

CRIMINAL LAW (CRIM)

While every effort is made to ensure course lists are accurate, change is inevitable and courses may show alternate program restrictions at the time of scheduling. Courses used to satisfy graduation requirements must be designated as such at the time of registration. Not all courses are offered each year.

CRIM 520 Criminal Law (3 Credit Hours) This course introduces the student to substantive criminal law by reviewing the theories and rules for imposing criminal liability. The goal is to convey both a familiarity with modern criminal codes and an appreciation for the larger conceptual context in which the rules appear. The most important general doctrines are discussed, including those governing the interpretation of offense definitions, general defenses such as insanity and self defense, and doctrines imputing conduct to an actor, such as complicity and omission liability. Inchoate, and homicide offenses also are examined.

CRIM 555 Criminal Law (Intellectual Property Program) (3 Credit Hours) This course introduces the student to substantive criminal law by reviewing the theories and rules for imposing criminal liability. The goal is to convey both a familiarity with modern criminal codes and an appreciation for the larger conceptual context in which the rules appear. The most important general doctrines are discussed, including those governing the interpretation of offense definitions, general defenses such as insanity and self defense, and doctrines imputing conduct to an actor, such as complicity and omission liability. Inchoate, and homicide offenses also are examined.

CRIM 601 Contemporary Problems In Criminal Procedure (3 Credit Hours) This seminar gives the background to and probes a selection of the most pressing problems in contemporary criminal procedure. The course objectives are to provide enough of the historical background to modern problems so that those problems can be intensely examined. *Additional Course Information:* Satisfies Research Writing degree req

CRIM 605 Therapeutic Criminal Justice (2 Credit Hours) Using a comparative lens, this course will introduce a variety of therapeutic, restorative, and problem-solving mechanisms that have been developed and implemented in criminal justice systems both in US and worldwide. We will explore the potential of the criminal justice system, by adopting non-punitive notions of justice, to achieve goals that go beyond its classic, traditional goals, such as enhancing the well-being of its various stakeholders, empowering communities, restoring relationships between law breakers and victims, encouraging reconciliation, and providing holistic rehabilitation to offenders. The course will address the tension between the criminal justice system's traditional goals and the therapeutic-oriented goals. We will discuss the question of whether the criminal justice system is the right domain to promote therapeutic goals given potential risks of net-widening, stigmatization and its collateral consequences, deprivation of due process rights, paternalism, and coercion that arise when therapeutically oriented goals are promoted within the criminal legal regime, especially in societies that suffer from racial and socio-economic inequalities.

CRIM 606 Historical Legacies: Race, Gender and Criminalization (3 Credit Hours) This course will explore the way race has shaped gendered process of criminalization in the United States. Criminalization is a historically and geographically contingent process of constructing people as being worthy of punishment or denigration because of unlawful behavior or perceived dangerousness. Laws and policies surrounding immigration, child welfare, and family life—for women in particular—have also played central roles in processes of criminalization. This course will investigate historical intersections between race, gender, and processes

of criminalization by focusing on two things: the law's role in constructing the very meaning of race, gender, and criminality; and the experiences of women of color who have encountered laws and legal institutions. The format of the course will mirror a graduate student seminar. *Additional Course Information:* Satisfies Research Writing degree req

CRIM 608 Practicum: Criminal Law (4 Credit Hours) The goal of this Practicum is to provide students with an understanding of criminal process and the criminal justice system. Students participate in a weekly seminar discussing various readings relating to the criminal justice system. Past seminar topics have included: the Role of the Prosecutor and the Defender, Criminal Procedure Issues, Grand Jury Investigation, Indictment, Disclosure Obligations, Jury Selection, Jury Nullification, Federal Sentencing Guidelines and Sentencing Policy, Plea Agreements, Pleas Bargaining, and Ethical Obligations. Students are placed in public criminal law agencies including the United States Attorney's office, the Federal Defender's office, the State's Attorney's office, and the Public Defender's office. Students work under the supervision of attorneys in these offices for 12 to 16 hours a week (the U.S. Attorney's Office requires 16 hours per week) and, in addition to observing the proceedings in the offices and various courtrooms, conduct research, write briefs and memorandums, and assist attorneys in trial preparation and trial. Third year students with 711 licenses may have the opportunity to appear in court and to conduct courtroom proceedings under the supervision of their field supervisor. *Additional Course Information:* Counts toward Appellate Law Concentration, Satisfies Experiential Learning degree req, Counts toward Law and Social Policy Concentration, Counts toward Civil Litigation Dispute Res Conc

