

# Chapter 1

## Criminal Law and Punishment in U.S. Society

### An Overview

#### LEARNING OBJECTIVES

3-4 After studying this chapter, students will:

1. Know the dual nature of the social reality of U.S. criminal law and understand how it reflects both our criminal law and punishment imaginations.
2. Understand the differences between criminal and noncriminal sanctions, and know the purposes of each.
3. Understand the various ways to classify crimes and appreciate the legal and social ramifications of these labels.
4. Identify, describe, and understand the main sources of criminal law.
5. Define and understand what behavior deserves criminal punishment and understand the social consequences of the era of mass imprisonment.
6. Know and understand that the main theories of criminal punishment center on either retribution or prevention and appreciate the large, complex body of empirical research supporting each.
7. Understand the text-case method and how to apply it to the study of criminal law.

#### LESSON PLAN

5-6 **I. Criminal Law in U.S. Society**

**LO1:** To know the dual nature of the social reality of U.S. criminal law and understand how it reflects both our criminal laws and punishment imaginations.

##### A. **Social reality of U.S. Criminal Law**

##### **Class Discussion/Activity**

The social reality of U.S. criminal law is that there are two criminal laws: a small group of serious offenses and “everything else.” How might this social reality, combined with the reality of mass incarceration, impact society as a whole?

1. The dual nature of U.S. criminal law divided into two categories: a small number of serious, core offenses and a large number of lesser crimes, or “everything else.”

##### B. **Criminal Law Imagination**

1. The contributions of law, history, philosophy, the social sciences, and sometimes biology to explain the moral desires we wish to impose on the world.
- C. The Core Felonies
  1. **Felonies against persons**
    - a) The core offenses of murder, manslaughter, rape, kidnapping, and robbery.
  2. **Felonies against property**
    - a) The core offenses of felonious theft, robbery, arson, and burglary.
  3. **Punishment Imagination**
    - a) Crimes that fit within the criminal law imagination and that the law should punish by locking people up.
- D. **“All the Rest” of U.S. Criminal Law: The “Police Power”**
  1. **Police power**
    - a) All federal, state, and local governments’ executive, legislative, and judiciary’s power, including uniformed police officers, to carry out and enforce the criminal law.
    - b) History
    - c) Public morals

## II. Crimes and Noncriminal Legal Wrongs

**LO2:** To understand the differences between criminal and noncriminal sanctions, and to know the purposes of each.

### Media Tool

- Assault and Battery: Civil vs. Criminal Cases. <http://www.nolo.com/legal-encyclopedia/assault-battery-civil-vs-criminal-cases.html>  
Discussion and examples of the differences between civil and criminal assault and battery.
- Discussion: How do the examples help clarify the differences between crimes and torts in application?

- A. Crimes and noncriminal wrongs represent two different ways our legal system responds to social and individual harm.
- B. Noncriminal wrongs are called **torts**. Torts are private wrongs for which you can sue the party who wronged you and recover money.
- C. Similarities between crimes and torts
  1. Both are sets of rules telling us what we can’t and must do.
  2. These rules apply to everybody in the community, and they speak on behalf of everybody, with the power and prestige of the whole community behind them.
  3. The power of the law backs up their enforcement.
  4. Injure the whole community and individual(s).
- D. Differences between crimes and torts

1. Two forms of social control are torts and crimes. What are the differences between these two forms of social control? What are the similarities? Should the U.S. use the social control of criminal punishment to the extent that it does? Why? Why not? Criminal prosecutions are brought by the government against individuals. Torts are brought by private parties against other parties.
2. Convicted offenders pay the government or serve time in the custody of the government. Defendants in losing tort cases pay money to the plaintiff who sued.
3. Criminal conviction is condemnation by the whole community. Tort awards compensation to the plaintiff.
4. The state has to prove all elements of the crime by proof “beyond a reasonable doubt.” Burden of proof for tort is on plaintiff and requirement is “a preponderance of the evidence.”

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### III. Classifying Crimes

**LO3:** To understand the various ways to classify crimes and appreciate the legal and social ramifications of these labels.

