

**CRIJ -6396-01**  
**Legal Aspects of Criminal Justice Management**  
**Fall 2017**  
**Department of Criminal Justice and Criminology**

PROFESSOR: Sparks Veasey, M.D., J.D.

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CLASS HOURS: Sat. Aug. 26 8-12; Sept. 16 8-5; Oct. 14 8-5; Nov. 11 8-5; Dec 2 8-12

CLASSROOM: A-213

OFFICE HOURS: Wed.: 8-12. I can be reached by cell phone almost anytime. I will be happy to meet with students before class with prior arrangement

**TEXTBOOK:**

Aitchison, Will. (2015). *The Rights of Law Enforcement Officers* (7<sup>th</sup> ed.). LRIS Publications, Portland, Oregon. The author is a veteran West Coast labor lawyer who represents a large number of police unions. He also publishes a monthly labor law newsletter entitled *Public Safety Labor News*. Additionally, he conducts educational seminars for police and fire union leaders.

While the content of the Aitchison book focuses on law enforcement officers, the vast majority of the principles set forth may be applied to all public sector employees. Certain legal rules may be applicable only to justice employees and not other public employees. In a few instances, slightly different rules may regulate uniformed public employees, e.g., police officers, firefighters, correctional officers, but not personnel such as probation and parole officers. This circumstance is further discussed in one of the early presentations. When reading the assignments, the student should consider the material in the context of their own employment in the justice system.

The professor will use Power Point presentations during the semester. Most of the material in the Powerpoints will be covered in the assigned readings from Aitchison

**COURSE DESCRIPTION:**

An overview of the common legal issues facing managers in criminal justice agencies. Particular emphasis is placed on public employment law, including hiring, promoting, disciplining and discharging of employees, fair employment practices, and agency and administrator civil liability. Both state and federal statutory and case law are examined.

**Course Objective**

This course is designed to provide the student with a basic understanding of the legal aspects of public administration with particular focus on criminal justice management. Included in the course are discussions of the legal issues surrounding the role of a criminal justice administrator with particular emphasis on personnel practices, civil liability, and rights of public employees.

### COURSE REQUIREMENTS:

#### *Examinations*

There will be three examinations. Each exam will count 30 per cent toward the final grade. Depending on circumstances, make-up exams may be arranged, but the student must attend all classes

Examination questions for the exams will come from the assigned reading, classroom discussions, and lectures. Anything discussed in class is subject to testing.

Test results will normally be reviewed at the following class session. In incidences where the professor determines that more than one correct answer exists for a question, credit may be awarded for an answer in addition to the keyed response.

No notes, books, or digital devices of any kind may be used during exams.

### GRADING:

Final grade determination will be based upon 100 possible points. Each of the three exams will count 30 points and class participation will count 10 points toward the final grade.

The first class day, the class will be divided into 4 groups. Prior to each class after the first, a scenario or requirement to analyze a particular issue will be assigned to each group and posted on Blackboard. The scenario will involve a legal issue that each student is to brief, using cases or statutes that he/she believes to be relevant. During the initial part of the class, the group will meet and discuss the issue and develop a presentation involving all member of the group. This participation will constitute 10 per cent of the total grade.

### **STUDENT ACADEMIC POLICIES**

Policies may be found at:

<http://www.shsu.edu/dept/academic-affairs/aps/aps-students.html>

### ATTENDANCE POLICY:

Attendance will be recorded pursuant to University policy. All classes must be attended.

## ACADEMIC HONESTY, DISABLED STUDENT POLICY, STUDENT ABSENCES ON RELIGIOUS HOLY DAY POLICY:

### *Academic Dishonesty*

All students are expected to engage in all academic pursuits in a manner that is above reproach. Students are expected to maintain honesty and integrity in the academic experiences both in and out of the classroom. Any student found guilty of dishonesty in any phase of academic work will be subject to disciplinary action. The University and its official representatives may initiate disciplinary proceedings against a student accused of any form of academic dishonesty including, but not limited to, cheating on an examination or other academic work which is to be submitted, plagiarism, collusion and the abuse of resource materials.

