

Department of Criminal Justice and Criminology

CRIJ 2394.02 Courts and Criminal Procedure Spring, 2018

SYLLABUS

Room: A115
Time: TTH 12:30-1:50 PM
Office: CJC C204
Office Hours: By appointment only

Professor: Dr. S. Kawucha
Phone: 936-294-3642
Email: skk003@shsu.edu

Required Text

del Carmen, Rolando V. *Criminal Procedure: Law and Practice*. 10th ed. Cengage, 2017.
ISBN: 9781305577367

Course Description

This course examines the constitutional and statutory bases of laws, and the judicial interpretations of the procedures governing the administration of criminal justice and police practices.

Course Objectives and Goals

At the completion of this course, students should accomplish the following:

- an understanding of the exclusionary rule and probable cause
- an understanding of judicial interpretations involving arrests, searches, and seizures
- an understanding of the laws regarding interrogations and confessions
- an understanding of constitutional rights during trial
- an understanding of the consequences of unlawful police conduct

Course Requirements

Grade Scale:

90 -100	A
80 - 89	B
70 - 79	C
60 - 69	D
0 - 59	F

Course Grading:

3 Exams	300 points
Participation	50 points
2 Briefs	<u>50 points</u>
Total	400 points

Exams

There will be 3 exams worth a total of 300 points. They may be multiple choice, short answer, fill in the blank, identifications, and/or essay. Each test will cover all material presented in the texts, handouts, videos, and presented in lecture. Study guides will be provided prior to all exams. I do not provide word banks, word lists, or definition lists.

Attendance and Participation

I will take attendance by way of a sign-in sheet each class day. After 2 absences, you will lose 10 points for each additional absence. I also will keep track of all students who actively participate in class discussions and ask questions. Therefore, I strongly encourage all students not to miss class. In addition:

- Students may miss valuable information for exams from lectures and discussions, and as exams are drawn heavily from lectures, missing class will negatively impact your score.
- If you miss class on the date a brief is due, you will receive a zero score for that brief.
- Students may miss extra credit quizzes.
- Students will miss out on participation points
- Students that miss more than 5 class sessions may be administratively dropped according to University Guidelines.

Note: Having another student sign in for you is the same as cheating since it involves points and a grade. Doing so may result in a grade of F for all students involved.

Case Briefs

Each student will do 2 briefs on cases listed in the text, and they are worth 25 points each for a total of 50 points possible. Each student will have a U.S. Supreme Court case to brief from the chapter being discussed at that time in class. We will discuss the format and requirements in class. Late briefs will not be accepted, nor will they be accepted by email. They are due IN CLASS, on the day noted in the schedule. NO EXCEPTIONS.

Academic Honesty

I regret that I should even have to mention the issue of cheating, but here it is: If I catch you, the very least you can expect is an F. Honor and integrity is the very core of Criminal Justice and I value my profession and its reputation very highly.

Extra Credit

Throughout the semester, I may have several unannounced quizzes. Each will be worth 5 points. (Five questions worth a point each). At the end of the semester, I will add any points that you have earned to your final score. Obviously, if you are not present, you will miss the quiz and the opportunity for extra points. There are no make – ups under any circumstances on quizzes.

Make – Up Work / Exams

Any make – up exams will only be given in response to legitimate, substantial reasons. Make – ups will be different from the exam offered in class, most likely entirely essay. Please make every effort to contact me **prior** to the absence via email or leave a message with the CJ office.

ADA Statement

Students with a certified disability may contact me at any time regarding any necessary accommodations. The department of Criminal Justice complies with the Americans with Disabilities Act (ADA) in making reasonable accommodations for qualified students. Students who have established a file containing documentation of a disability must present a written accommodation request from the Office of Disability Accommodation to the instructor. Any supported accommodations supported by the Office of Disability will be complied with immediately. For additional information, see:

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

Religious Holidays

For university policy on student absences on religious holidays, refer to SHSU Student Guidelines for complete information.

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

Miscellaneous

- Please turn off any cell phones or pagers; they are immensely distracting to other students and to me. No recording devices will be allowed unless required by ADA Guidelines, and this includes portable and/or laptop computers.
- Any student caught texting, listening to a device, calling or using any electronic device will be expelled from the rest of the class session. A second offense will result in the permanent removal of the student from the class. For further information one phone use see:
<http://www.shsu.edu/dept/academic-affairs/aps/aps-curriculum.html>
- During exams, any cell phone or other electronic device that activates will be confiscated and returned at the end of the semester.
- Students are reminded that discussions may involve issues that are sensitive and inflammatory in nature. Please remember that everyone is entitled to his or her own opinion and view of a topic. However, intentional provocation, insult, or abuse directed at another student or the instructor *will not be tolerated*, and the offender will be asked to leave.
- If you want to fall asleep, please do so at home, not in my class.
- I round up final scores. For example, an 89.5 is an A, an 89.4 will remain a B. Other than this, I do not change grades.
- If you are having difficulties, the best course is to let me know immediately. Do not wait until finals when I cannot help you. My goal is to have every student attain the grade they wish in this course, whatever that grade may be.
- Incompletes will **only** be given for major medical or other personal emergencies, not just because you are doing poorly in the course.

Syllabus Changes

I reserve the right and have the discretion to make changes to this syllabus. If a change becomes necessary, I will announce the change(s) in class. It is your responsibility to be in class so you can be made aware of any changes. Failing to make syllabus changes because of missing class is not an excuse for missing or late work assignments.

Course Schedule

The following schedule is an approximation of required readings. All reading is required BEFORE class to help facilitate class discussions. Additional readings or cases may be handed out during class.

<u>Week</u>	<u>Topic</u>	<u>Reading</u>
1/18	Introduction and Syllabus	
1/23	The Court System and Sources of Rights	Chapter 1
1/30	Overview of the Criminal Justice Process	Chapter 2
2/6	Probable Cause and Reasonable Suspicion (<i>Brief 1 due 6th</i>)	Chapter 3
2/13	The Exclusionary Rule	Chapter 4
2/20	Stop and Frisk	Chapter 5
2/27	First Exam: Chapters 1-5	
3/1	Arrests	Chapter 6
3/6	Arrests (cont'd) Searches and Seizures of Things	Chapter 6/7
3/13-15	SPRING BREAK	
3/20	Searches and Seizures of Things Vehicle Stops, Searches, and Inventories	Chapter 7/8
3/27	Vehicle Stops, Searches, and Inventories Plain View, Open Fields, Abandonment (<i>Brief 2 due 27th</i>)	Chapter 8/9
4/3	Plain View, Open Fields, Abandonment	Chapter 9
4/10	Second Exam: Chapters 6-9	
4/12	Lineups	Chapter 10
4/17	Confessions-Admissions	Chapter 11
4/24	Legal Liabilities of Police Misconduct	Chapter 14
5/1	Constitutional Rights of the Accused during Trial	Chapter 13
5/8	Final Exam: Chapters 10, 11, 13, 14	

NOTE TIME CHANGE 3:30-5:30 PM