

## Class activities

### Class 1, Sep. 8

Read the following article and discuss the questions below:

## Mixed feelings over Philadelphia's flash-mob curfew

Philadelphia's authorities have ordered a weekend evening curfew for under-18 years old in an effort to deter teenagers from wreaking havoc in so-called flash mobs. As Britain looks to America for answers to the rioting that has rocked England over the last week, the BBC's Laura Trevelyan visits Philadelphia to see how its new measures will work. The phenomenon known as flash mobbing, where groups of teenagers gather after alerting one another via mobile phone, Twitter and Facebook and rampage through the town centre, has frightened residents and alarmed Philadelphia's city government.

While the scenes haven't been as violent or as sustained as those in urban England in recent days, crowds of teenagers have beaten and robbed people and shops have been damaged.

Last Friday 7 August saw yet more trouble in the City of Brotherly Love.

An existing curfew for children has been made even earlier, and parents whose children repeatedly ignore the order could be fined up to \$500 (£307). Philadelphia will keep some recreation centres open until 22:00 at the weekends so that the children barred from the city centre will have something to do. At a basketball court in South Philadelphia, I asked a group of teenagers what they thought about the curfew and the flash mobbing which led to it. Keri Scott, 16, and his friend Marcus were worried about the youths displaced by the curfew who might now come and play on their basketball court.

"That means now we're going to have bad people coming to a good court, and it's not cool," said Keri, who hopes to try out for a college basketball team. Ben, 16, welcomed the curfew as a way to create a safe environment. He can't see the point of flash mobbing. Although Jennifer, 15, has never been in a flash mob she sees it as a way for teens to express their anger and frustration and to force adults to listen to them.

She says the curfew will make teenagers more "mad".

In Philadelphia's city centre, 25 police officers will patrol on bicycles on weekend nights. The bicycles can be used to form a barricade against a flash mob.

Kevin Bethel, the deputy commissioner of Philadelphia's police department, said police have asked popular DJs to spread the message about the curfew.

Deputy Commissioner Bethel says his prayers are with Britain's police as he sees what they are dealing with. The challenge to policing on both sides of the Atlantic is how to manage groups that "can organise and move so quickly", he said. Philadelphia's deputy mayor for public safety, Everett Gillison, also stressed the importance of firmness and engagement. He hoped the curfew would encourage parents to become stricter with their children. "We need parents to say, 'the city is not your parent, I'm your parent. I need you to be home'," he said. As Ms Guendelsberger learns to move about on her crutches, she wonders how effective the curfew can be in the end. "I sound like I'm apologising for these kids and I'm not," she said. "What they did was horrible. But we should at least explore why they feel they've got nothing to lose."

### **Discussion questions**

- 1) What do you think of this case? Is it really a crime? Why? Why not?
- 2) What is the role of social media in these crimes?
- 3) Do you think that social media have changed the way people interact with one another?  
Does this have any influence over law and legal practice?
- 4) Should authorities use force to halt these crimes?
- 5) What do you think of the measures adopted in Philadelphia? What would you do to more effectively handle these incidents?
- 6) Are there any flash mobs or similar phenomena here in the Sault? Why? Why not?

Read the following article and discuss the questions below:

### **"Sexomnia" Defense Gets Man Acquittal on Sexual Assault Charges**

Officials in Ontario plan to review the case of a man who was accused of sexual assault, but was acquitted after it found that he suffers from "sexomnia" and was asleep when the incident occurred, Reuters reported.

Jan Luedecke, 33, was acquitted of the charges last Tuesday. A sleep expert testified on Luedecke's behalf, confirming the man's claims that he has "sexomnia", a disease which causes involuntary sexual behavior during sleep.

Because of the strange circumstances surrounding the case, Ontario officials said they have to put forth further research before deciding on appeal options.

"This matter will be carefully considered to determine our next steps," Brendan Crawley, a spokesman for the Attorney General told Reuters.

