
CRIJ4332: LEGAL ASPECTS OF CORRECTIONS

SPRING 2018

Department of Criminal Justice and Criminology, Sam Houston State University

Professor:	Dr. Brandy Blasko
Office:	C-219, Criminal Justice Center
Office Telephone:	936-294-3489
E-Mail:	bblasko@shsu.edu
Class Hours/Location:	Online
Office Hours:	By appointment

COURSE DESCRIPTION AND OBJECTIVES

This course is designed as an in-depth examination of the legal problems confronting correctional systems and practices in the United States with a specific emphasis on institutional corrections. The course focuses on legal problems in corrections from conviction to release and spans both individuals employed by and involved in the correctional system. The course covers practical legal problems with direct relevance for correctional staff and administrators, including legal issues related to policies and procedures at sentencing, confinement, and community supervision stages of the correctional system. The course also introduces to the United States Constitution and how it impacts the rights of individuals involved in the correctional system, including both the loss and restoration of rights. By the end of the course, students should be able to:

1. Talk in specific terms about basic legal case brief terminology and definitions;
2. Explain how criminal justice system case filings lead to decisions by United States courts; and
3. Describe the relationship between United States court cases and the policies and procedures of the United States correctional policies and procedures.

REQUIRED COURSE MATERIALS

1. del Carmen, R. V., Ritter, S. E., & Witt, B. A. (2017). *Briefs of leading cases in corrections* (6th ed.). New York, NY: Routledge. (ISBN-10: 1437735088 | ISBN-13: 978-1437735086)
2. Supplemental course material, such as journal articles, government documents, and handouts, are available electronically via the course *Blackboard* page.

COURSE REQUIREMENTS

CASE BRIEF ASSIGNMENTS

During the course of the semester you will write two legal case briefs. Each case brief assignment is worth 100 points for a total of 200 points, or 38% of your final grade. Specific requirements regarding case selection and case brief guidelines will be posted to the course *Blackboard* page.

EXAMS

We will have four exams during the course of the semester. Each exam consists of objective (multiple choice, true/false, matching) questions to test your knowledge of the reading(s) and other course material(s). Because the exams are not cumulative, a review sheet will be provided in advance of each exam to clearly outline the material covered on the respective exam. Make-up exams will not be given. Your overall exam grade for the course will be made-up of your three highest exam grades—in other words, your lowest grade will be dropped. Each exam is worth 100 points for a total of 300 points, or 57% of your final grade.

GRADING

Course grades will be calculated according to the following formula:

Course Requirement	Point Formula	Possible Pts.
Discussion Introduction	1 post x 25 points per post	25
Exams	4 exams x 100 points per exam – 1 dropped exam	300
Case Brief Assignments	2 briefs x 100 points each	200
<i>Total Points</i>		525

Grade Scale: 090.00-100.00 = A 080.00-089.99 = B 070.00-079.99 = C
 060.00-069.99 = D 059.00 and below = F

EXTRA CREDIT OPPORTUNITIES

Extra credit opportunities will be provided two times during the course. At the time each opportunity is available, instructions will be posted to the course *Blackboard* page.

COURSE POLICIES

VIRTUAL OFFICE

Please use the Virtual Office to ask general questions about the course, course materials, and assignments. By posting to the Virtual Office you are guaranteed a response within 24 hours. Before posting a question or e-mailing the professor with a question, check the Virtual Office to be sure another student has not already posed the same question and received a response. If you need to ask a more private question, you should use e-mail to communicate with the professor. See the course *Blackboard* page for instructions related to the Virtual Office.

E-MAIL COMMUNICATION

You can expect a response to all e-mails within 48 hours, although I will likely respond sooner. To assure a timely e-mail response, your e-mail you should adhere to the following e-mail guidelines:

1. All e-mails sent to your professor should be professional. Professional e-mails have a subject heading, a proper salutation, a clear statement of the matter at hand, and a proper closing followed by your first and last names.
2. Use CRIJ4332 in the subject heading of your e-mail. Labeling your e-mail will assure I properly respond and in a timely manner.

UNIVERSITY POLICIES

ACADEMIC DISHONESTY

Sam Houston State University's policy on academic honesty is as follows: "Sam Houston State University expects all students to engage in all academic pursuits in a manner that is above reproach and to maintain complete honesty and integrity in the academic experiences both in and out of the classroom" (see Student Guidelines Handbook, Section 5.3). Academic dishonesty is, therefore, prohibited. Academic dishonesty includes but is not limited to, cheating, plagiarism—including self-plagiarism, collusion, falsification, and abuse of resource materials. Refer to the University's Code of Student Conduct and Discipline for the specific definitions associated with academic honesty at Sam Houston State University. You assume responsibility for the content and integrity of all academic work that you submit for a course requirement or grade. Academic dishonesty in any form is regarded as a very serious matter and can lead to the failure of this course and dismissal from the University. I strongly recommend you review the University's policy on academic honesty and appeal procedures as needed. For a complete listing of the University's policy, see: <http://www.shsu.edu/dept/dean-of-students/index.html>.

USE OF TELEPHONES/TEXT MESSAGERS

If you consult with or use any unauthorized electronic devices or materials to aid in the completion of exams or assignments for this course, you will be assigned a failing course grade. For further information on the university policy, see <http://www.shsu.edu/dept/academic-affairs/aps/aps-curriculum.html>.

