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| **TEXAS CTE LESSON PLAN**[www.txcte.org](http://www.txcte.org) |
| **Lesson Identification and TEKS Addressed** |
| **Career Cluster** | Law, Public Safety, Corrections, & Security |
| **Course Name** | Law Enforcement I |
| **Lesson/Unit Title** | Criminal Homicide – Texas Penal Code |
| **TEKS Student Expectations** | **130.336. (c) Knowledge and Skills**(8) The student analyzes procedural and substantive criminal law. (A) The student is expected to define crime categories and respective punishments according to the Texas Penal Code.(B) The student is expected to analyze the elements of criminal acts according to Texas laws, including Alcoholic Beverage Code, Family Code, Penal Code, Health and Safety Code, and Criminal Code of Procedure.(D) The student is expected to analyze types of criminal defenses. |
| **Basic Direct Teach Lesson**(Includes Special Education Modifications/Accommodations and one English Language Proficiency Standards (ELPS) Strategy) |
| **Instructional Objectives** | The students will be able to:* Discuss the elements of murder.
* Distinguish the different types of homicides and the differences between murder and capital murder.
* Analyze infamous murder cases.
* Evaluate what crimes apply to different cases.
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| **Rationale** | Criminal homicide is the most drastic crime. It is important for an officer to know the differences between types of homicides and their punishments, which can range from probation to the death penalty. |
| **Duration of Lesson** | 5 to 7 Hours |
| **Word Wall/Key Vocabulary***(ELPS c1a,c,f; c2b; c3a,b,d; c4c; c5b) PDAS II(5)* |  |
| **Materials/Specialized Equipment Needed** | * Computers with Internet Access
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| **Anticipatory Set**(May include pre-assessment for prior knowledge) | Have a press conference. Divide the students into groups and give each group a different homicide law to study using the penal code. Have the students present their information to the class in a press conference format and have the students in the audience ask questions. Use the Press Conference Activity Rubric for assessment. |
| **Direct Instruction \*** | Texas Penal Code. Title 5. OFFENSES AGAINST THE PERSON. Chapter19. CRIMINAL HOMICIDEI. Sec. 19.01. TYPES OF CRIMINAL HOMICIDE.1. A person commits criminal homicide if he intentionally, knowingly, recklessly, or with criminal negligence causes the death of an individual.
2. Criminal homicide is murder, capital murder, manslaughter, or criminally negligent homicide.

II. Sec. 19.02. MURDER.1. In this section:
2. "Adequate cause" means cause that would commonly produce a degree of anger, rage, resentment, or terror in a person of ordinary temper, sufficient to render the mind incapable of cool reflection.
3. "Sudden passion" means passion directly caused by and arising out of provocation by the individual killed or another acting with the person killed which passion arises at the time of the offense and is not solely the result of former provocation.
4. A person commits an offense if he:
5. Intentionally or knowingly causes the death of an individual;
6. Intends to cause serious bodily injury and commits an act clearly dangerous to human life that causes the death of an individual; or
7. Commits or attempts to commit a felony, other than manslaughter, and in the course of and in furtherance of the commission or attempt, or in immediate flight from the commission or attempt, he commits or attempts to commit an act clearly dangerous to human life that causes the death of an individual.
8. Except as provided by Subsection (d), an offense under this section is a felony of the first degree.
9. At the punishment stage of a trial, the defendant may raise the issue as to whether he caused the death under the immediate influence of sudden passion arising from an adequate cause. If the defendant proves the issue in the affirmative by a preponderance of the evidence, the offense is a felony of the second degree.

