

CRJU 3315-Criminal Procedure
3 Credit hours
KSU @ Paulding County Campus
Tuesdays @ 6:30-9:15PM

INSTRUCTOR: Laura J. Murphree, ESQ.
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First Day of Class: August 20, 2013

COURSE DESCRIPTION: This course addresses the following stages of criminal procedure and evidence: 1) methods and rules of police investigation and arrest; 2) pretrial screening of complaints; 3) formal charging of the accused; 4) adjudication - evidentiary requirements; 5) sentencing; and 6) appellate review by higher courts.

PREREQUISITE: CRJU 1101

TEXTBOOK: Criminal Procedure, 8th Edition
By Joel Samaha

Also,

The Night Stalker (Atlanta Child Murders) by Jack Mallard

METHOD OF INSTRUCTION: LECTURES AND DEMONSTRATIONS, CLASSROOM DISCUSSIONS AND CRITIQUES, HANDOUTS, PRESENTATIONS, AND WRITTEN ASSIGNMENTS WILL ASSIST IN THE CRITICAL ANALYSIS OF THE COURSE CONTENT.

ATTENDANCE: ATTENDANCE AT ALL SCHEDULED CLASS SESSIONS IS REQUIRED OF EACH STUDENT. PROMPT ARRIVAL AT EACH SCHEDULED IN-CLASS SESSION IS MANDATORY. EACH STUDENT IS EXPECTED TO BE PRESENT, ON TIME, AND PREPARED FOR EACH CLASS SESSION. CLASS ATTENDANCE RECORDS WILL BE MAINTAINED BY THE INSTRUCTOR. WHILE THERE IS NO SUCH THING AS AN "EXCUSED" ABSENCE, PRIOR NOTIFICATION OF ABSENCES IS BOTH APPRECIATED AND PROFESSIONAL BEHAVIOR. ABSENT STUDENTS DO NOT GAIN THE BENEFIT OF CLASS INVOLVEMENT, NOR DO THEY CONTRIBUTE TO THE LEARNING OF OTHER STUDENTS IN THE CLASS. CONSISTENTLY LATE STUDENTS ALSO DISRUPT THE FLOW OF EDUCATIONAL ACTIVITIES. PRIOR NOTIFICATION OF EXPECTED ABSENCES IS REQUIRED TO BE ELIGIBLE FOR MAKE-UP QUIZZES OR EXAMINATIONS. EXCESSIVE ABSENCES (20% OR GREATER) MAY RESULT IN THE LOSS OF A LETTER GRADE OR FAILURE OF THE COURSE AT THE INSTRUCTOR'S DISCRETION. IN CLASSES WITH LESS THAN THE MAXIMUM NUMBER OF STUDENTS, STUDENTS ARE ENCOURAGED TO SIT AS CLOSE TO THE FRONT OF THE CLASSROOM AS POSSIBLE.

WRITTEN AND ORAL REPORTS: Each student will be required to write a term paper on the NSA (National Security Agency) government surveillance. Discuss the Constitutional aspects of this controversy. Give a pro and con assessment between national security and person liberties. It shall be no less than 10 pages long. **All papers shall be printed or typed with not less than double-spacing between the lines, except in block quotations or footnotes. Margins shall be no less than one inch at**

the top, bottom and sides. The type size shall not be smaller than 10-point courier font or 12-point Times New Roman

DUE DATES: IT IS CRITICAL THAT ALL DUE DATES BE MET. THEREFORE, ALL ASSIGNMENTS ARE DUE IN CLASS AT THE *BEGINNING* OF THE CLASS. ASSIGNMENTS RECEIVED AFTER THAT TIME WILL RECEIVE A GRADE OF 0%. NO EXCEPTIONS.

GRADING: STUDENT PERFORMANCE WILL BE BASED UPON THE FOLLOWING CRITERIA:

CLASS ATTENDANCE, PARTICIPATION AND ASSIGNMENTS:	30%	
PAPER :	20%	
MID-TERM:	20%	
FINAL:	30%	
GRADE SCALE:	90 – 100	A
	80 – 89	B
	70 – 79	C
	60 – 69	D
	BELOW 60	F

NOT ALLOWED:

THE USE OF CELL PHONES IN CLASS IS ABSOLUTELY PROHIBITED (FOR VOICE OR TEXT COMMUNICATION). OUT OF RESPECT FOR THE CLASS, CELL PHONES AND PAGERS SHOULD BE TURNED OFF OR PUT INTO SILENT MODE BEFORE ENTERING THE CLASSROOM. IF IT IS NECESSARY TO ANSWER A CALL, THE STUDENT SHOULD EXIT THE CLASSROOM TO TAKE THE CALL AND RETURN TO CLASS AS QUICKLY AS POSSIBLE. THE USE OF CELL PHONES DURING QUIZZES OR EXAMINATIONS IS STRICTLY PROHIBITED.

LAPTOP COMPUTERS MAY NOT BE USED IN THE CLASSROOM FOR ANY PURPOSES WITHOUT PRIOR JUSTIFICATION OF COURSE-RELATED NEED. THE INSTRUCTOR REGRETS THIS REQUIREMENT, HOWEVER PRIOR MISUSE OF LAPTOPS HAS RESULTED IN THIS PROHIBITION.

THE USE OF MUSICAL DEVICES (CD PLAYERS, MP3 PLAYERS, ETC.) IS NOT PERMITTED DURING CLASS TIME. STUDENTS MAY USE THESE DEVICES DURING CLASS BREAKS, BUT ONLY WITH HEADPHONES.

CLASS SCHEDULE (SUBJECT TO CHANGE)

WEEK ONE August 20, 2013

Introduction to Class
Overview of Criminal Procedure
Introduction to the 4th, 5th, 6th Amendments of Constitution
Dissecting a Case

WEEK TWO August 27, 2013

Chapter 2 Criminal Procedure
Chapter 3 Definition of Searches and Seizures

WEEK 3 September 3, 2013

Chapter 4 Stop and Frisk (TERRY V. OHIO)
Type "stop and frisk" into the internet search engine and read a few articles and reports about stop and frisk. Stop and Frisk is not just a constitutional question of law, but an important public policy issue that impacts police/community relations.
Turn in one page summary with brief facts of Terry v. Ohio and the holding of the case and its significance to law enforcement.

WEEK 4 September 10, 2013

We will not meet together. I will give you an assignment for this date.

WEEK 5 September 17, 2013

Chapter 5 Seizures of Persons: Arrest

Week 6 September 24, 2013

Chapter 6 Searches for Evidence
Chapter 7 Special Needs Searches
Turn in One page paper on No-Knock Warrants. Discuss the pros and cons to issuing them.

WEEK 7 October 1, 2013

Mid-Term

Week 8 October 8, 2013

Chapter 8 Self-Incrimination
If time permits, we may watch a video.

WEEK 9, October 15, 2013

Chapter 9 Identification Procedures
We will watch a video.

WEEK 10, October 22, 2013

Chapter 10 Exclusionary Rule
Turn in One page paper on Mapp v. US. (Similar to what you did on Terry v. US.)

WEEK 11 October 29, 2013

Chapter 11 Constitutional Remedies

WEEK 12 November 5, 2013

Chapter 12 Court Proceedings Before Trial

WEEK 13 November 12 , 2013

Chapter 13 Trial and Conviction

Chapter 14 Post Conviction

WEEK 14, November 19, 2013

Chapter 15 Criminal Procedure in Crisis Times

WEEK 15 November 26, 2013

No Class

WEEK 16, December 3, 2013

NSA Paper due.

Class activity and discussion on the Night Stalker

WEEK 17, December 10, 2013

Final Exam