

# CRIMINAL PROCEDURE

## CRJU 3315

Fall 2013  
Social Sciences Bldg.  
Room 2031

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Class Times: Monday & Wednesday 0800-0915 (8:00 a.m. – 9:15 a.m.)

Office Hours: Monday 0930-1030 (9:30 a.m. - 10:30 a.m.) in Part-time Faculty office and upon Request  
Available via e-mail (response within 48 hours)

*Instructor reserves the right to amend this syllabus!*

**Last day to withdraw without Academic Penalty: October 11, 2013**

Course Description: The course will examine the law enforcement response to domestic and international terrorism. Topics will include threat analysis, intelligence processing, proactive measures, reactive measures, development of modern terrorism and specific terrorist groups, legal issues and case-study analysis.

Course Objectives:

1. Understand Criminal Procedure law in the United States.
2. Understand and describe relationship between various components of the criminal justice system.
3. Understand and describe the legal requirements of law enforcement officials, including search and seizure, interrogation, identification, and arrest.
4. Understand and describe the process for adjudication after arrest of a suspect, including defendant's right, and prosecution obligations.

Required Text: *Criminal Procedure: A Contemporary Perspective, 3<sup>rd</sup> Edition*, by James R. Acker. ISBN 978-1-4496-5234-0.

You may get the textbook in electronic format (e-book). It is available from CourseSmart at [http://www.coursesmart.com/IR/4709938/9781449695279?\\_hdv=6.8](http://www.coursesmart.com/IR/4709938/9781449695279?_hdv=6.8).

Additional Resources: Companion Website <http://criminaljustice.jbpub.com/CrimProcedure3e> provides interactive learning, study, and exam preparation tools, including flashcards, and more.

Course Requirements:

1. Five (5) Quizzes
2. Mid-Term Examination (Chapters 1 through 6, lectures, films, and discussions).
3. Final Examination (Chapters 7 through 12, lectures, films, and discussions).
4. Case Brief Writing Assignments.

**EXAM MAKE-UP POLICY:** Make-up exams are granted on a case by case basis. Your responsibility is to e-mail me as soon as you become aware of a conflict with the scheduled exam, so that your case can be reviewed and a decision made. Except in the case of a documented medical emergency, military activation, or other excused absence as set forth in KSU policy, all make-up exams must be completed within one week of the date of the original exam.

Case Brief Writing Requirement: Writing skills are a critical component of critical thinking. As such there will be case brief writing assignments for this course. The particular details of each case brief will be provided to you throughout the semester during class sessions. We will review the way to do a case brief in class at the time of the first assignment. There is a description of case briefing beginning on page 3 of the text book. The following guidelines will apply to the case briefs:

1. Case briefs may be up to 3 pages. Whatever length you choose the brief must address the brief requirements.
2. Your brief must include the case citation as a title.
3. 1 inch margins on all sides of the paper.
4. Times New Roman, 12 point font.
5. Pages must include page numbers.
6. The sections shall include:
  - a. Facts – (a paragraph or two) Brief description of the history of the case, description of crime, conduct of CJ officials that is in question in the case and why conduct is in question, what happened in the trial or plea, punishment received, and the appeals process that brought the case to this point.
  - b. Issue – (sentence or two) statement of the precise legal issue in the case.
  - c. Holding – (sentence or two) statement of the law and precedent set by the ruling of the court.
  - d. Opinion and Joining Judges – (length varies depending on complexity of case) this section should include the names of the judges who joined in the majority opinion and include all the relevant reasoning of the judges in their decision.
  - e. Concurring Opinion and Joining Judges – (a paragraph or two, if at all) set forth the reason the judge or judges disagreed with some portion of the majority opinion.
  - f. Dissenting Opinion and Joining Judges – (length varies on complexity of case) a summary of the reasons why the judge or judges disagreed with the majority opinion.
  - g. Your Impressions of the Case and Ruling – (length varies) should address your thoughts on the majority and dissenting opinions.
7. Hard copy turned into me at class.

Writing Center: The Writing Center at KSU is an excellent resource for students. Students are encouraged to take their papers to the Writing Center, along with a copy of this syllabus. The purpose of the Writing Center is to help teach people how to improve their writing; however, the tutors, like the instructor, do not serve as copy editors, nor do they certify a student's work as free from errors.

The tutors may not be familiar with the particulars of this class writing format or the substantive material of the class, but are still an excellent resource for students who want to improve their writing.

Weather Policy: You should check the KSU website, local television and radio stations for announcements of school closures. If the weather prevents us from meeting, continue along with the reading and other requirements of this syllabus. If school is open during inclement weather please use your best judgment in deciding whether you can make it safely to class. SAFETY IS EVERYONE'S CONCERN.

Grading: Your final grade reflects your performance on examinations, research and writing requirements, class participation, and attendance. Your final score is calculated using the following guide.

- Quizzes 25%
- Mid-Term Examination 25%
- Final Examination 25%
- Case Brief Writing Assignments 15%
- Attendance and Participation 10%

**Class attendance helps the learning process. Failure to attend eight (8) classes results in missing approximately twenty five (25) percent of the class and will result in a letter grade drop. Missing more than fifteen (15) classes will result in a FAILURE of the class.**

*Grading Scale for this class is as follows:*

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|---------------|-----|
| 90% and above | = A |
| 80% to 89%    | = B |
| 70% to 79%    | = C |
| 60% to 69%    | = D |
| below 59%     | = F |

Academic Honesty: The Undergraduate Catalog contains the general policies and regulations on the Academic Honesty policy. YOU ARE EXPECTED TO READ AND FOLLOW THE POLICIES SET FORTH THEREIN.

