

CRIJ -6396-02
Legal Aspects of Criminal Justice Management
Fall 2017 (Online 7a)
Department of Criminal Justice and Criminology

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

OFFICE: Beto Criminal Justice Center – Room C-223

TELEPHONE: 936-294-1662 Cell Phone: 409-256-2429

E-MAIL: spv001@shsu.edu

CLASS HOURS: Aug. 23, 2017 through October 13, 2017

CLASSROOM: Online

OFFICE HOURS: Wed.: 8-12. I can be reached by cell phone almost anytime. My cell phone is the most efficient way to communicate with me. I will be happy to meet with students in person on campus with prior arrangement.

TEXTBOOK:

Aitchison, Will. (2015). *The Rights of Law Enforcement Officers* (7th 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. The exams will constitute 80% of the final grade. Examinations may be taken any time of the week of the examination described below. No make-up will be permitted. In addition, two short papers will be assigned based upon a scenario that I will submit to the class. Each paper will constitute 10% of the final grade.

Examination questions for the exams will come from the assigned reading, classroom discussions, and lectures. Anything discussed in class is subject to testing. The examinations will be fill in the blank, true/false, or very short answer format. Each exam will have a time limit of 30 minutes.

No notes, books, or digital devices of any kind may be used during exams. You are on your honor to observe this directive

GRADING:

Final grade determination will be based upon 100 possible points. The three exams will count 80% of the final grade. Each of the two papers will constitute 10% of the final grade.

The papers are to be no more than 5 double-spaced pages long. You are to argue sides of an issue that I will present based upon case law and statutes. I am not as interested in form as I am soundness of reasoning. These may not have a definitive answer, as issues in law often do not. Just take a position after examining both sides and convince me that your outcome is the correct one.

During the semester, informal discussions may come about which I will initiate by email. Please participate. These will likely address current affairs. During the semester, watch the news, and think about how you as an administrator would address these issues using some of the principles we will discuss.

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. (Not applicable to this class, but included pursuant to syllabus requirements)

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.

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.

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)

(This section not applicable to this online class, but included pursuant to syllabus policy.)

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)

Week of Aug. 23 Through Week of Sept. 4 (Contents of Module 1 and Reading Assignments)

Overview and Introduction of Basic Principles

Collective Bargaining

Chapt. 2

Principles of Discipline

Chapt. 3

Discipline and Appeals and Arbitration

Chapt. 4

Select Procedural Rules for Discipline

Chapt. 5

Exam 1 week of Sept. 4

Week of Sept. 18 Through Week of Sept. 25 (Contents of Module 2 and Reading Assignments)

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

Exam 2 week of Sept. 25

First Paper Due Sept. 29.

Week of Oct. 7 Through Week of Oct. 9 (Contents of Module 3 and Reading Assignments)

Freedom of Association
Politics
Issues of Religion
Discrimination
Select Federal Workplace Laws
Exam 3 week of Oct. 9
Second Paper due by Oct. 13

Chapt. 10
Chapt. 11
Chapt. 12
Chapt. 13
Chapt. 14