### **Discussion questions**

- 1) What do you think of this decision? Do you agree? Do you disagree? Why? Why not?
- 2) Why do we criminalize conduct?
- 3) Is it good policy to give the state a virtual monopoly on the use of force?
- 4) Do we rely too much on criminal law to solve societal conflicts?
- 5) Can you think of alternative systems to deal with deviance in society?

# Russian cannibal made meatballs and sausage out of victim and posted videos online: Cops

BY [Gabriela Resto-Montero](#)  
DAILY NEWS STAFF WRITER

Tuesday, August 30th 2011, 6:42 PM



TommL/Getty

A 21-year-old chef stabbed and killed a victim in his home before eating the man's remains, police said.

A young Russian man who was curious about the taste of human flesh stabbed a man to death and then made meatballs and sausage out of his corpse, the Ria Novosti news agency reported.

"The accused stabbed the man a few times, and after having assured himself that the man was dead, he cut up his body and ate him," [an official told Ria Novosti](#).

If that weren't wicked enough, the 21-year-old cannibal, a chef in the Arctic city of Murmansk, made sick videos of himself turning his victim's flesh into meals and then posted them online, the Daily Mail reported.

But cops quickly took them down from the Internet.

The killer, who was not named in news reports, confessed after cops tracked him down earlier this month.

He told police that he had plans to kill and eat at least 10 more people.

He also told investigators he found his victim on a gay website. He said he chose to target a gay man because he believed gay men are more discreet about online relationships, Ria Novosti reported.

Authorities were led to the killer by the victim's mother, who reported her son missing and instructed police to look into his circle of online partners.

If convicted of murder, the man faces 15 years in prison.

### **Discussion questions**

- 1) Is this a crime? Why? Why not?
- 2) What is the role of social media in this crime?
- 3) What measures can be taken to deter this type of crime?
- 4) What is, if any, the role of the victim in this crime?

## **Cops ripped for handcuffing autistic boy**



By [Michele Mandel](#), *Toronto Sun*



Toronto Police used handcuffs on a nine-year-old boy with Asperger's syndrome at Fairbank Memorial Day Care Centre. (ERNEST DOROSZUK/Toronto Sun)

TORONTO - Surely there's a better way for police to deal with an unruly child with special needs than slapping him with handcuffs and treating him like a criminal.

"That wouldn't be appropriate for any child," insisted Dr. Glenn Rampton, the CEO of Kerry's Place Autism Services, which serves 5,000 clients with autism disorders across Southern Ontario. "I can't imagine anyone would think that would be an appropriate way to deal with a nine-year-old kid."

Yet Toronto Police are actually defending their treatment of a young boy with Asperger's syndrome after they were called to Fairbank Memorial Day Care Centre on July 28 by staff who had locked the nine-year-old in a classroom.

"We got a call that this boy was out of control and he was a danger to himself," explained Const. Victor Kwong. "One officer had to wait for backup because this kid was being aggressive — he barricaded himself with tables and chairs, he had thrown paint all over the room. The police pushed open the door and told him to lie down and they cuffed him."

Kwong said the handcuffs were removed about five minutes later once the mobile crisis intervention team arrived and calmed him down.

"We don't like to handcuff children but safety is the No. 1 issue here and if it's called for, we will do it," he said. "The police officers did everything right."

But why didn't they wait for the crisis team — with an officer trained in mental-health issues and a registered nurse with more than 30 years experience — instead of terrifying a developmentally disabled child?

"There was no telling how long it would have been," Kwong maintained.

The boy's mother is understandably outraged. Instead of waiting for her to arrive to defuse the situation, the daycare called 911.

"Our staff are not able to restrain a child nor should they," explained Peter Frampton, director of the centre's parent organization, the Learning Enrichment Foundation.

Once she arrived, she couldn't believe her son had been handcuffed by police. "My son is traumatized, I'm traumatized, My son is devastated," Linda Dastous told a reporter. "It's something my son is never ever going to forget."