### *Students with Disabilities Policy*

If you have a disability that may affect adversely your work in this class, then I encourage you to register with the SHSU Counseling Center and to talk with me about how I can best help you. All disclosures of disabilities will be kept strictly confidential. NOTE: No accommodation can be made until you register with the Counseling Center. To review University services provided to students with disabilities, review the information at: [www.shsu.edu/~counsel/sswd.html](http://www.shsu.edu/~counsel/sswd.html).

### *Religious Holy Day Policy*

Section 51.911(b) of the Texas Education Code requires that an institution of higher education excuse a student from attending classes or other required activities, including examinations, for the observance of a religious holy day, including travel for that purpose. Section 51.911 (a) (2) defines a religious holy day as: “a holy day observed by a religion whose places of worship are exempt from property taxation under Section 11.20....” A student whose absence is excused under this subsection may not be penalized for that absence and shall be allowed to take an examination or complete an assignment from which the student is excused within a reasonable time after the absence. University policy 861001 provides the procedures to be followed by the student and instructor. A student desiring to absent himself/herself from a scheduled class in order to observe (a) religious holy day(s) shall present to each instructor involved a written statement concerning the religious holy day(s). The instructor will complete a form notifying the student of a reasonable timeframe in which the missed assignments and/or examinations are to be completed. For complete information regarding of the university policy on observance of religious holy days see: [www.shsu.edu/~vaf\\_www/aps/documents/861001.pdf](http://www.shsu.edu/~vaf_www/aps/documents/861001.pdf).

## USE OF TELEPHONES AND TEXT MESSAGERS IN ACADEMIC CLASSROOMS AND FACILITIES:

<http://www.shsu.edu/dept/academic-affairs/aps/aps-curriculum.html>

IPODS, pagers and cellular telephones must be turned off prior to class. All such devices must be stowed during exam periods. Text messaging during class is not permitted. In the event of a

special circumstance necessitating communication during class, notify the professor prior to the beginning of class.

Students may use their laptop computer to take notes. Any other use will result in ejection from class. The professor retains the right to view the student's computer screen at any time. Laptop computers, "smartphones" and similar electronic devices may NOT be used during exam periods. Even the visible presence of such a device during the test period will result in a zero for that test. Use of these devices during a test is considered *de facto* evidence of cheating and could result in a charge of academic dishonesty.

Students with a bona fide need for emergency communication during class time shall make acceptable arrangements with the professor. For University policy on the matter, see: [http://www.shsu.edu/~org\\_sen/pdf/Cell-Phone%20Policy%20\(AP%20100728\).pdf](http://www.shsu.edu/~org_sen/pdf/Cell-Phone%20Policy%20(AP%20100728).pdf)

#### OUTLINE OF TOPICS TO BE COVERED FOR EACH CLASS MEETING:

Optimally, the following topics will begin on the dates indicated. **However, coverage of the topic will continue until the date of the next topic.** The student should prepare all materials by the respective assignment dates. Additional topics may be added as the semester progresses. All reading assignments below are from the above described text (Aitchison

#### **August 26**

Overview and Introduction of Basic Principles

No reading assignment

#### **Sept. 16**

Collective Bargaining

Chapt. 2

Principles of Discipline

Chapt. 3

Discipline and Appeals and Arbitration

Chapt. 4

Select Procedural Rules for Discipline

Chapt. 5

#### **Oct. 14**

First Exam

Brady and Progeny

Chapt. 6

Bill of Rights Related to Law Enforcement

Chapt. 7

Privacy Rights of Officers

Chapt. 8

Freedom of Speech

Chapt. 9

#### **Nov. 11**

Second Exam

Freedom of Association

Chapt. 10

Politics

Chapt. 11

Issues of Religion

Chapt. 12

Discrimination

Chapt. 13

**Dec. 2**

Third Exam

Select Federal Workplace Laws

Chapt. 14