- A. There are varying ways of classifying crimes.
  1. One way is to divide them into two categories.
    - a) ***Mala in se (inherently evil) crimes*** are offenses that require some level of criminal intent.
      - (1) Examples: murder and rape
    - b) ***Mala prohibita offenses***, which are crimes only because a specific statute prohibits them.
      - (1) Examples: parking tickets and drinking in public.
- B. The most widely used scheme to classify crimes is by the kind of crime and the punishment.
  1. **Felonies**
    - a) Crimes punishable by death, or incarceration by the state for a year to life without parole.
  2. **Misdemeanors**
    - a) Crimes punishable by fine and/or incarceration in a local jail for up to one year.
  3. The label of felony or misdemeanor matters because of different procedures for the different crimes.
    - a) Felony defendants are required to be in court for their trials, misdemeanor defendants are not.
    - b) Prior felonies make offenders eligible for longer sentences.
    - c) Legal consequences for felonies are also longer than for misdemeanors.

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### IV. Sources of Criminal Law

**LO3:** To identify, describe, and understand the main sources of criminal law.

#### A. Criminal Court Opinions

1. Create law by interpreting state and municipal criminal codes.

**Media Tool**

The United States Supreme Court website. <http://www.supremecourt.gov/>

- Full text of Supreme Court cases, access to oral arguments, and information about the court itself.
- Discussion: Choose a recent criminal case and brief it with the class.

**Class Discussion/Activity**

What is the most common form of criminal law? Why? Should federal government be more involved in criminal law? Why? Why not? Should judges also be lawmakers? Why? Why not?

**B. State Criminal Codes**

**Media Tool**

“Criminal Code – By State”

[https://www.law.cornell.edu/wex/table\\_criminal\\_code](https://www.law.cornell.edu/wex/table_criminal_code)

- Links to criminal code for each of the states.
- Discussion: Review the criminal code for your state and one nearby and identify the similarities and differences.

1. Throughout U.S. history, reformers have called for the abolition of common law crimes and their replacement with criminal codes.
2. Hostility towards England was one reason for reform.
3. Reformers also contended judge-made law was not just disorderly and incomplete; it was antidemocratic.

**What If Scenario**

What if the United States never codified criminal law? How would the law be different? What protections are provided for criminals in legal codes? Is codified law better/worse than common law? Provide examples.

4. Criminal law created by elected representatives in state legislatures.
5. First state criminal codes created in 1648 in New England, **codified** the colony’s criminal law.
6. During the strong codification movement in the 19th Century two codes stand out.
  - a) Edward Livingston’s draft code for Louisiana, completed in 1826.
    - (1) Ambitious but not successful.
    - (2) Livingston’s goal was to rationalize into one integrated system: criminal law, criminal procedure, criminal evidence, and punishment.
  - b) David Dudley Field’s code
    - (1) Less ambitious but more successful.

- (2) Successful New York lawyer who wanted to make criminal law more accessible, particularly to lawyers.

**C. The Model Penal Code (MPC)**

1. Proposal legal code adopted by the American Law Institute (ALI) and used to reform criminal codes.
2. Adopted in 1962 and 40 states changed their criminal codes. Influential on all state criminal codes.
3. Understanding the MPC allows one to understand criminal law. The MPC defines **criminal liability** as:
  - a) “conduct that unjustifiably and inexcusably inflicts or threatens substantial harm to individual or public interests” (ALI 1985, MPC § 1.02(1)(a)).

**D. Municipal Ordinances**

1. Criminal law created by city and town councils elected by city residents.
2. City, town, and village governments enjoy broad powers to create criminal laws and use this power enthusiastically.
3. Often duplicate and overlap state ordinances.
  - b) Unless state ordinances make it clear that they preempt local ordinances, local ordinances remain in effect.
4. The power of local governments is not limited to law making but includes determining punishment as well.
5. Although municipalities have broad power they are also limited by the Constitution and state law and punishment.

**E. The U.S. Criminal Code**

1. Criminal law created by U.S. Congress.
  - a) Covers more conduct than most state and **municipal codes**.

**F. Administrative Agency Crimes**

1. **Administrative agencies**
  - a) Appointed participants in creating criminal law that assist the U.S. Congress.
2. **Administrative crimes**
  - a) Violations of federal and state agency rules that make up a controversial but rapidly growing source of criminal law.

**G. Informal Discretionary Law Making**

**What If Scenario**

What if criminal justice professionals had no discretion? What if police officers were required to arrest every suspect? What if judges were required to incarcerate every defendant found guilty? In what ways would the criminal justice system change?

**1. Criminal Law Enforcement Agencies**

- a) Create criminal law through informal discretionary law making to decide how the criminal law process works on a day-to-day basis.