The boy blamed his tantrum on being bullied during the lunch hour. Children with autistic spectrum disorder can often have outbursts when they become frustrated, Dr. Rampton said. But there are far better ways of dealing with the situation — such as avoiding the triggers and defusing their anger — than mechanically restraining them.

"Why would two great big policemen need to put handcuffs on a nine-year-old when they should be fully capable of calming that child down?" the psychologist demanded. "Maybe they shouldn't go out on a call like that unless they're trained to deal with it."

Autism Ontario spent Tuesday fielding calls from distraught parents.

"It's very distressing," said executive director Margaret Spoelstra. "I had a mother in tears saying, 'How is it possible that this could happen in our city that we don't have enough information out there that you can't treat people with autism spectrum disorder — and a nine-year-old — in this way?'"

Her organization has offered training to Toronto Police but unlike their colleagues in Ottawa, few have taken advantage of it. "To me, the most important thing is training and public awareness. There is a way to respond and a way to de-escalate," Spoelstra said. "I'd be very concerned about the impact on this boy."

Just imagine his fear.

"They busted through the door with their shoulders," he told a reporter. "And then they said, 'Get on the ground,' so I got on the ground. Two cops grabbed my arms and then he took the cuffs and put them on me."

Toronto Police say they later reassured him that he wasn't in trouble and gave him and his mom a ride home. "The boy left with a handshake and a hug. He seemed to understand the situation," Kwong insisted.

Not quite so, it seems.

"I still feel scared of the police," the poor child said. "And whenever I see a cop car, I hold my mom's hand."

## **Discussion questions**

- 1) Is this a crime? Why? Why not?
- 2) If you were the teacher, would you have called the police? If not, what would you have done instead?
- 3) If you were the police officer, would you have handcuffed the child? If not, what would you have done instead?
- 4) Do we rely too much on criminal law to solve societal conflicts?
- 5) Can you think of alternative systems to deal with deviance in society?

## **Class 2, Sep. 15**

### **Legal goods and harm principle**

### **Reading activity**

### **Criminal responsibility**

Write a scenario where a crime is committed. Focus on the different aspects of actus reus which we discussed. Another group will analyze your scenario.

## **Class 3, Sep. 23**

### **Theory of offence**

Analyze the following scenes. Discuss whether there is a crime or not. Analyze every element of the crime.

## **Class 4 & 5, Sep. 29 & Oct 6**

### **Criminal defences**

- Do you think that the insanity defence was correctly applied?
- In your opinion does Andrew's pattern of behaviour before and after the murder of Nancy Eaton indicate that he is insane?
- If not, what do you think was Andrew's motivation to kill Nancy?
- In Dr. Lee Coleman's book *Reign of Error*, he says that psychiatrists should stay out of the courtroom. Do you agree with this assertion?
- During the trial what theories were offered by the defence expert witness, Dr. Irwin, for Andrew's murder?
- What are the flaws of these theories? How does Andrew's general behaviour affect your opinion of the verdict of not guilty by reason of insanity?
- What do you think of the insanity defence?

### **Canadian case files: RCMP**

- What are the requirements for self-defence?
- What are the requirements for self defence that results in death? Do you agree with these requirements?
- Did the police officer commit homicide?
- Did he act in self-defence? Why? Why not? If not, what should he have done or refrained from doing in order to comply with the self-defence requirements?

## **Canadian case files: Prison**

- Is it self-defence?

## **Domestic violence**

- Identify and discuss instances of domestic violence?
- Why does this happen?
- What are the best possible ways to deal with this abuse?
- What, if any, is the role of Criminal Law in these instances of domestic violence?
- If the wife killed his husband while he was sleeping, would that be a crime? Could she raise the battered women syndrome defence?

## **Classes 6 & 7, October 13 & 20**

### **Stalking**

Analyze the following scenes. Discuss whether stalking was committed or not. Analyze every element of the crime. What type of stalker is this person?

