



Peru State College
CJUS 340 CRIMINAL PROCEDURE
Syllabus – Fall – 2010

Instructor: Dr. Doug Devaney

Office Hours: W, TH, & F 9:00 A. M. – 11:00 A. M. & W 1:00 P. M. – 3:30 P. M., or by appointment at other times.

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Course Meets: 2:15 P. M. – 3:30 P. M.

Required Textbook: Lippman, M. (2010). *Criminal Procedure*. Thousand Oaks CA: Sage Publishing Company.

Required Software: Access to computer and internet.

Course Description & Objectives

This class is an introductory course to criminal procedural process. The goal of this course is for you the student to understand how the criminal investigatory and legal system from a procedural perspective. This class will cover from where criminal procedure comes, how it is interpreted, and how it is applied to the actors within the system. Understanding these concepts, students will further understand the importance, complexity, and uniqueness of the American criminal justice system.

Prerequisites: CJUS 110 SURVEY OF CRIMINAL JUSTICE

Upon completion of this course you should be able to:

1. Define the concept of criminal procedure and various associated terms and features.
2. Understand and discuss the general order of events and basic systemic processes associated with criminal procedure in the U. S.
3. Describe the interconnectedness of the various parts of criminal procedure and the criminal justice entities involved in the detection and investigation of crimes, as well as the prosecution and sentencing of offenders.
4. Understand and describe fundamental issues in criminal law, and its historical foundations and development in the U.S.
5. Understand basic rules of evidence and court processes and the roles of different entities in the court process.

6. Understand and discuss Constitutional issues in regard to criminal procedure and identify landmark cases that have impacted criminal procedure in the U.S.

At the beginning of the course, we will discuss how these objectives fit into the College's and School's mission and goals.

Expectations & Instructional Approach

Classes will include lecture, discussion, and various media presentations, as well as classroom scenarios and role plays of court processes to develop interest and insight in the features of formal court settings and cases. Other scenarios based on different aspects of criminal procedure (i.e., evidence collection or presentation, witness interviews, police interrogations, etc.) may be used as class exercises at the discretion of the instructor.

Assessment and Grading

Class Attendance and Participation: Attendance and participation are vital to the learning experience. Consequently, I expect you to be at each class having read the material and ready to participate in the day's discussions and exercises. Please be in class on time. In order to foster a climate conducive to learning, please join me in treating your classmates with respect. I encourage students to ask questions, seek my help when they need it, and help their classmates understand the material.

Students are expected to participate in class exercises and any group assignments related to mock trials designed for class and will be graded for assigned roles and exercises. Students involved in group exercises may be asked to provide feedback to the instructor via comments on a 3X5 card detailing the individual roles and level of participation for members of their team. Three or more team scenarios will be utilized for points in the class. Students may accumulate a total of 100 points for team assignments.

Weekly Assignments: Students will have brief home work assignments due most weeks based on readings and discussion, as well as group and individual project portions. These assignments will normally be turned in on 3X5 index cards with student name and topic/assignment noted at the top right corner. Students will be required to turn in reflective summations of class discussions and/or exercises. These will be in the form of 5-7 line paragraphs of concise but substantive nature. Content, spelling and grammar, format, and readability/clarity will be the basis for grading. You have much flexibility in expressing your opinions and attitudes about the various readings and exercises. The intent of this exercise is to develop critical thinking skills and skills in articulating your position, opinion, reasoning/rationale, and comprehension of what you read or observed (something that will be crucial in professional settings, such as courtrooms, in your professional career). These reflection/summation briefs will be worth up to 100 points toward your final grade.

Quizzes may be given at the discretion of the instructor. This class will not have unannounced quizzes, except in the event the instructor offers extra credit quizzes. Normal quizzes will consist of 10-20 multiple choice questions geared toward preparing students for midterm and final exams. These quizzes will be given at intervals of approximately every 2 chapters. There will be 5 or 6 quizzes of this type that will account for 110 points toward the final grade. Makeup quizzes will not be granted without prior approval/consultation with the instructor, with rare exceptions. Extra credit quizzes, if provided, will not be announced and cannot be taken at a later date for any reason. These types of quizzes will be 5-10 questions and might provide a 5-10 point boost to the grade potential for the individual.

Project/Paper: The project(s) in this course are team/group exercises involving mock trials. Students will be assigned a role in a team and will be required to accomplish certain tasks for the team, including discussion and planning for class presentation and one or more of the following; participation in class scenarios, recording/note taking for the team (providing a formal outline of the scenario and team roles, plus case brief/summation, with title page, typed in 12 point font, Times Roman, and double spaced), research/collecting case data for the team (with documentation and source information), or some other portion of the assignment. Level of involvement and difficulty will impact the grade. Each team member will be required to submit a confidential assessment of each member's participation and efforts. Further instruction and break down of various parts/roles in teams will be provided in class. Students can earn 100 points for the team project.

