

CRIMINAL LAW
Spring 2026
Professor Demetria Frank
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COURSE DESCRIPTION

This course is an introduction to the principles of criminal liability. Criminal law defines conduct that society condemns as morally blameworthy and punishes through the state's authority. In this course we will examine what kinds of behavior legislatures and courts classify as crimes, what elements the prosecution must prove to establish guilt and what defenses may excuse or justify otherwise criminal conduct. Along the way, we will consider the policy and moral theories that underlie punishment and culpability, compare common-law and Model Penal Code approaches, and evaluate how cultural and social contexts shape the creation and enforcement of criminal law.

LEARNING OUTCOMES

By the end of this course, students will be expected to:

1. **Explain and apply the foundational principles of criminal liability**—including actus reus, mens rea, and causation—to determine whether conduct constitutes a criminal offense under common law and the Model Penal Code.
2. **Interpret and analyze criminal statutes and case law** using tools of statutory construction, precedent, and policy reasoning to resolve ambiguities and assess legislative intent.
3. **Analyze and assess affirmative defenses** such as self-defense, defense of others, necessity, and the excuse defenses (duress, insanity), explaining when and why they limit or eliminate criminal culpability.
4. **Critically evaluate the purposes of punishment**—retribution, deterrence, rehabilitation, incapacitation—and apply them to debates about culpability, proportionality, and general criminal policy.

This course also builds foundational lawyering skills, including legal reasoning, statutory interpretation, professional identity, and effective legal analysis in both written and oral formats.

TEXT & MATERIALS

DRESSLER AND STEPHEN P. GARVEY, CASES AND MATERIALS ON CRIMINAL LAW (10th edition).

Occasionally, additional case studies and/or problems will be provided via the course electronic platform, Canvas.

ATTENDANCE

This class meets 27 times in-person this semester. The Law Center has a minimum 80% attendance policy for students, requiring that students attend a minimum of 22 classes. Attendance more than 10 minutes late is considered an absence. Any nonadherence with this attendance policy will be notified to the Office of Student Affairs

Attendance will be taken via electronic link each class (posted to Canvas). You will be provided a classroom code each class to check in for attendance. Students who do not sign the electronic role sheet providing the classroom code are deemed to have been absent.

PEFERRED NAMES & PRONOUNS

I want to address each of you in a manner that corresponds to your identity. I will most often address students by first names. Recognizing that mistakes may unfortunately happen, chosen names and preferred pronouns—including non-binary ones such as they/them/their—will be respected in our classroom. Please feel free to reach out to me at any time if you want to make me aware of your chosen name or preferred pronoun or if you have concerns about how I address you.

HONOR CODE

The UHLC Honor Code applies to all aspects of this course. You are responsible for knowing all Honor Code provisions and for complying with the Honor Code. Please inquire if you have any questions regarding how the Honor Code's provisions apply to specific activities or situations related to this course. Your continuing enrollment in this course is deemed to be a pledge by you under the Honor Code to comply with the Honor Code in relation to this course and to comply with the instructions in the course syllabus.

AI GENERATED TEXT

Generative AI can be a helpful assistant, but it cannot replace your own legal judgment, analytical reasoning, or writing. Use it at your own risk. Overreliance on AI tools for class preparation and/or as a substitute for assigned readings will undermine your ability to think critically, apply doctrine to new facts, and develop the skills necessary for exam performance and competent legal practice.

Generative AI is any technology tool that is a large language model that can be prompted to generate or synthesize text from scratch. Examples are NotebookLM, Lexis+AI, CoPilot, ChatGPT (all versions), Claude, Gemini, CoCounsel, Spellbook, and Grammarly Go.

ASSESSMENT METHODS

Midterm Examination—15%

Final Exam—85%

CLASS DISCUSSIONS & PANELS

Participation in class discussions is an important element of this course. Students should make every effort to voluntarily contribute and adequately prepare for each class by completing the assigned reading. Engaging with the material orally and in writing builds the analytical skills you need to succeed on exams and in practice.

This course uses a hybrid panel approach to class participation that aims to balance rigorous legal analysis with an inclusive learning environment. Each class session, a group of students will be assigned in advance as the "on-call" panel responsible for leading the discussion. While all students are encouraged to participate regularly, panel members should be especially prepared to engage more deeply with the assigned readings, case law, and hypotheticals for that week. I will only utilize "cold calling" within the assigned panel as necessary to move through class discussion.

Additionally, it is my intent that students from all backgrounds and perspectives be well served by this course, that students' learning needs be addressed both in and out of class, and that the different backgrounds and perspectives that students bring to this class be viewed as a resource, strength, and benefit. It is my intent to present materials and activities that are respectful to all. Please do not hesitate to let me know if there is anything I can do to enhance this experience.

TOUGH TOPICS DISLCOSURE

Criminal Law examines conduct that society deems blameworthy and the systems used to define, prosecute, and punish that conduct. As part of this course, we will discuss cases and hypotheticals involving sensitive and potentially distressing topics, including but not limited to sexual assault, domestic violence, homicide, child abuse, and other violent or dehumanizing behavior.

These discussions are essential to understanding the realities of criminal law and practice. However, they can be emotionally difficult. Students are encouraged to care for themselves in whatever ways they need—stepping out briefly, speaking with me, or accessing campus support services.

Our classroom is a professional space where we will approach these subjects with respect, empathy, and intellectual rigor. Differing perspectives are welcome, but they must be expressed in ways that honor the dignity and lived experiences of others.

If you have concerns about how to engage with these materials, please feel free to speak with me privately. My goal is to ensure that all students can participate meaningfully and safely in this learning environment.