**V. Criminal Law in the U.S. Federal System**

**LO5:** To define and understand what behavior deserves criminal punishment and to understand the social consequences of the era of mass imprisonment.

- A. In our federal system, there are 52 criminal codes, one for each of the 50 states, one for Washington, DC, and one for federal criminal law.
- B. The U.S. government’s power is limited to crimes specifically related to national interests.
  - 1. Crimes committed on military bases and other national property; crimes against federal officers; and crimes that are difficult for one state to prosecute—for example, drug, weapons, organized and corporate crime, and crimes involving domestic and international terrorism.
  - 2. All other law is left to the state codes. Defenses and punishments vary widely across states.

**IV. Criminal Punishment in U.S. Society**

**LO5:** To define and understand what behavior deserves criminal punishment and to understand the social consequences of the era of mass imprisonment.

**LO6:** To know and understand that the main theories of criminal justice punishment center on either retribution or prevention and to appreciate the large, complex body of empirical research supporting each.

- A. The United States has less than 5 percent of the world’s population but accounts for almost one-fourth of the world’s prisoners.
- B. The Era of Mass Imprisonment, 1970s to Present

**Media Tool**

- “The Sentencing Project”  
<http://www.sentencingproject.org/template/index.cfm>  
 Information regarding the social and cultural consequences of mass imprisonment.
- Discussion: What are the consequences of incarcerating so many of the nation’s population? Are these consequences distributed equally or do certain members of the population bear most of the weight?

- 1. Social and political upheaval of the 1960s
- 2. After 40 years of rising incarceration rates, the crime rate fell.
- 3. Difficult to evaluate the consequences of prison on crime
- 4. Most studies conclude that more prison has reduced crime but can’t say how much.
- 5. Massive imprisonment in poorest communities
- 6. Possible negative consequences
- 7. Recommendations by National Research Council Committee on Causes and Consequences of High Rates of Imprisonment:
  - a) Proportionality
  - b) Parsimony
  - c) Citizenship

- d) Social justice
- C. Defining “Criminal Punishment”
1. In order for punishment to be **criminal punishment** it must meet four criteria. These criteria include penalties that:
    - a) Inflict pain or other unpleasant consequences.
    - b) Prescribe a punishment in the same law that defines the crime.
    - c) Are administered intentionally.
    - d) Are administered by the state.
  2. The difference between treatment and criminal punishment lies in the purpose.
    - a) Pain may be inflicted as an unfortunate side effect in treatment but is inflicted for the purpose of punishment in criminal punishment.

#### D. Theories of Criminal Punishment

##### **Class Discussion/Activity**

Theories of criminal punishment are divided primarily into two schools of thought: retributionists and preventionists. In what ways are the schools of thought similar? Different? Which school do you support? Why?

1. The thinking regarding the purposes for criminal punishment has long been divided roughly into two schools.
  - a) Retributionists
    - (1) Inflicting on offenders physical and psychological pain (**hard punishment**) so that they can pay for their crimes.
    - (2) Retribution is a basic human impulse.
    - (3) Looks back to past crimes and punishes individuals for committing them, because it's right to hurt them.
    - (4) Punishment is good for society and for criminals.
    - (5) Society pays back criminals by retaliation; criminals pay back society by accepting responsibility through punishment.
    - (6) Only right if offenders choose to commit their crimes.
    - (7) Appealing qualities:
      - (a) Free will, it is in accord with human nature, and it has ancient roots.
      - (b) Rests firmly on two philosophical foundations
        - (i) **Culpability**
        - (ii) **Justice**
    - (8) Opponents of retribution argue that there are a number of problems with retribution.
      - (a) Difficult to translate abstract justice into concrete penalties
      - (b) Retaliation is not a part of civilized society.
      - (c) Determinists reject the idea of free will.
      - (d) Most crimes don't require culpability to qualify for punishment (public order and moral crimes).

- b) Preventionists
  - (1) Punishment is only a means to a greater good, usually the prevention or at least the reduction of future crime.
  - (2) Prevention looks forward and inflicts pain to prevent (or at least reduce) future crimes. There are four kinds of prevention.
  - (3) **General deterrence** aims to prevent the general population who haven't committed crimes from doing so.
  - (4) **Specific deterrence** aims to prevent convicted offenders from committing any more crimes in the future.
  - (5) **Incapacitation** prevents convicted criminals from committing future crimes by locking them up, or more rarely, by altering them surgically, or executing them.
  - (6) **Rehabilitation** aims to prevent future crimes by changing individual offenders so they'll want to play by the rules and won't commit any more crimes in the future.
    - (a) **"Medical model"**
- 2. Empirical Evaluation of Criminal Law Theories
  - a) A great deal of research
  - b) Complex – the more complex, the less likely practitioners are to read.