CRIM 610 Constitutional Criminal Procedure (3 Credit Hours) This course provides a broad overview of the investigatory criminal justice process. It explores the interaction between the protection of individual constitutional criminal rights and the competing goals of the efficiency and accuracy in the criminal justice system. We will examine the Fourth, Fifth, and Sixth Amendments. Substantive areas covered include: (1) interrogations and confessions; (2) eye-witness identification procedures; (3) arrest, search and seizure; (4) eavesdropping and wiretapping; (5) the right to counsel; and (6) the exclusionary rule. Schedule permitting, we will also examine some of the strains placed on the criminal justice system by various aspects of the war on terror. *Additional Course Information:* Counts toward Appellate Law Concentration, Counts toward Law and Social Policy Concentration

CRIM 612 Criminal RICO Prosecutions: (2 Credit Hours) This seminar will explore federal criminal RICO law through the lens of actual public corruption and gang prosecutions. The class will be divided into two main segments. The beginning of the course will examine the basics of RICO law by focusing on learning the substantive elements and understanding the types of predicate offenses that can support a RICO prosecution. We will also compare substantive RICO and RICO conspiracy charges and consider other federal statutes that provide alternatives in some circumstances to using RICO. The remainder of the course will address RICO law through in-depth case studies of actual federal prosecutions. We will examine how RICO law is applied to criminal public corruption and gang prosecutions focusing primarily on two federal RICO cases. We will analyze the use of RICO by following those cases from indictment through the stages of a trial to the appeal. Students will apply legal principals learned during the first segment to an evaluation of real cases. This will include the opportunity to employ substantive RICO knowledge by arguing against a motion to dismiss a RICO indictment. *Additional Course Information:* Satisfies Prof Writing degree req

CRIM 613 Abolition and the Law of Violence (3 Credit Hours) This will be a seminar style course where students will spend the first half of

the course learning about the statutory and regulatory framework that shapes governmental efforts to prevent and address crime and violence. During the second half of the course, students will work in teams of four (comprised of two law students and two Stateville students) on their own policy platform package. They will draft legislation, regulations and/or ballot initiatives, produce white papers identifying the problem their proposal aims to address and also produce op-eds/advocacy materials supporting their platform. The class will culminate in mock legislative hearings during which students will present their solutions to a panel of local and state elected officials. *Additional Course Information:* Class dates follow University Quarter Schedule

CRIM 614 White Collar Crime (2 Credit Hours) This course will introduce students to the law governing the prosecution and defense of white collar crime. The course will cover the substantive law in the area such as mail and wire fraud, bribery, insider trading, perjury, and obstruction of justice. The course will also provide an overview of procedural and practical issues, such as the use of the grand jury, Fifth Amendment invocation, internal investigations, parallel civil and criminal proceedings, corporate compliance programs, and sentencing. Finally, the course will put these principles into context with case studies on past and recent white collar crime cases, and will draw on the instructors' experiences as both federal prosecutors and defense lawyers. Open to second and third-year law students. Students will be graded based on a final examination (75%) and class participation (25%). Text: *White Collar Crime, Cases & Materials*, Third Edition, By J. Kelly Strader and Sandra D. Johnson, with document supplement.