III. Sec. 19.03. CAPITAL MURDER.1. A person commits an offense if the person commits murder as defined under Section 19.02(b)(1) and:
	1. The person murders a peace officer or fireman who is acting in the lawful discharge of an official duty and who the person knows is a peace officer or fireman;
	2. The person intentionally commits the murder in the course of committing or attempting to commit kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction or retaliation, or terroristic threat under Section 22.07(a)(1), (3), (4), (5), or (6);
	3. The person commits the murder for remuneration or the promise of remuneration or employs another to commit the murder for remuneration or the promise of remuneration;
	4. The person commits the murder while escaping or attempting to escape from a penal institution;
	5. The person, while incarcerated in a penal institution, murders another:
2. who is employed in the operation of the penal institution; or
3. with the intent to establish, maintain, or participate in a combination or in the profits of a combination;
	1. The person:
4. while incarcerated for an offense under this section or Section 19.02, murders another; or
5. while serving a sentence of life imprisonment or a term of 99 years for an offense under Section 20.04, 22.021, or 29.03, murders another;
	1. The person murders more than one person:
6. during the same criminal transaction; or
7. during different criminal transactions but the murders are committed pursuant to the same scheme or course of conduct;
	1. The person murders an individual under 10 years of age; or
	2. The person murders another person in retaliation for or on account of the service or status of the other person as a judge or justice of the supreme court, the court of criminal appeals, a court of appeals, a district court, a criminal district court, a constitutional county court, a statutory county court, a justice court, or a municipal court.
8. An offense under this section is a capital felony.
9. If the jury or, when authorized by law, the judge does not find beyond a reasonable doubt that the defendant is guilty of an offense under this section, he may be convicted of murder or of any other lesser included offense.

IV. Sec. 19.04. MANSLAUGHTER.1. A person commits an offense if he recklessly causes the death of an individual.
2. An offense under this section is a felony of the second degree.

V. Sec. 19.05. CRIMINALLY NEGLIGENT HOMICIDE.1. A person commits an offense if he causes the death of an individual by criminal negligence.
2. An offense under this section is a state jail felony.

VI. Sec. 19.06. APPLICABILITY TO CERTAIN CONDUCT.1. This chapter does not apply to the death of an unborn child if the conduct charged is:
	1. Conduct committed by the mother of the unborn child;
	2. A lawful medical procedure performed by a physician or other licensed health care provider with the requisite consent, if the death of the unborn child was the intended result of the procedure;
	3. A lawful medical procedure performed by a physician or other licensed health care provider with the requisite consent as part of an assisted reproduction as defined by Section 160.102, Family Code; or
	4. The dispensation of a drug in accordance with law or administration of a drug prescribed in accordance with law.

*Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*None |
| **Guided Practice \*** | *Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*None |
| **Independent Practice/Laboratory Experience/Differentiated Activities \*** | Serial Killer Research Paper and Presentation. Have the students write a research paper about a serial killer. (No duplication. Only one serial killer for each student.) It must be a minimum of one page, double-spaced, 12 pt. font with 1-inch margins. A cover sheet and a works-cited page must be included. The Serial Killer Research Rubric lists the information that needs to be included. Use the Serial Killer Research Rubric for assessment. (Note: This activity may be extended by having the students present their papers to the class. Use the Presentation Rubric as needed.)Have students complete the open-note quiz.*Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*None |
| **Lesson Closure** |  |
| **Summative/End of Lesson Assessment \***  | * Criminal Homicide Exam and Key
* Criminal Homicide Quiz (Open Note) and Key
* Press Conference Rubric
* Serial Killer Research Rubric
* Presentation Rubric
* Research Rubric

*Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*None |
| **References/Resources/****Teacher Preparation** | Texas Penal Code: <http://www.statutes.legis.state.tx.us/Docs/SDocs/PENALCODE.pdf>  |
| **Additional Required Components** |
| **English Language Proficiency Standards (ELPS) Strategies** |  |
| **College and Career Readiness Connection[[1]](#footnote-1)** |  |
| **Recommended Strategies** |
| **Reading Strategies** |  |
| **Quotes** |  |
| **Multimedia/Visual Strategy****Presentation Slides + One Additional Technology Connection** |  |
| **Graphic Organizers/Handout** |  |
| **Writing Strategies****Journal Entries + 1 Additional Writing Strategy** |  |
| **Communication****90 Second Speech Topics** |  |
| **Other Essential Lesson Components** |
| **Enrichment Activity**(e.g., homework assignment) | For reinforcement, the students will find articles in the newspaper or online about crimes involving homicide and determine which homicide charge should be used and why. Use the Research Rubric for assessment.For enrichment, students will research more than one serial killer. Use the Research Rubric for assessment. |
| **Family/Community Connection** |  |
| **CTSO connection(s)** | SkillsUSA |
| **Service Learning Projects** |  |
| **Lesson Notes** |  |

1. Visit the Texas College and Career Readiness Standards at <http://www.thecb.state.tx.us/collegereadiness/CRS.pdf>, Texas Higher Education Coordinating Board (THECB), 2009. [↑](#footnote-ref-1)