Discuss the following scenarios

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### **Scenario 1**

Ever since he was a teenager, Prof. Julian Hermida has had a huge crush on Brooke Shields. He has always bought her posters, pictures, and has watched all her movies and TV shows. He even shows her videos in class whenever he has a chance. Professor Hermida has also the dubious record of being eBay's ever highest bidder for a signed photograph when he paid US\$ 275 plus shipping and handling for an 8 X 10 glossy picture signed by Brooke Shields herself –or at least, so he thinks.

Last spring, when Professor Hermida learned that Brooke Shields would play in a musical (Chicago) in London, UK, he traveled to England to see the play. After the show, he waited for her outside the Adelphi Theatre –like many other fans- and asked her for her autograph.

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### **Scenario 2**

George Stults, the 7<sup>th</sup> Heaven star, complains to the police that he is being constantly bothered by a persistent fan. Stults reports that no matter how many times he changes his phone number or location, this woman somehow locates him. Stults feels that she must have some connection with

the telephone company. He has received over a hundred telephone calls with message left on his answering machine at all hours of the day and night from this woman, known only to him as “Deborah”. The calls are frequently obscene, and very suggestive. With the assistance of the telephone company, the police are able to trace the telephone calls to a Deborah Dorey, a recently fired employee, responsible for handling applications for unlisted telephone numbers.

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### Scenario 3

Professor Gomez, a newly recruited English Literature Assistant Professor at the University of California, is madly in love with one his students –Alyssa. He thinks that she may love him because he noticed that when he is lecturing she looks at him. He repeatedly asked her to go to his office during his office hours with any sort of excuse (share his class notes with her, explain new theories and even reveal the questions of the test). The student went to his office, but when she realized the meetings didn’t have an academic purpose she stopped going.

Professor Gomez went crazy and engaged in a bizarre and obsessive pattern of behavior that included relentless e-mail messages, phone calls, “love” poems, and numerous communications that spread lies about her to other professors at the University of California. She felt afraid, vulnerable and helpless.

Alyssa and her boyfriend asked Professor Gomez to stop all this. But this did not stop the Professor, who continued to pursue the student through other means, such as posting poems

about her on his Web site, engaging in incidents of watching her in the library, and sending indirect communications through her colleagues.

Professor Gomez confessed to an undercover police officer –who pretended to be a new faculty member- virtually all the alleged incidents, and admitted that an obsessive love of the student had evolved into an obsessive hatred.

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#### Scenario 4

Johnny is a popular junior who dates a lot of girls on campus. Last week, after he broke up with Maria, she started spreading a rumor that he was "lousy in bed".

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#### **Scenario 5**

Chester Walters advises you that for the past forty years, he has received a Christmas card from his brother Arthur. Chester hasn't spoken to his brother since the Korean war when Arthur

married his sweet heart while he was overseas fighting. Chester states that he never opens the cards, and sees his brother's behavior as harassment.

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### Scenario 6

Dr. Diane Lane states that she is being bothered by the janitor at the clinic where she does volunteer work, in her neighbourhood. Dr. Lane remarks that she works late often until 9 or 10 in the evening. "Chuckie", insists on walking her home. She politely refused, but he persisted anyways. After speaking more firmly to him, she noticed that he followed her home the next night from a distance. She is now fearful of his intentions.

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### Scenario 7:

Andrea Reebok reports that her parents are being intimidated by her former boyfriend. After a short, but abusive relationship, Andrea left Keith McLean and moved to another community. Andrea feared Keith McLean would harm her when he discovered she had left him, so she left no forwarding address. This evening McLean went over to her parent's home and demanded to know where she had moved. Her parents refused to provide him with the address. McLean threatened to "make their life a living hell" until they told him. He smashed several family heirloom vases, kicked in their grandfather clock, and stormed out the door stating he would return and they would be sorry. He told them he would "kick the crap out of both of them next time."