CRIM 620 Criminal Process (3 Credit Hours) Criminal Process examines the law governing lawyers and judges once the prosecution decides to press criminal charges against a suspect. This class covers, for example, prosecutors' discretion in charging, grand jury proceedings, discovery, jury selection, the defendant's right to counsel, and defense counsel's obligations at trial and in plea bargaining. In other words, the class picks up where Constitutional Criminal Procedure ends. Constitutional Criminal Procedure, however, is not a prerequisite. Evaluation: class participation and exam. *Additional Course Information:* Counts toward Appellate Law Concentration, Counts toward Law and Social Policy Concentration

CRIM 621 Criminal Trial Practice (2 Credit Hours) This course deals with the trial of a criminal case with focus on practical trial skills, strategy, and procedure. The course provides students with practical experience with the prosecution and defense of criminal cases. Prerequisite: CRIM 520 Criminal Law AND Pre-requisite OR Co-requisite: LITARB 635 Evidence/ LITARB 606 Evidence (ITA). *Additional Course Information:* Satisfies Experiential Learning degree req, Counts toward Law and Social Policy Concentration, Counts toward Civil Litigation Dispute Res Conc

CRIM 626 Fed Crim Justice Practice (2 Credit Hours) This course will integrate instruction on federal criminal issues and procedures with simulated practice by students. The course will cover federal criminal pretrial practice from investigation up to trial, and provide multiple opportunities for student performance to develop professional skills and understanding. In particular, the course will provide instruction on (i) federal investigation techniques and authority (Grand Jury/administrative subpoenas and search warrants); (ii) corporate internal investigations and related privilege and ethical issues; (iii) federal prosecution guidelines and charging decisions; (iv) initial appearances following arrest/indictment, and accompanying bail/detention proceedings (v) criminal discovery under the federal rules; (vi) pretrial motions and practice; and (vii) plea agreements (including deferred- and non-prosecution agreements) and cooperation. Students will be expected to engage in regular practice simulations related to the pretrial stages of a federal criminal case, overseen by the instructor. For example, students

will conduct mock witness interviews in the context of a corporate internal investigation and draft accompanying interview memoranda, present motions and arguments seeking, and objecting to, pretrial detention, and prepare motions in limine seeking to exclude or admit evidence. Although the course will provide opportunities for oral and written advocacy, these opportunities will focus on pretrial proceedings rather than concern trial advocacy. **PRE-REQUISITES/RESTRICTIONS:** CRIM 520 Criminal Law is a pre-req for this course. *Additional Course Information:* Satisfies Experiential Learning degree req, Satisfies Prof Writing degree req

CRIM 627 Criminal Justice in Cook County: An Empirical Examination (2 Credit Hours) This course will offer the students a close look at the Cook County criminal justice system in action and the opportunity for hands-on investigation into the Cook County criminal justice system. Part of a large-scale examination of how Cook County polices, jails, and adjudicates criminal offenses, the course will discuss contemporary and classic works on urban criminal justice processing, feature extensive interaction with Cook County criminal justice leaders and policymakers, and engage students in collecting data through court observations, interviews with lawyers and other participants in the system.

CRIM 629 Justice, Equity, and Opportunity: Shifting Approaches to Criminal Justice Reform (3 Credit Hours) The events revolving the death of George Floyd have proliferated the discourse about the criminal justice system in the United States, including the role of police and incarceration. Historically, this public discourse has been dominated mostly by media and political advocacy, with the balance of evidence-based policy solutions and political acumen receiving relatively short shrift. In this practicum, students will be trained to approach these issues from the perspective of a senior criminal justice policymaker in government who has practiced multiple theories of change, from community organizing to litigation. In turn, we will develop criminal justice policy intelligence and knowledge on the history, core themes, debates, and concepts, such as the movement to defund the police, abolish the cash bail system, and decriminalize drugs. The discussions will allow students to interrogate the extent to which efforts have been successful, imagine new strategies in the future, and learn from additional visiting guests, including politicians, community organizers, academics, artists, and formerly incarcerated individuals. We will exit with a sophisticated understanding of the skills and tools necessary to handle criminal justice policy problems raising complex legal, political and social questions. In addition to a seminar component examining criminal justice policy, students engage in a hands-on policy project involving identifying and defining key criminal issues, conducting primary and secondary research, analyzing research findings and making policy recommendations to a client in the criminal justice policy arena.