TUTORS

To support your success in this course, a team of student tutors is available to assist with a variety of academic needs. For example, tutors can review your written responses to note questions and hypotheticals, provide feedback on outlines, and offer guidance on study strategies or exam preparation.

It is *highly* recommended that you work with your assigned tutor on at least two *written* hypothetical essay exam practice questions over the semester, with at least one occurring before the midterm exam. Hypothetical exam practice questions will be periodically provided over the semester via the electronic course platform, Canvas.

While tutors coincide with panels A–D as assigned on Canvas, students are encouraged to seek support from any tutor with whom they feel most comfortable.

The tutor assignments are as follows:

| Panel | Tutor | Contact |
|--------------|--------------|----------------|
| A | TBD | TBD |
| B | TBD | TBD |
| C | TBD | TBD |
| D | TBD | TBD |

MIDTERM EXAM

The closed-book in-person midterm exam will be held on Wednesday, March 25th during our regular class period and will be a single traditional essay question on material covered prior to spring break. Students will be allowed the full class time to complete the midterm.

FINAL EXAM

The closed-book in-person final examination format will be some combination of multiple choice, short answer, and traditional essay. It will take place during the exam period at the time and place noted on the exam schedule produced by the Office of Academic Affairs.

The following additional provisions are required by the University of Houston and apply to this course:

MENTAL HEALTH AND WELLNESS RESOURCES

The University of Houston has a number of resources to support students' mental health and overall wellness, including CoogsCARE and the UH Go App. Additionally:

- UH Counseling and Psychological Services (CAPS) offers 24/7 mental health support for all students, addressing various concerns like stress, college adjustment and sadness. CAPS provides individual and couples counseling, group therapy, workshops and connections to other support services on and off-campus. For assistance visit uh.edu/caps, call 713-743-5454, or visit a Let's Talk location in-person or virtually. Let's Talk are daily, informal confidential consultations with CAPS therapists where no appointment or paperwork is needed.
- The Student Health Center offers a Psychiatry Clinic for enrolled UH students. Call 713-743-5149 during clinic hours, Monday through Friday 8 a.m. - 4:30 p.m. to schedule an appointment.
- The A.D. Bruce Religion Center offers spiritual support and a variety of programs centered on well-being.

Need Support Now? - If you or someone you know is struggling or in crisis, help is available. Call CAPS crisis support 24/7 at 713-743-5454, or the National Suicide and Crisis Lifeline: call or text 988, or chat 988lifeline.org.

TITLE IX/SEXUAL MISCONDUCT

Per the UHS Sexual Misconduct Policy, your instructor is a "responsible employee" for reporting purposes under Title IX regulations and state law and must report incidents of sexual misconduct (sexual harassment, non-consensual sexual contact, sexual assault, sexual exploitation, sexual intimidation, intimate partner violence, or stalking) about which they become aware to the Title IX office. Please know there are places on campus where you can make a report in confidence. You can find more information about resources on the Title IX website at <https://uh.edu/equal-opportunity/title-ix-sexual-misconduct/resources/>.

REASONABLE ACADEMIC ADJUSTMENTS/AUXILIARY AIDS

The University of Houston is committed to providing an academic environment and educational programs that are accessible for its students. Any student with a disability who is experiencing barriers to learning, assessment or participation is encouraged to contact the Justin Dart, Jr. Student Accessibility Center (Dart Center) to learn more about academic accommodations and support that may be available to them. Students seeking academic accommodations will need to register with the Dart Center as soon as possible to ensure

timely implementation of approved accommodations. Please contact the Dart Center by visiting the website: <https://uh.edu/accessibility/> calling (713) 743-5400, or emailing jdcenter@Central.UH.EDU.

RECORDING OF CLASS

Students may not record all or part of class, livestream all or part of class, or make/distribute screen captures, without advanced written consent of the instructor. If you have or think you may have a disability such that you need to record class-related activities, please contact the Justin Dart, Jr. Student Accessibility Center.

If you have an accommodation to record class-related activities, those recordings may not be shared with any other student, whether in this course or not, or with any other person or on any other platform. Classes may be recorded by the instructor. Students may use instructor's recordings for their own studying and notetaking. Instructor's recordings are not authorized to be shared with anyone without the prior written approval of the instructor. Failure to comply with requirements regarding recordings will result in a disciplinary referral to the Dean of Students Office and may result in disciplinary action.

COURSE COVERAGE

The following general coverage is expected, but I reserve the right to modify reading as necessary as we proceed through the course:

Week 1

Introduction

Wednesday— pages 1-28¹

Week 2

The Principles of Punishment & Introduction to Actus Reus

Pages 29-51; 119-146

Week 3

Introduction to Mens Rea & Proving Culpability

Pages 147-193

Week 4

Mens Rea: Proving Culpability (Cont.); Causation

Pages 193-240

Week 5

Criminal Homicide

Pages 241-286

¹ Also see the first-class reflection assignment posted to Canvas.

Weeks 6

Criminal Homicide (Cont.)

Pages 286-332

Week 7

Criminal Homicide (Cont.); Sexual Assault

Pages 333-352; 391-414; *skim* 414-430

Week 8

Sexual Assault (Cont.)

Pages 431-474

Week 9

Defenses

Monday—479-496

Wednesday— Midterm Exam

Week 10

Defenses (Cont.)

Pages 496-545

Week 11

Defenses: Defense of Others/Property; Excuse Defenses (Cont.)

Pages 546-566; 582-605

Week 12

Defenses (Cont.)

Pages 613-657

Week 13

Larceny

Pages 913-942

Week 14

Class Closing

Mon-TBA/Speaker

Wed-Review