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### Scenario 8

At Tim's work it is common for everyone to send emails to each other. One of his co-workers sent Tim an email with pornographic pictures in it, Tim sees it and feels uncomfortable.

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### Scenario 9

A man moved to a small community to work. He met a woman who worked in a local store but lived in an isolated farmhouse 20 minutes from town. He commented on their first meeting how frightening it must be to live as a woman alone, but that she shouldn't worry, as he was not a stalker. A few days later, he appeared at her side while she was working at the store.

He met her days later at a community event that she attended with friends. Later, he arrived at her house while she was alone, preparing to go out for the evening. She invited him in but told him she had to leave soon. He talked about his repeated visits to the farmhouse when she was not there, and how glad he was to have found her at home. He spoke again of her isolated setting, and her vulnerability to attack. He accurately described her activities with her friends that day. She eased him out of her house and fled to her friends.

A mutual friend told the suspect that the woman was upset by his visit. The following morning, the suspect arrived at her door because he had left his coat at her house the night before. She did not answer. The suspect began to depart, then stopped and parked his vehicle so that it blocked her car. Then he returned to bang loudly on the door. Police were called.

The suspect gave a statement to the police indicating he was new in town, single and lonely, and the woman was friendly. He had run into her accidentally at the store, and later at a community event. When he came to visit, she invited him in for a drink, and he forgot to take his coat when he left. Later he heard that she was upset with him. He visited her house the next day to find out why, but no one was at home. As he was leaving, he saw a curtain moving, so he stopped his vehicle and ran back to see if she was, in fact, at home.

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### **Scenario 10**

Amber is the new exchange student from Europe and all the guys are asking her out. Sally is very jealous and spreads the rumor that Amber is "easy" and a "slut".

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### **Scenario 11**

Gaston Tooley went to The Tavern, a bar in Los Angeles, California. He drank several beers until he was completely drunk. Suddenly, he spotted Jennifer Love Hewitt having a drink with some friends. He stared at her for several minutes. Suddenly, Jennifer looked at her watch and left the bar. Gaston, who has had a crush on her since he watched her every week on Party of Five, followed her. She got into an apartment building near the bar. Gaston waited for her. Two hours later, she came out and took a taxi to her home in Beverly Hills. Gaston drove his car and followed her. When she was unlocking her door at her Beverly Hills mansion, Gaston got out of his car and asked her to marry him. She said “Go away or I’ll call security”. Gaston threatened to kill her if she didn’t agree to take a plane to Vegas and marry him that same day.

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## **Scenario 12**

Waitress, Flo Delaney, reports that she is having trouble with a regular customer. Delaney states that an older gentleman, Leo Bryan, has been coming into the restaurant everyday and has been proposing marriage to her for the past three months. At first, she felt it was kind of sweet, and hadn't taken him seriously. Leo is over twice her age (he is about 70 years old), and she has been living in a common law arrangement for the past four years. Despite telling him firmly that she was already married, Bryan remained persistent. For the last two weeks, he offered her presents, which she politely refused. Finally, his presence began to bother her and she had the manager

throw him out of the restaurant. For the past two nights, he has been parked across the street from her apartment all night. Flo is afraid Leo may rape her if she does not marry him.

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### **Class 9 Nov. 3**

#### **Criminal participation and attempted crimes**

Analyze the following scenes. Discuss whether there is a crime or not. Analyze every element of the crime.

Write five scenarios involving attempted crimes. Another group will analyze them.

Analyze the following scenes. Discuss the criminal participation of every person involved in the following crimes.

### **Class 10 Nov. 10**

## **Homicides**

Analyze the following scenes. Discuss whether there is homicide or not. Analyze every element of the crime.

## **Class 11 November 17**

## **Criminal Justice Process**

Analyze the following scenes. Discuss the elements of the criminal justice process that we discussed in class.