CRIM 631 Sentencing Theory and Practice (3 Credit Hours) The course examines theories of punishment and their practical application in the operation of American sentencing systems. The class meetings have three components: First, discussion of assigned readings will develop an expertise with punishment theory and with the challenge of translating the theory into practice in a working sentencing system. Second, the class will examine and each student will "sentence" the defendant in each of a series of real cases that present difficult sentencing issues. A team of students will argue each side of each case in class, followed by class discussion. Finally, several active sentencing judges will provide the class with information about a difficult sentencing that came before them, then will come to class to discuss the problems the case presented and how they handled the problems in their disposition of the case. Books/materials: von Hirsch & Ashworth, *Principled Sentencing*, 2nd edition, and US Sentencing Comm Guidelines manual, and xerox'd materials Method

of evaluation: presentations and written work during term. Prerequisites: Criminal Law. Open to upperclass students only.

CRIM 633 International Criminal Law & Atrocity Crimes (2 Credit Hours)

This class is about what the international community can and should do in response to atrocity crimes around the world. In terms of content, the class is a mix of international law and international relations. We will read both legal scholarship and political science scholarship to gain a broader perspective on atrocity crimes.

CRIM 637 Criminal Procedure: Theoretical Foundations (3 Credit Hours)

This course examines the theoretical foundations of criminal procedure—political, historical, comparative, and above all philosophical. What are the ideas at work in the American system of criminal procedure? How, historically, did the system develop, and why does it presently function as it does? What do alternative systems look like? Is the system broken and, if so, what considerations should orient us in fixing it? What would a normative "theory of criminal procedure" look like? This course will take up these questions with a view toward developing different "big picture," synthetic perspectives on the procedural system. For students thinking about a career in criminal law, this course will equip you with the sort of large-scale thinking that enables lawyers to make arguments that rise above particular points of doctrine. For students interested in looking at the law from a theoretical perspective, this course will develop your ability to read and understand challenging theoretical texts, to write in the same vein, and to engage in academic discussion of the law at a high level of intellectual maturity. Course Particulars: This course is a seminar, with a heavy emphasis on reading, writing, and discussion. Grades will be based on general class participation (20%), presentations and other in-class assignments (20%), and the final paper (60%). I will approve all student requests for multi-draft papers. If you choose the one-draft paper option, the course will qualify for two credits. If you choose the two- or three-draft paper options, the course will qualify for three credits. Whichever option you choose, one of the goals of this course is to help you become a better writer, and in that spirit, we will discuss your final paper one-on-one before you start writing and you will get extensive feedback on it afterward. There are no prerequisites; in particular, an introductory course on constitutional criminal procedure is not required. This class meets the Research Writing Requirement. *Additional Course Information:* Satisfies Research Writing degree req

CRIM 638 Criminal Justice Reform (3 Credit Hours)

The United States is at the cusp of a potentially significant period of criminal justice reform. There is an emerging consensus in both parties and all three branches of government that the criminal system is malfunctioning in ways that do profound damage to the country, but consensus stops there. On one side are those who think the root of the crisis is the American public, and the solution is to place control over the criminal system in the hands of officials and experts. On the other side are those who think the root of the crisis is a set of bureaucratic structures divorced from the American public's concerns and sense of justice, and the solution is to make criminal justice more community-focused. This course will examine criminal justice reform from two theoretical perspectives. We will first examine the two perspectives themselves. We will then bring the two perspectives to bear on three of the major headings of the contemporary crisis: criminalization, sentencing, and plea bargaining. We will close by examining some of the major proposals for policy reform. Course Particulars: This course is a seminar, with a heavy emphasis on reading, writing, and discussion. Grades will be based on general class participation (20%), in-class presentations (20%), and the final paper (60%). *Additional Course Information:* Satisfies Research Writing degree req

