

CRIMINAL COURTS
CRJU 3300/01 (Prerequisite: CRJU 1101)
Fall Semester 2012
Tuesday, Thursday 5:00pm – 6:15pm
Social Sciences Building Room 2021

Instructor: Mr. James McCafferty

E-mail: jmccaff4@kennesaw.edu (*Please do not use the email function within GeorgiaView Vista to contact the instructor*)

Office: Pilcher Building Room 233

Office Hours: Tuesday & Thursday 3:30 – 4:30; by appointment

Office Phone Number: 770-794-7771

Course Description:

This course examines the history, development, structure, operation and organization of criminal courts systems in federal and state courts. Topics include the roles of major professional and non-professional courtroom participants; stages in the process of adjudication of criminal cases from initial charges through post-conviction review; and an introduction to the constitutional rights of the accused.

Required Reading:

Text book:

Neubauer, D. W. & Fradella, H.F. (2011). *America's Courts and the Criminal Justice System*, 10th Ed. Belmont, CA. Wadsworth.

Other selections uploaded to GeorgiaView Vista:

Bernard, T. J. (1999). Juvenile crime and the transformation of juvenile justice: Is there a juvenile crime wave? *Justice Quarterly*, 16(2), 337-356.

Feeley, M. M. (2004). The process is the punishment: Handling cases in a lower criminal court. . In G. F. Cole, M. G. Gertz, & A. Bunger (Eds.), *The Criminal Justice System: Politics and Policies*, 9th Edition (pp. 280-291). Belmont, CA: Wadsworth.

Harris, J., & Jesilow, P. (2000). It's not the same old ball game: Three strikes and the courtroom workgroup. *Justice Quarterly*, 17(1), 185-203.

Packer, H. L. (2004). Two models of the criminal process. In G. F. Cole, M. G. Gertz, & A. Bunger (Eds.), *The Criminal Justice System: Politics and Policies* (pp. 9-23). Belmont, CA: Wadsworth.

Sudnow, D. (1965). Sociological features of the penal code in a public defender office. *Social Problems*, 12(3), 255-276.

Uchida, C. D., & Bynum, T. S. (1991). Search warrants, motions to suppress and “lost cases:” The effects of the exclusionary rule in seven jurisdictions. *The Journal of Criminal Law & Criminology*, 81(4), 1034-1066.

Other selections may be distributed in class or on GeorgiaView Vista.

Course Requirements:

Exams. There will be three exams in this course. All exams will be administered in the classroom. Each exam is worth 20% of your final grade in this course.

Current Issue Assignment. Criminal justice is often in the news. There are many news stories relating to issues in the court system. Students are required to find a newspaper article or news story, completed during the semester. From this information, they are to write a 3 page paper on the news story. The paper should look at the issue and relate it back to material that we have covered in class.

Position Paper. Each student is required to write a position paper. This paper will utilize academic sources to make an argument in support or against a reaction question. Papers will be a minimum of 8 pages. More information will be announced in class and posted to GeorgiaView Vista.

Attendance. It is in your best interest to be in class regularly and to be on time. If there is an emergency and you must miss class, you should make every effort to contact me in advance to make arrangements for missed material; however, it is ultimately the student’s responsibility for missed work. Please note: Attendance for each class is based on an attendance sheet that is passed out in class and participation during in-class exercises. Each student is responsible for signing the attendance sheet each class period. Students who arrive late for class or leave early are not permitted to sign the attendance sheet unless they have prior permission from me. Students with five or more non-excused absences will not receive the attendance credit for this course.

Grading:

Exams (3)	60%
Current Issue Assignment	10%
Position Paper	25%
Attendance	5%

Course grades will be assigned according to the scale below:

- 90 – 100% = A
- 80 – 89% = B
- 70 – 79% = C
- 60 – 69% = D
- 59% or below = F

Late Assignments:

No late assignments will be accepted, or make-up exams permitted, unless the student has received prior permission or can provide documentation that the late assignment was due to an emergency.

Please note that having a KSU computer crash or having work erased off a KSU computer is not an acceptable excuse for late assignments. I recommend that you save all work directly to a flash drive in order to reduce the likelihood of losing your work.

Academic Dishonesty:

Academic dishonesty, cheating, and plagiarism of any kind will not be tolerated and will be dealt with severely. All students are expected to know what acts constitute academic misconduct and to adhere to KSU's Student Code of Conduct which can be found at: http://www.kennesaw.edu/scai/code_of_conduct.shtml#ii.

I will respond to acts of academic misconduct according to university policy; sanctions for academic dishonesty can include a grade of "F" for the assignment in question and/or for the course and will be subject to the formal procedures according to the University's and the Sociology and Criminal Justice Department's guidelines.

