

CRIMINAL PROCEDURE (CRJ-121-40) - SYLLABUS
Fall 2008

CONTACT INFORMATION

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COURSE INFORMATION

Course Title	Criminal Procedure
Course Number	CRJ-121-40
Discipline	Criminal Justice
Class Meets	Online
Text Books	<i>Criminal Procedure</i> , 7 th edition, by Joel Samaha (Belmont, California: Thomson Wadsworth, 2008)

COURSE DESCRIPTION AND OBJECTIVES

This course is an introduction to the limits which the U.S. Constitution sets on police officers and other governmental agents as they gather evidence and prosecute criminal cases. Students will learn rules developed by state and federal courts over the past two hundred years that more fully define, and explain, the limits that the 4th, 5th and 6th amendments have set for law enforcement officers to insure that the individual rights, guaranteed by the U.S. Constitution, are respected and protected. As the course progresses, student will come to understand how “suppression of evidence” through the “Exclusionary Rule” operates as sanction when police and prosecutors are found to have violated the U.S. Constitution.

By the end of the course, students will have a basic understanding of the “criminal process” from investigation through “plea bargain.” They will also understand how to analyze:

- Claims that a police “stop” and subsequent arrest has violated the 4th Amendment ban on “unreasonable” seizures;
- Claims that a search warrant was defective and/or executed in violation of the 4th Amendment;
- Claims that a search without a warrant violated the 4th Amendment;
- Claims that police interrogation violated the suspect’s 5th Amendment right against compelled self-incrimination;
- Claims that certain pre-trial “identification procedures” violate a suspects right to Due Process under the 14th Amendment;
- Claims that evidence should be suppressed under the “Exclusionary Rule.”

COURSE CALENDAR

September

Week 1 (9/2) – Read text pp. 1 – 44, (Chapters 1 and 2)

Week 2 (9/8) – Read text pp. 46 – 78 and pp. 338 – 61 (Chapter 3 and Chapter 10 through the discussion of the Exclusionary Rule)

Week 3 (9/15) – Read text pp. 80 – 147 (Chapter 4)

Week 4 (9/22) – Read text pp. 148 – 214 (Chapter 5 and Chapter 6 through the discussion of *Whren v. U.S.*, 517 U.S. 806 (1996))

Week 5 (9/29) – Read text pp. 214 – 270 (Remainder of Chapter 6 and Chapter 7)

October

Week 6 (10/6) – Read text pp. 272 – 315 and pp. 321 – 33 (Chapter 8 and a portion of Chapter 9 from “Identification Procedures” through the discussion of DNA)

Week 7 (10/13) – Read text pp. 400 – 442 and pp. 461 – 65 (Chapter 12 and a portion of Chapter 13 from “Conviction By Guilty Plea” through the discussion of *North Carolina v. Alford*, 400 U.S. 25 (1970))

Total Reading: 384 pages

* The lectures occasionally refer to appellate cases that touch on issues raised in the lectures. These cases are available to students through the Westlaw database. This service is available online through the Champlain College Library. The lectures are provided by Bob Simpson, former Chittenden County State’s Attorney (and my former boss) and current Champlain College instructor.

Participation and Attendance

Students will be required to complete assignments as set out in the syllabus.

Methods of Evaluation

- Grades: The final exam will count for 50% of the total grade.
- Quizzes: There will be quizzes and students will be required to “brief cases.” Together, these exercises will count for 30% of the total grade.
- Discussion: Discussion will count for 20 % of the final grade. There will be weekly discussion postings that are designed to prompt discussion on the most important issues in that week’s assignment. You will be graded generally on the timeliness, relevance, comprehensiveness and clarity of your responses. (Please see the form below for a more complete explanation of the manner of grading your participation in “Discussion” postings.)

Participation Grade Form

Participation is a key factor to success in an online class. Participation in the discussion forums weighs heavily on the final grade (20%). In order to receive credit you will need to check into the discussion folders each week. Though it will vary from week to week, it is expected that you contribute at least one original post and respond to the posts of at least two other students each week.

The rating scale ranges from 1 to 4 with 1 applying to student participation which is less than acceptable. A score of 4 represents the attainment of the highest standard of participation.

Category	1	2	3	4	POINTS
Promptness and Initiative	Does not respond to most postings; rarely participates freely	Responds to most postings several days after initial discussion; limited initiative	Responds to most postings within a 24 hour period; requires occasional prompting to post	Consistently responds to postings in less than 24 hours; demonstrates good self-initiative	
Delivery of	Utilizes	Errors in	Few	Consistently	

Post	poor spelling and grammar in most posts; posts appear "hasty"	spelling and grammar evidenced in several posts	grammatical or spelling errors are noted in posts	uses grammatically correct posts with rare misspellings	
Relevance of Post	Posts topics which do not relate to the discussion content; makes short or irrelevant remarks	Occasionally posts off topic; most posts are short in length and offer no further insight into the topic	Frequently posts topics that are related to discussion content; prompts further discussion of topic	Consistently posts topics related to discussion topic; cites additional references related to topic	
Expression Within the Post	Does not express opinions or ideas clearly; no connection to topic	Unclear connection to topic evidenced in minimal expression of opinions or ideas	Opinions and ideas are stated clearly with occasional lack of connection to topic	Expresses opinions and ideas in a clear and concise manner with obvious connection to topic	
TOTAL					

Grade Calculation

The following scale will be used to determine letter grades:

Grade	Range
A	93+
A-	90-92
B+	87-89
B	83-86
B-	80-82
C+	77-79
C	73-76
C-	70-72
D+	67-69
D	63-66
D-	60-62
F	Below 60

Students With Disabilities

If you believe that you have a disability requiring accommodations in this class, please contact the Coordinator of Support Services for Students with Disabilities as soon as possible. After you receive your accommodation form, please see me so that I can work with you to implement them in a timely fashion.

Janine Allo – office: Hauke 007; phone: 802-651-5961; email: allo@champlain.edu

Academic Honesty

If a student is found to have cheated, the student will be given a "0" for that assignment. A student found cheating a second time is subject to a harsher penalty, including dismissal from school.

Champlain College Policy:

"In the preparation and presentation of any assigned work-including examinations, tests, quizzes, term papers, reports, themes and other written or oral exercises-every student shall conform to a strict standard of academic honesty. Any attempt to deceive a faculty member or to help another student to do so will be considered a violation of this standard. In all assignments, students must acknowledge the words and/or ideas of others taken from print or electronic media, whether a direct quotation or a paraphrase; any omission of this is dishonest. Cheating on examinations or tests consists of knowingly giving, receiving or using-or attempting to give, receive or use-unauthorized assistance during an examination or test. A faculty member may record a grade of "zero" for any assignment on which a student has plagiarized or cheated. For repeat offenses within a single course, the faculty member may record a grade of "F" for the course. Violations of this policy in multiple courses may result in dismissal from the College. A student may appeal these decisions according to the Academic Grievance Procedure."