## VI. The Text-Case Method

**LO7:** To understand the text-case method and how to apply it to the study of criminal law.

- A. The text part explains the general principles of criminal law and the definitions of specific crimes.
- B. Purposes
  - 1. Helps you understand the principles and the elements of specific crimes.
  - 2. Stimulates you to think critically about the principles and their applications.
- C. Essential points about verdicts.
  - 1. A **"not guilty" verdict** doesn't mean innocent; it means the government didn't prove its case beyond a reasonable doubt.
  - 2. A **"guilty" verdict** doesn't mean not innocent; it means the government proved its case beyond a reasonable doubt.
- D. Criminal cases
  - 1. Criminal cases start in **trial courts**.
  - 2. Appeals are rare.
  - 3. Appeals go to **appellate courts**.
  - 4. The cases in the text come from appellate court excerpts.
- E. The Parts of the Case Excerpts:
  - 1. Title
  - 2. Citation
  - 3. Procedural history
  - 4. Judge
  - 5. Facts



6. **Judgment**
  7. **Opinion**
    - a) **Majority opinion**
    - b) **Dissenting opinions**
    - c) **Concurring opinions**
    - d) **Plurality opinion**
- F. Briefing the case excerpts:
1. Facts
  2. Acts of the defendant
  3. Intent of the defendant
  4. Circumstances
  5. Causing a harmful result
  6. Justification and excuse defense
  7. The legal issue in the case
  8. The court's decision
    - a) Affirmed
    - b) Reversed
    - c) Reversed and remanded
- G. Finding Cases
- a. **Case citation:** Example, in *State v. Metzger*, just after the title of the case, "*State v. Metzger*," you read "319 N.W. 2d 459 (Neb. 1982)." Here's how to interpret this citation: 319 = Volume 319; N.W.2d = Northwestern Reporter, Second Series; 459 = page 459; and (Neb. 1982) = Nebraska Supreme Court in the year 1982.

## **LECTURE NOTES**

Discuss with student the social reality of criminal law and the impact of two criminal law categories: a small number of serious offenses and "everything else." Discuss how discretionary decision-making impacts how this reality affects the application of criminal law.

Engage students in a discussion of the case summaries that open the chapter. Ask them to place each of the cases in one of the five categories (crime, noncriminal wrong, regulation, license, and lawful). Discuss the meaning of criminal liability. Have students list the similarities and differences between crimes and torts. Discuss with students the ways that crimes are classified. Ask them the classification they think functions best, and have them provide reasons as to why.

The chapter discusses the sources of criminal law. Ask students to identify why we no longer live under a common law system. Additionally, ask students to explain the reasons why the U.S. moved away from a common law system and how the common law still impacts the criminal law today. Discuss with students why most criminal law comes from state codes. What movement helped develop the Model Penal Code (MPC) and how important is the MPC to our current criminal law? What criminal behavior does the federal law address?

Discretionary decision-making impacts criminals throughout criminal law and punishment. Engage students in a discussion of the different decision points in the criminal justice system and

what impacts informal discretionary decision-making has on those decision points. Challenge students to think of examples in which discretionary decision making works to the detriment or benefit of a defendant.

Ask students why we refer to criminal law as a single entity, when there are actually 52 separate systems of law in the United States. Discuss what that most of the criminal law is left up to the states. Why is the U.S. government's power limited in the ways that it is? (National interests, such as crimes committed on military bases and other national property; crimes against federal officers; and crimes that are difficult for one state to prosecute)

Discuss why the United States incarcerates such a large percent of the world's population. What does this reality say about U.S. society? Be sure to include the gender, age, race, and ethnicity disparity within the prisoner population.

Ask students which theory of criminal law they think best represents the appropriate justification for punishment. Discuss the challenges and limitations of each theory. Ask them what they think about the reality that many people who work in the field of criminal law will not read the complex research that has been done regarding criminal law theories.