Every KSU student is responsible for upholding the provisions of the Statement of Student Rights and Responsibilities, as published in the Undergraduate and Graduate catalogs. Section ii of the Statement of Student Rights and Responsibilities addresses the University's policy on Academic Honesty, including provision regarding plagiarism and cheating, unauthorized access to University materials, misrepresentation/falsification of University records or academic work, malicious removal, retention, or destruction of library materials, malicious/intentional misuse of computer facilities and/or services, and misuse of student identification cards. Incidents of alleged academic misconduct will be handled through the established procedures of the University Judiciary Program, which includes either an "informal" resolution by a faculty member, resulting in a grade adjustment, or a formal hearing procedure, which may subject a student to the Statement of Student Rights and Responsibilities minimum one semester suspension requirement.

ANY INSTANCE OF ACADEMIC DISHONESTY, INCLUDING, BUT NOT LIMITED TO, PLAGIARISM, COMING TO THE ATTENTION OF THE INSTRUCTOR WILL RESULT IN A FAILING GRADE FOR THIS COURSE!

Students with Disabilities: I am, like KSU, dedicated to assisting students with documented disabilities succeed in this course. Any student with a documented disability needing academic adjustment **must** notify me or contact the Office of Student Disability Resources and Services, Disabled Student Support Services, Ms. Carol Pope, Assistant Director at 770-423-6443 (office), 770-423-6667 (fax), and 770-423-6480 (TDD) as soon as possible. All discussions with me on this subject matter will remain confidential.

Tentative Schedule: *The instructor reserves the right to alter this schedule.*

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|-------|--|
| 19AUG | Introduction and Syllabus Review<br>Criminal Procedure Overview                                    |
| 21AUG | Read Chapter 1   |
| 26AUG | Read Chapter 2   |
| 28AUG | Chapter 2 Continued  |
| 02SEP | <b>NO CLASS! LABOR DAY</b>   |
| 04SEP | Review of Chapters 1 & 2<br><i>Brief No. 1 Assigned</i>  |
| 09SEP | Read Chapter 3 (Section 3.1)<br><b>Brief No. 1 Due</b>   |
| 11SEP | Chapter 3 Continued (Section 3.2)<br><i>Brief No. 2 Assigned</i>                                   |
| 16SEP | Chapter 3 Continued (Sections 3.2, 3.3, & 3.4)<br><b>QUIZ #1 OPEN</b>                              |
| 18SEP | Read Chapter 4 (Section 4.1)<br><b>Brief No. 2 Due Assigned</b><br><i>Brief No. 3 Assigned</i>     |
| 23SEP | Chapter 4 Continued (Sections 4.2 & 4.3)   |
| 25SEP | Read Chapter 5 (Sections 5.1, 5.2, & 5.3)<br><b>Brief No. 3 Due</b><br><i>Brief No. 4 Assigned</i> |

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| 30SEP | Chapter 5 Continued (Sections 5.4, 5.5, & 5.6)<br><b>QUIZ #2 OPEN</b>   |
| 02OCT | Read Chapter 6 (Section 6.1)<br><b>Brief No. 4 Due</b>                  |
| 07OCT | Chapter 6 Continued (Section 6.2)                                       |
| 09OCT | Chapter 6 Continued (Section 6.2)<br><i>Brief No. 5 Assigned</i>        |
| 14OCT | Chapter 6 Continued (Sections 6.3 & 6.4)                                |
| 16OCT | Read Chapter 7<br><b>Brief No. 5 Due</b><br><i>Brief No. 6 Assigned</i> |
| 21OCT | Chapter 7 Continued<br><b>QUIZ #3 OPEN</b>                              |
| 23OCT | Read Chapter 8<br><b>Brief No. 6 Due</b>                                |
| 28OCT | Chapter 8 Continued<br><i>Brief No. 7 Assigned</i>                      |
| 30OCT | <b>NO CLASS</b>   |
| 04NOV | Read Chapter 9<br><b>Brief No. 7 Due</b>                                |
| 06NOV | Chapter 9 Continued<br><i>Brief No. 8 Assigned</i>                      |
| 11NOV | Read Chapter 10<br><b>Brief No. 8 Due</b><br><b>QUIZ #4 OPEN</b>        |
| 13NOV | Chapter 10 Continued<br><i>Brief No. 9 Assigned</i>                     |
| 18NOV | Read Chapter 11<br><b>Brief No. 9 Due</b>                               |

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| 20NOV | Chapter 11 Continued<br><i>Brief No. 10 Assigned</i> |
| 25NOV | Read Chapter 12<br><b>Brief No. 10 Due</b>           |
| 27NOV | <b>NO CLASS! HAPPY THANKSGIVING!</b>                 |
| 02DEC | Chapter 12 Continued<br><b>QUIZ #5 OPEN</b>          |
| 04DEC | Final Exam Review                                    |
| 11DEC | <b>0800-1000 (8:00 a.m. – 10:00 a.m.) FINAL EXAM</b> |