed. Attorney questions clear, logical, and relevant most of the time; most questions properly formed. Opening/Closing is somewhat clear, concise, factual and persuasive.
- 6-5 Written work or performance shows a lack of preparation.

VOICE (X1 = Max. 10 Points)

- 9-10 Easily understood; consistent use of appropriate rate, volume, and intonation.
- 7-8 Understood most of the time; appropriate rate, volume, and intonation most of the time.
- 5-6 Not easily understood; delivery needs work.

EYE CONTACT (X1 = Max. 10 Points)

- 9-10 Establishes appropriate eye contact for the situation and setting.

- 7-8 Establishes appropriate eye contact most of the time.
- 5-6 Does not establish eye contact.

AUTHENTICITY (X1 = Max. 10 Points)

- 9-10 Seems very real; excellent use of body and facial expression; words and gestures match; well adapted to setting; appropriate costume.
- 7-8 Believable; adequate use of body and facial expression; fairly well adapted to setting.
- 5-6 Needs to be more convincing.

COURTROOM DECORUM (X1 = Max. 10 Points)

- 9-10 Appropriate interaction with Justices and attorneys; stays in character.
- 7-8 Appropriate interaction with others most of the time.
- 5-6 Distracted, inappropriate behavior.

Source: Matt Johnson, social studies teacher, Benjamin Banneker Senior High School, Washington, D.C.