The chapter ends with an explanation of the text-case method. Discuss with students the connection between the text material and the case material. Ask students how the application of the textbook concepts in the cases in the first chapter impacted their understanding of the material. Have students explain what each part of the case excerpt is and its importance in reading a case.

### **FEATURED CASES**

*Bond v. U.S.* 134 S. Ct. 2077 (2014)

Bond was convicted in the U.S. District Court of Eastern Pennsylvania, of possessing and using a chemical weapon and mail theft. Her sentence was six years in federal prison plus five years of supervised release, and a \$2,000 fine and \$9,902.79 in restitution. Bond appealed, the Court of Appeals for the Third Circuit, affirmed. Bond petitioned the U.S. Supreme Court for a writ of certiorari. The Court of Appeals for the Third Circuit, affirmed. The Supreme Court reversed and remanded. The Court of Appeals again affirmed Bond's conviction. The Supreme Court reversed and remanded again. The Supreme Court held that federal law typically does not intrude on the ability of states to regulate local matters, and the Chemical Weapons Convention Implementation Act is not an exception to that general rule.

### **KEY TERMS**

- **social reality of U.S. criminal law**—the dual nature of U.S. criminal law divided into two categories: a small number of serious, core offenses and a large number of lesser crimes, or “everything else” (p. 6)

- **criminal law imagination**—the contributions of law, history, philosophy, the social sciences, and sometimes biology to explain the moral desires we wish to impose on the world (p. 6)
- **felonies against persons**—the core offenses of murder, manslaughter, rape, kidnapping, and robbery (p. 7)
- **felonies against property**—the core offenses of felonious theft, robbery, arson, and burglary (p.7)
- **hard punishment**—a sentence of a year or more in prison (p. 7)
- **punishment imagination**—crimes that fit within the criminal law imagination and that the law should punish by locking people up (p. 8)
- **police power**—all federal, state, and local governments’ executive, legislative, and judiciary’s power, including uniformed police officers, to carry out and enforce the criminal law (p. 8)
- **torts**—private wrongs for which you can sue the party who wronged you and recover money (p. 10)
- **compensatory damages**—damages recovered by tort plaintiffs for their actual injuries (p. 11)
- **punitive damages**—damages recovered by tort plaintiffs to punish the defendant for their “evil behavior” (p. 11)
- ***mala in se* (inherently evil) crimes**—offenses that require some level of criminal intent (p. 12)
- ***mala prohibita* offenses**—offenses that are crimes only because a specific statute or ordinance prohibits them (p. 12)
- **felonies**— crimes punishable by death or confinement in the state’s prison for one year to life without parole (p. 12)
- **misdemeanors**— offenses punishable by fine and/or confinement in the local jail for up to one year (p. 12)
- **state criminal codes**—criminal law create by elected representatives in the state legislatures (p. 12)
- **municipal codes**—criminal law created by city and town councils elected by city residents (p. 12)

- **U.S. Criminal Code**—criminal law created by the U.S. Congress (p. 12)
- **administrative agencies**—appointed participants in creating criminal law that assist the U.S. Congress (p. 12)
- **criminal court opinions**—create criminal law by interpreting state and municipal criminal codes (p. 13)
- **criminal law enforcement agencies**—create criminal law through informal discretionary law making to decide how the criminal law process works on a day-to-day basis (p. 13)
- **codified**—written definitions of crimes and punishment enacted by legislatures and published (p. 13)
- **Model Penal Code (MPC)**—proposed criminal code drafted by the American Law Institute and used to reform criminal codes (p. 14)
- **criminal liability**—conduct that unjustifiably and inexcusably inflicts or threatens substantial harm to individual or public interests (p. 14)
- **administrative crimes**—violations of federal and state agency rules that make up a controversial but rapidly growing source of criminal law (p. 17)
- **federal system**—52 criminal codes, one for each of the 50 states, one for the District of Columbia, and one for the U.S. criminal code (p. 19)
- **punishment**—intentionally inflicting pain or other unpleasant consequences on another person (p. 21)
- **criminal punishment**—penalties that meet four criteria: (1) inflict pain or other unpleasant consequences; (2) prescribe a punishment in the same law that defines the crime (3) administered intentionally; (4) administered by the state (p. 22)
- **theories of criminal punishment**—ways of thinking about the purposes of criminal punishment (p. 22)
- **retributionists**—inflicting on offenders physical and psychological pain (“hard treatment”) so that they can pay for their crimes (p. 22)
- **preventionists**—punishment is only a means to a greater good, usually the prevention or at least the reduction of future crime (p. 22)
- **culpability**—only someone who intends to harm her victim deserves punishment; accidents don’t qualify (p. 23)

