

EXPANDED COURSE OUTLINE
REGULAR BASIC COURSE
LEARNING DOMAIN 5
INTRODUCTION TO CRIMINAL LAW

Effective date of outline: February 15, 2017

I. LEARNING NEED

Peace officers must know the origins of current law to know the role of law enforcement today.

LEARNING OBJECTIVES

A. Identify the relationship among:

1. Constitutional law
2. Statutory law
3. Case law

II. LEARNING NEED

Peace officers must know the nuances of the written law to correctly interpret the law.

LEARNING OBJECTIVES

A. Differentiate between the *letter of the law* and the *spirit of the law*

1. Letter of the law
 - a. Strictly applying the law
2. Spirit of the law
 - a. promoting the law in fairness and justice not solely in literal compliance

B. Differentiate between criminal and civil law

1. Criminal statutes crimes against the People of the State of California
2. Non criminal violations laws

III. LEARNING NEED

To enforce the law, peace officers must know what constitutes a crime and the information required to identify that a crime has occurred.

LEARNING OBJECTIVES

A. Recall the statutory definition of a crime

1. Crime or public offense

2. An act committed or omitted in violation of a law
 3. A penalty provides punishment for the crime
- B. Identify the basic elements common to all crimes
1. Mens Rea-Intent
 2. Actus Reus-Action
- C. Identify the basic elements required of an attempt to commit a crime
1. A direct, but ineffectual act done towards its commission
- D. Discuss general, specific and transferred intent crimes
1. General: Crimes which intent is presumed and does not have to be proven
 2. Specific: Crimes in which the offense must be proven
 3. Transferred: An unlawful act affecting another person in addition to the person it was intended.
- E. Differentiate between criminal intent and criminal negligence
1. Criminal intent: Distinguishes the crime from an accident or mistake of fact
 2. Criminal negligence: Is the failure to exercise ordinary care

IV. LEARNING NEED

To arrest a subject, peace officers must determine what type of crime has been committed, who was involved in the commission of the crime, and who cannot be criminally liable.

LEARNING OBJECTIVES

- A. Identify three classes of crime:
1. Felony
 2. Misdemeanor
 3. Infraction
- B. Differentiate among the three parties to a crime, to include:
1. Principals
 2. Accessories
 3. Accomplices
- C. Identify people legally incapable of committing a crime
1. Children under 14
 2. Mentally incapacitated

3. Person who committed act or omission:
 - a. Under ignorance
 - b. Unconscious of act.
 - c. Through misfortune or accident

V. REQUIRED TESTS

- A. The POST-Constructed Comprehensive RBC Test 1.
- B. The POST-Constructed Comprehensive RBC Test 2.
- C. The POST-Constructed Comprehensive RBC Test 3.

<u>Description</u>	<u>Hours</u>
POST Minimum Required Hours	<u>4</u>
Agency Specific Hours	<u> </u>
Total Instructional Hours	<u>4</u>