CRIM 642 Child Exploitation and Trafficking (2 Credit Hours) Taught by Virginia Kendall, the Chief Judge of the Northern District of Illinois, this course examines the complex challenge of human trafficking. Moving beyond a prosecution-centered lens to offer a holistic, interdisciplinary examination that explores the convergence of international law, immigration and migration law, criminal justice, social services, and victims' rights to uncover how legal systems, both domestic and global, have responded to the shifting nature of exploitation. *Additional Course Information:* Satisfies Prof Writing degree req

CRIM 650 Chicago's Gun Violence Epidemic (2 Credit Hours) This combined law and public policy course will introduce students to Chicago's longstanding gun violence epidemic. For decades, gun violence has disproportionately impacted a limited number of neighborhoods on Chicago's South and West sides. The course will address the history and root causes of that social justice concern. The course, which will include visiting lecturers, will examine the roles of Chicago government, law enforcement, the criminal justice system, social services organizations, philanthropy, and the business community in addressing the epidemic. The course will cover substantive law and case examples relating to gangs and guns, including the use of RICO and other legal and investigative tools to combat gun violence. The course is intended to take a comprehensive look at Chicago's gun violence epidemic, to foster thoughtful dialogue about the causes and long-term solutions, and to inspire future generations to action. Students will be evaluated based on papers and may be requested to do oral presentations associated with their papers.

CRIM 655 Prisons and Prisoners' Rights (2 Credit Hours) On any given day, over 2 million people are imprisoned in the United States. Prisoners are governed by a detailed set of rules and regulations which cover every aspect of their lives: where they live, who they live with, whether and where they work, when they get up, what and where they eat, and even when they shower. Cases filed by prisoners challenging the conditions of their confinement constitute the largest number of cases on the dockets of most federal courts. Yet the law which applies to these cases is unknown to most lawyers. This seminar investigates the law as it applies to prisons. The seminar will begin with an examination of the nature of prisons and prisoners, and will include the Eighth Amendment's prohibition against cruel and unusual punishment; the First Amendment rights to free speech, religion, and association; the Fifth Amendment right to due process; the Fourteenth Amendment's equal protection guarantee; and various statutes which expand or limit those rights. In addition to case law, a variety of secondary sources will be used, coupled with guest speakers with direct experience. There will also be (subject to approval by prison authorities) an opportunity to tour Stateville Correctional Center in Joliet. Because the tour may conflict with other classes, it is optional. *Additional Course Information:* Counts toward Law and Social Policy Concentration

CRIM 665 Crime and Criminology (3 Credit Hours) Through this course, students will explore why people obey the law and why some do not. We will examine the problem of defining and measuring crime, theories of crime, as well as research regarding certain types of lawbreaking. We will also consider theories and research regarding social responses to crime, including the fear of crime and approaches to punishment, with particular attention to the American experience. A final paper is required and students will present their research in the last month of class. *Additional Course Information:* Satisfies Research Writing degree req

CRIM 675 White Collar Criminal Practice (2 Credit Hours) This course will introduce students to the law governing the prosecution and defense of white-collar crime. The course will cover the substantive law in the area such as mail and wire fraud, bribery, insider trading, perjury and

obstruction of justice. The course will also provide an overview of typical procedural and practical issues for prosecutors and defense lawyers. Prereq: Criminal Law (CRIM 520).

CRIM 692 Mass Incarceration (3 Credit Hours) This course explores mass incarceration, the steep increase in imprisonment rates that began in the 1970s and has disproportionately affected young, poor, African-American men. Guided by legal and social scientific scholarship, we will examine the complex roots and damaging consequences of this phenomenon. To what extent can we attribute mass incarceration to the War on Drugs? How do political shifts produce legal change, and how might legal rules themselves operate independently to fuel mass incarceration? How does incarceration affect employment, health, family, and community life - and crime rates? In thinking about mass incarceration's engines and outcomes, we will also consider the unintended consequences of some reform efforts. In addition, we will tackle difficult questions of de-carceration. While many people agree that the American criminal justice system puts too many people in prison, how do we decide who should be released, whose punishment must involve imprisonment, and how long must that incarceration last? Finally, we will reflect on how mass incarceration is evolving to include expanded monitoring and surveillance even outside the carceral institutions.