- **justice**—depends on culpability; only those who deserve punishment ought to receive it (p. 24)
- **deterrence**—the use of punishment to prevent or reduce future crimes (p. 24)
- **general deterrence**—aims to reduce crime by the threat of punishment to convince criminal wannabes in the general population to not commit a crime in the future (p. 24)
- **special deterrence**—aims to reduce crime by inflicting the actual punishment to convince offenders not to commit crimes in the future (p. 24)
- **incapacitation**—prevents convicted criminals from committing future crimes by locking them up, or more rarely, by altering them surgically or executing them (p. 24)
- **rehabilitation**—aims to prevent future crimes by changing individual offenders so they want to play by the rules and won't commit any more crimes in the future (p. 25)
- **hedonism**—the natural law that human beings seek pleasure and avoid pain (p. 25)
- **rationalism**—the natural law that individuals can act to maximize pleasure and minimize pain, permitting human beings to apply natural laws mechanistically (according to rules) instead of have to rely on the discretionary judgment of individual decision makers (p. 25)
- **classical deterrence theory**—rational human beings won't commit crimes if they know that the pain of punishment outweighs the pleasure gained from committing crimes (p. 25)
- **principle of utility**—permits only the minimum amount of pain necessary to prevent the crime (p. 25)
- **“medical model” of criminal law**—crime is a “disease,” and criminals are “sick” in need of “treatment” and “cure” (p. 27)
- **“not guilty” verdict**—doesn't mean “innocent”; it means that the government didn't prove its case beyond a reasonable doubt (p. 29)
- **“guilty” verdict**—legally, not necessarily factually, guilty; government proved its case beyond a reasonable doubt (p. 29)
- **trial courts**—where the cases for the state and the defense are presented; their witnesses and the physical evidence are introduced; and the fact finders (juries in jury trials or judges in nonjury bench trials) decide what the “true” story is and whether the evidence all adds up to proof of guilt beyond a reasonable doubt (p. 29)
- **appellate courts**—in most states and the federal government, the two levels of appeals courts: an intermediate court of appeals and a supreme court (p. 29)

- **judgment**—the court’s judgment (sometimes called the court’s *decision*) is how the court disposes of the case (p. 30)
- **opinion**—“the point of the story”; the court backs up its judgment by explaining how and why it applied the law (general principles and the elements of crimes) to the facts of the case (p. 30)
- **court’s holding**—the legal rule the court has decided to apply to the facts of the cases (p. 30)
- **court’s reasoning**—the reasons the court gives to support its holding (p. 30)
- **majority opinion**—the law of the case; the opinion of the majority of the justices on the court who participated in the case (p. 31)
- **concurring opinion**—agrees with the conclusions of either the majority or the dissenting opinion but provides different reasons for reaching the conclusion (p. 31)
- **plurality opinion**—an opinion that represents the reasoning of the greatest number (but less than a majority) of justices (p. 31)
- **case citation**—the numbers, letters, and punctuation that tell you where to locate the full case report; they follow the title of a case in the excerpts or in the bibliography at the end of the book (p. 35)

## **ASSIGNMENTS**

1. Have students locate a serious crime using a media outlet. Have students write a paper identifying what punishment is best suited for the crime and identify the theory that supports that punishment. [LO6]
2. Have students research the laws of their state regarding one of the core offenses. Have them write a paper and discuss how this law reflects the social reality of criminal law in the U.S. and the criminal law imagination. [LO1–4]
3. Have students outline and brief the Supreme Court case *Kansas v. Marsh* (2005). <http://www.supremecourt.gov/opinions/05pdf/04-1170.pdf> [LO7]
4. Have students go to their state legislative website and find recent additions/changes to criminal laws and write a report on what new law was written or existing law was changed. In the report, have them include who wrote the law/change, why they believe it was written/changed, and what the impact will be. [LO4]
5. Assign students to visit the Legal Information Institute (LII) website and examine the different types of federal crimes listed. Divide the students into groups and assign each group a crime to explore. Have students find the same crime on your state’s website, and compare and contrast the definition of the different crimes. <http://www.law.cornell.edu/uscode/text/18> [LO4]