Disability Services:

If you have a disability (e.g., visual impairment, hearing impairment, physical impairment, communication disorder, and/or specific learning disability) which may influence your performance in this course, you must meet with representative at disAbled Student Support Services (Student Development Center) to arrange for reasonable accommodations to ensure an equitable opportunity to meet all the requirements of this course. If you require accommodations due to disability, please visit http://www.kennesaw.edu/stu_dev/dsss/dsss.html for more information on how to register with disAbled Student Support Services. You will be provided faculty letters indicating your accommodation needs for the semester. Please present this letter to me as soon as possible to ensure your accommodation needs are discussed, agreed upon, and provided.

Important Policies

E-mail. Students should check their KSU student e-mail regularly. Throughout the course I will contact the class through e-mails or post announcement on GeorgiaView Vista. You are responsible for information that is distributed through e-mail and GeorgiaView Vista. You are expected to use your official KSU e-mail account for all class correspondence. Due to confidentiality reasons, I will only respond to e-mails from the school e-mail system. Messages received from other accounts (e.g., Gmail, Yahoo) will not receive a response.

Class cancellation. If the class is cancelled unexpectedly, notification will be on the classroom door and/or posted as an announcement on GeorgiaView Vista.

Academic calendar. You are responsible for familiarizing yourself with the University's academic calendar. This calendar includes important dates for students regarding registering, dropping of classes, and holiday breaks. For important dates, students must consult the following website:

https://web.kennesaw.edu/registrar/sites/web.kennesaw.edu/registrar/files/Fall2012_0.pdf

Extra credit. There are no opportunities for extra credit for individual students.

Cell phones. Cell phones must be silent during class. Do not text message during class. You are not sneaky enough to text message without all of us seeing it, and it's very distracting to the rest of us. If you text message during class, you will be asked to leave until you can control your technology addiction.

Communication. E-mail/voice mail communications with the instructor require an acknowledgement—just because you leave the message doesn't mean it was received or that requests were granted.

Computers. Laptop and tablet computers are not permitted in class unless you have a documented disability that requires the use of electronics in the classroom.

Respect. We may discuss issues that are contentious and controversial. Active, open discussion is encouraged. Disrespect is not tolerated. My classroom is a respectful environment. I will eject students that are disruptive or less than respectful to their peers or me.

Children. Do not bring your children to this class.

Do the Work. This is **not** a class that you can coast through.

Syllabus. I reserve the right to adjust the syllabus or course information to better meet the objectives of this course or the students' needs.

Tentative Schedule & Readings:

The following is an outline of the materials that will be covered in this course. This is a tentative schedule and the professor reserves the right to make any necessary changes. All the readings listed may be found in the Neubauer & Fradella (2010) textbook. Additional readings will be distributed in class or on GerogiaView Vista.

Date	Topic	Readings	Due
August 21	Syllabus; Introduction		
August 23	Criminal Process	Chapters 1 and 10; Packer (2004)	
August 28	Criminal Process	Chapters 1 and 10; Packer (2004)	
August 30	Crime & The Lower Courts	Chapters 2 and 18; Feeley (2004)	

September 4	Crime & The Lower Courts	Chapters 2 and 18: Feeley (2004)	
September 6	Federal Courts	Chapter 3	
September 11	Federal & State Courts	Chapters 3 and 4	
September 13	State Courts	Chapter 4	
September 18		Exam	Exam #1
September 20	Courthouse Actors; Prosecutors	Chapters 5 and 6; Eisenstein, Flemming, Nardulli (2004)	
September 25	Courthouse Actors; Prosecutors	Chapters 5 and 6	Current Issues Assignment
September 27	Defense Attorneys	Chapter 7; Sudnow (1965)	
October 2	Defense Attorneys; Judges	Chapters 7 and 8; Sudnow (1965)	
October 4	Judges	Chapter 8	
October 9	Defendants	Chapter 9	
October 11	Victims	Chapter 9	
October 16	Bail; Evidence	Chapters 11 and 12; Uchida & Bynum (1991)	
October 18	Evidence	Chapter 12; Uchida & Bynum (1991)	
October 23	Plea Bargaining	Chapter 13	
October 25	Plea Bargaining	Chapter 13	
October 30		Exam	Exam #2
November 1	Trials and Juries	Chapter 14	
November 6	Sentencing	Chapters 15 and 16; Harris & Jesilow 2000	
November 8	Sentencing	Chapters 15 and 16	
November 13: NO CLASS: THE AMERICAN SOCIETY OF CRIMINOLOGY MEETING			
November 15: NO CLASS: THE AMERICAN SOCIETY OF CRIMINOLOGY MEETING Position Paper Due 6:15pm			
November 20	Appellate Courts	Chapter 17	
November 22: NO CLASS: THANKSGIVING HOLIDAY			
November 27	Juvenile Courts	Chapter 19; Bernard (1999)	
November 29	Juvenile Courts	Chapter 19; Bernard (1999)	
December 4		Make-up day	

Exam #3 will be held during the scheduled final exam time for this class:

University Final Exam Schedule:

https://web.kennesaw.edu/registrar/sites/web.kennesaw.edu/registrar/files/Fall2012FinalExamSchedule_4.pdf