Additional Course Information: Satisfies Research Writing degree req

CRIM 693 Restorative Justice, Community Building, and Practice (3 Credit Hours) Restorative justice is a philosophy centered on creating the conditions for just and equitable communities in an interconnected world. It emphasizes strengthening relationships, building community, and repairing harm. In this experiential learning course, students will study the intersection of restorative justice theory and practice, and they will develop skills for engaging in introspection, value-based dialogue, and community building. Students will learn about the circle process. Circles are a restorative practice shaped by different Indigenous traditions and teachings as well as other community-based restorative approaches.

Additional Course Information: Satisfies Experiential Learning degree req

CRIM 696 Restorative Justice Seminar (2 Credit Hours) Restorative justice emphasizes a relational, value-based approach to building and strengthening communities and repairing harm when there is a breakdown in relationships. This course provides an introduction to restorative justice, and it explores restorative conceptualizations, values, concepts, and practices. Learning will involve the practical application of restorative justice in the class environment.

CRIM 699 Sentencing Policy (2 Credit Hours) This course focuses on how the law approaches central sentencing questions, such as how much discretion the sentencer should enjoy; how much weight to attach to the nature and consequences of the offense, the offender's criminal record, and personal background; and how much the criminal justice system should rely on incarceration as punishment. In addition to examining the technical and doctrinal answers to these questions, the course will engage students in one of the most urgent debates of our time - what fueled mass incarceration, and how can and should we decarcerate?

CRIM 801-L Corporate Criminal Law (1 Credit Hour) Corporate and white collar crime are growth areas in American law. Corporations that do business in the United States, even if foreign, can be prosecuted as entities under U.S. law. Individuals can likewise be prosecuted for crimes committed while working for corporations. And a large and growing set of statutes criminalize business-related activities, including bribery and corruption offenses committed anywhere in the world. Are these developments just? Are they good for the economy? And as a practical matter, how can a businessperson avoid criminal liability? This course will familiarize legal and business professionals with the burgeoning body of criminal law that bears on their conduct. We will discuss the foundational

rules of corporate criminal law, including entity liability, individual liability, and corporate and white-collar statutes. We will discuss the current state of the field, focusing on recent developments in statutes, cases, and internal Department of Justice policy. We will closely study the Foreign Corrupt Practices Act ("FCPA"). We will discuss core criminal law principles, including the difference between criminal and civil law, the elements of a criminal offense, conspiracy liability, and complicity liability. And we will discuss fundamental policy questions of justice and economic productivity.

CRIM 801E Criminal Procedure (2.5 Credit Hours) This course is designed for the Executive LLM Program. This course provides a broad overview of the investigatory criminal justice process. It explores the interaction between the protection of individual constitutional criminal rights and the competing goals of the efficiency and accuracy in the criminal justice system. We will examine the Fourth, Fifth, and Sixth Amendments. Substantive areas covered include: (1) eavesdropping and surveillance; (2) search, seizure, and arrest; (3) interrogations and confessions; (4) the right to counsel in interrogations; and (5) the exclusionary rule. *Additional Course Information:* Executive LLM Program Students only

CRIM 805I Constitutional Criminal Procedure (2 Credit Hours) *Additional Course Information:* Executive LLM Program Students only

CRIM 820 Criminal Process (3 Credit Hours) This course is taught in the Executive Program only. This course explores in detail the manner in which a formal criminal proceeding is initiated and processed by our court system. Topics include arraignment and preliminary hearings, commitment or release on bail or personal recognizance, the grand jury, prosecutorial discretion, discovery and disclosure requirements, competence to stand trial, plea bargaining, right to a speedy trial, jury selection, joinder and severance of charges and/or defendants, management of jury deliberations, sentencing, and appeals. In order to provide a deeper understanding of these criminal proceedings, the course will explore their historical and theoretical bases, as well as the current Supreme Court jurisprudence that is shaping them. *Additional Course Information:* Executive LLM Program Students only