STUDENT ABSENCES ON RELIGIOUS HOLY DAYS

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 51.011(a)(2) of the code defines a religious holy day: "a holy day observed by a religion whose places of worship are exempt from property taxation under Section 11.20." Sam Houston State University's Academic Policy Statement 861001 provides the procedures to be followed by the student and professor, see: <http://www.shsu.edu/dept/academic-affairs/aps/aps-students.html>.

STUDENTS WITH DISABILITIES

It is the policy of Sam Houston State University (SHSU) that individuals otherwise qualified shall not be excluded, solely by reason of their disability, from participation in any academic program of the university. Further, they shall not be denied the benefits of these programs nor shall they be subjected to discrimination. Students with disabilities that might affect their academic performance should register with the Office of Services for Students with Disabilities located in the Lee Drain Annex (telephone 936-294-3512, TDD 936-294-3786, and e-mail disability@shsu.edu). If you have a disability that may affect adversely your work in this class, then I encourage you to register with the SHSU Services for Students with Disabilities 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 Services for Students with Disabilities. For a complete listing of the University policy, see: <http://www.shsu.edu/dotAsset/7ff819c3-39f3-491d-b688-db5a330ced92.pdf>.

**SEE THE COURSE SCHEDULE FOR COURSE TOPICS,
REQUIRED READINGS, AND ASSIGNMENTS**

This syllabus, including the course schedule, is a plan and is subject to change at any time. If changes are made, you will be provided with a revised syllabus.

COURSE SCHEDULE

Legal Aspects of Corrections

SESSION	TOPIC	REQUIRED READINGS	ASSIGNMENTS	DUE DATE*
1 01/17	Course Introduction Federal Court System	-	Introduction Discussion Board	01/21
2 01/22	Access to the Courts	<ul style="list-style-type: none"> • <i>Ex Parte Hull</i> (pp. 39-40) • <i>Johnson v. Avery</i> (pp. 43-45) 	-	01/28
3 01/29	Access to Counsel	<ul style="list-style-type: none"> • <i>Bounds v. Smith</i> (pp. 48-49) • <i>Lewis v. Casey</i> (pp. 50-51) 	-	02/04
4 02/05	Prison Litigation Reform Act	<ul style="list-style-type: none"> • <i>Miller et al. v. French et al.</i> (pp. 120-122) • <i>Porter v. Nussle</i> (pp. 123-125) 	Exam #1	02/11
5 02/12	Jail and Prison Visitation	<ul style="list-style-type: none"> • <i>Block v. Rutherford</i> (pp. 183-185) • <i>Overton v. Bazetta</i> (pp. 185-187) • <i>Bell v. Wolfish</i> (pp. 22-25) 	-	02/18
6 02/19	Mail and the First Amendment	<ul style="list-style-type: none"> • <i>Turner v. Safley</i> (pp. 127-128) • <i>Thornburgh v. Abbott</i> (pp. 128-130) • <i>Beard v. Banks</i> (pp. 131-132) 	-	02/25
7 02/26	Searches and Seizures	<ul style="list-style-type: none"> • <i>Hudson v. Palmer</i> (pp. 163-165) • <i>Florence v. County of Burlington</i> (pp. 33-34) 	Exam #2	03/04
8 03/05	Use of Deadly Force	<ul style="list-style-type: none"> • <i>Whitley v. Albers</i> (pp. 93-94) 	Case Brief Assignment #1	03/11
S P R I N G R E C E S S				
9 03/19	Use of Non-Deadly Force	<ul style="list-style-type: none"> • <i>Hudson v. McMillian</i> (pp. 94-97) • <i>Wilkins v. Gaddy</i> (pp. 97-99) 	-	03/25
10 03/26	Administrative Segregation	<ul style="list-style-type: none"> • <i>Hewitt v. Helms</i> (pp. 166-167) • <i>Hughes v. Rowe</i> (pp. 82-84) • <i>United States v. Gouveia</i> (pp. 45-46) 	-	04/01
11 04/02	Disciplinary Hearings	<ul style="list-style-type: none"> • <i>Wolff v. McDonnell</i> (pp. 68-70) • <i>Baxter v. Palmigiano</i> (pp. 70-72) 	Exam #3	04/08
12 04/09	Damages and Defenses	<ul style="list-style-type: none"> • <i>Harlow v. Fitzgerald</i> (pp. 56-59) • <i>Cleavinger v. Saxner</i> (pp. 59-60) 	-	04/15
13 04/16	Conditions of Confinement	<ul style="list-style-type: none"> • <i>Bell v. Wolfish</i> (pp. 22-25) • <i>Wilson v. Seiter</i> (pp. 25-27) 	-	04/22
14 04/23	Conditions of Confinement	<ul style="list-style-type: none"> • <i>Rhodes v. Chapman</i> (pp. 35-36) • <i>Helling v. McKinney</i> (pp. 27-29) 	Case Brief Assignment #2	04/30
15 04/30	Medical Care	<ul style="list-style-type: none"> • <i>Estelle v. Gamble</i> (pp. 133-135) • <i>Brown et al. v. Plata et al.</i> (pp. 142-147) 	Exam #4	05/06

* All assignments are due by 11:59 pm CST (Central Standard Time) on the noted due date.