

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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770-846-1935

First Day of Class: August 19, 2014

COURSE DESCRIPTION AND OBJECTIVES : At the conclusion of the course, students will be able to: This course addresses the following stages of criminal procedure and evidence while working with the US Constitution via the 4th, 5th, 6th, 9th, and 14th Amendments:

- 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
Publisher: Cengage Learning; 8 edition (January 1, 2011)

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: There will be an expectation that you will periodically write and present presentations relating to Criminal Procedure throughout this semester. These activities will be applied to your Class Participation portion of grade.

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%
EXAM ONE:	20%
EXAM TWO:	20%
FINAL EXAM:	30%
GRADE SCALE:	90 – 100 A
	80 – 89 B
	70 – 79 C
	60 – 69 D
	BELOW 60 F

YOU WILL BE PROVIDED EXAM GRADES ON THE CLASS FOLLOWING THE EXAM.

DROP DATE: THE LAST DATE TO WITHDRAWAL WITHOUT ACADEMIC PENALTY IS WEDNESDAY, OCTOBER 8, 2014

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.

OFFICE HOURS: I AM AVAILABLE THROUGHOUT THE 45 MINUTES PRIOR TO THE START OF ANY CLASS AT THE KSU PAULDING COUNTY CAMPUS SHOULD YOU NEED TO SPEAK WITH ME. I MAY ALSO BE REACHED ON MY CELL PHONE: 770-500-8759.

ACADEMIC AND INTEGRITY STATEMENT: EVERY KSU STUDENT IS RESPONSIBLE FOR UPHOLDING THE PROVISIONS OF THE STUDENT CODE OF CONDUCT, AS PUBLISHED IN THE UNDERGRADUATE AND GRADUATE CATALOGS. SECTION II OF THE STUDENT CODE OF CONDUCT ADDRESSES THE UNIVERSITY'S POLICY ON ACADEMIC HONESTY, INCLUDING PROVISIONS

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 GRADE ADJUSTMENT, OR A FORMAL HEARING PROCEDURE, WHICH MAY SUBJECT A STUDENT TO THE CODE OF CONDUCT'S MINIMUM ONE SEMESTER SUSPENSION REQUIREMENT. NO STUDENT SHALL RECEIVE, ATTEMPT TO RECEIVE, KNOWINGLY GIVE, OR ATTEMPT TO GIVE UNAUTHORIZED ASSISTANCE IN THE PREPARATION OF ANY WORK REQUIRED TO BE SUBMITTED FOR CREDIT (INCLUDING EXAMINATIONS, LABORATORY REPORTS, ESSAYS, THEMES, TERM PAPERS, ETC.). UNLESS SPECIFICALLY AUTHORIZED, THE PRESENCE AND/OR USE OF ELECTRONIC DEVICES DURING AN EXAMINATION, QUIZ, OR OTHER CLASS ASSIGNMENT IS CONSIDERED CHEATING. ENGAGING IN ANY BEHAVIOR WHICH A PROFESSOR PROHIBITS AS ACADEMIC MISCONDUCT IN THE SYLLABUS OR IN CLASS DISCUSSION IS CHEATING. WHEN DIRECT QUOTATIONS ARE USED, THEY SHOULD BE INDICATED, AND WHEN THE IDEAS, THEORIES, DATA, FIGURES, GRAPHS, PROGRAMS, ELECTRONIC-BASED INFORMATION OR ILLUSTRATIONS OF SOMEONE OTHER THAN THE STUDENT ARE INCORPORATED INTO A PAPER OR USED IN A PROJECT, THEY SHOULD BE DULY ACKNOWLEDGED. NO STUDENT MAY SUBMIT THE SAME, OR SUBSTANTIALLY THE SAME, PAPER OR OTHER ASSIGNMENT FOR CREDIT IN MORE THAN ONE CLASS WITHOUT THE PRIOR PERMISSION OF THE CURRENT PROFESSOR(S).

[HTTPS://WEB.KENNESAW.EDU/SCA/CONTENT/KSU-STUDENT-CODE-CONDUCT](https://web.kennesaw.edu/sci/content/ksu-student-code-conduct)

CLASS SCHEDULE: The instructor reserves the right to change this syllabus at any time throughout the duration of the semester.

WEEK ONE August 19

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

WEEK TWO August 26

Chapter 2 Criminal Procedure
Chapter 3 Definition of Searches and Seizures

WEEK 3 September 2

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 9

Chapter 5 Seizures of Persons: Arrest

WEEK 5 September 16

Exam One

Week 6 September 23

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 September 30

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

Week 8 October 7

Chapter 9 Identification Procedures
We will watch a video.

WEEK 9 October 14

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

WEEK 10, October 21

Exam 2

WEEK 11 October 28

Chapter 11 Constitutional Remedies

WEEK 12 November 4

Chapter 12 Court Proceedings Before Trial

Week 13 November 11

Chapter 13 Trial and Conviction

Week 14 November 18

Chapter 14 Post Conviction

WEEK 15 November 25

Thanksgiving Break

Week 16 December 2

Chapter 15 Criminal Procedure in Crisis Times

One page paper on the NSA and 4th amendment in times of crisis

Week 17 December 9

Final Exam