Exams: Midterm and final exams will be worth 15 and 135 points. Final will be cumulative of all material, including midterm material. Material will include any readings, lecture notes, and media presentations provided.

Late Assignment Policy: Late work will not be accepted unless prior approval has been granted by the instructor, with rare exceptions.

Grading Scale

Grading: Your final grade is based upon the accumulated scores of the exams, quizzes, the reflection paper, and the discussion boards.

	Grade		Total Possible Points	Percent
			595 points	%
To receive an	A	Learners must earn	535 points	90-100
To receive a	B+	Learners must earn	505 points	85-89
To receive a	B	Learners must earn	476 points	80-84
To receive a	C+	Learners must earn	446 points	75-79
To receive a	C	Learners must earn	416 points	70-74
To receive a	D+	Learners must earn	386 points	65-69
To receive a	D	Learners must earn	357 points	60-64
To receive an	F	Learners must earn	351 points	<60

College's Incomplete Coursework Policy

To designate a student's work in a course as incomplete at the end of a term, the instructor records the incomplete grade (I). Students may receive this grade only when serious illness, hardship, death in the immediate family, or military service during the semester in which they are registered prevents them from completing course requirements. In addition, to receive an incomplete, a student must have completed substantially all of the course's major requirements.

Unless extenuating circumstances dictate otherwise, students must initiate requests for an incomplete by filling out an Incomplete Grade Completion Contract, which requires the signature of the student, instructor, and Dean. The Incomplete Grade Completion contract cites the reason(s) for the incomplete and details the specific obligations the student must meet to change the incomplete to a letter grade. The date by which the student agrees to complete required work must appear in the contract. The Dean, the instructor, and the student receive signed copies of the Incomplete Grade Completion Contract.

Even if the student does not attend Peru State College, all incomplete course work must be finished by the end of the subsequent semester. Unless the appropriate Dean approves an extension and if the student does not fulfill contract obligations in the allotted time, the incomplete grade automatically becomes an F.

College's Academic Integrity Policy

The College expects all students to conduct themselves in a manner that supports an honest assessment of student learning outcomes and the assignment of grades that appropriately reflect student performance. It is ultimately the student's responsibility to understand and comply with instructions regarding the completion of assignments, exams, and other academic activities. At a minimum, students should assume that at each assessment opportunity they are expected to do their own original academic work and/or clearly acknowledge in an appropriate fashion the intellectual work of others, when such contributions are allowed. Students helping others to circumvent honest assessments of learning outcomes, or who fail to report instances of academic dishonesty, are also subject to the sanctions defined in this policy.

Instances of academic dishonesty may be discovered in a variety of ways. Faculty members who assign written work ordinarily check citations for accuracy, run data base and online checks, and/or may simply recognize familiar passages that are not cited. They may observe students in the act of cheating or may become aware of instances of cheating from the statements of others. All persons who observe or otherwise know about instances of cheating are expected to report such instances to the proper instructor or Dean.

In order to promote academic integrity, the College subscribes to an electronic service to review papers for the appropriate citations and originality. Key elements of submitted papers are stored electronically in a limited access database and thus become a permanent part of the material to which future submissions are compared. Submission of an application and continued enrollment signifies your permission for this use of your written work.

NSCS Board of Trustees Policy 4220 states that each College “. . . will establish a distance learning assessment policy that will include, at a minimum, a substantial culminating experience that is proctored.” Peru State College’s policy is that each course that is offered entirely online will feature a proctored final exam that substantially measures the extent the course’s stated learning objectives are achieved. Online course syllabi will clearly state that, regardless of grades earned previously, the proctored final exam must be passed in order to receive credit for the course. Courses which feature graded site-based activities (e.g., teaching demonstrations) and/or video-taped presentations that occur near the end of the term, and that are designed to substantially assess the achievement of learning objectives, can be considered in compliance with this policy. Project-based capstone and graduate courses utilizing real-time discussions held by web-cam, phone or in person with the faculty member as part of the assessment process can also be considered in compliance with this policy.

Should an occurrence of academic misconduct occur, the faculty member may assign a failing grade for the assignment or a failing grade for the course. Each incident of academic misconduct should be reported to the Dean and the Vice President for Academic Affairs (VPAA). The VPAA may suspend students for two semesters found to be responsible for multiple instances of academic dishonesty. The reason for the suspension will be noted on the student’s transcript.

A faculty member need present only basic evidence of academic dishonesty. There is no requirement for proof of intent. Students are responsible for understanding these tenets of academic honesty and integrity. Students may appeal penalties for academic dishonesty using the process established for grades appeals.

Title IX Compliance Notice

Peru State College is an equal opportunity institution. PSC does not discriminate against any student, employee or applicant on the basis of race, color, national origin, sex, disability, religion, or age in employment and education opportunities, including but not limited to admission decisions. The College has designated an

individual to coordinate the College's nondiscrimination efforts to comply with regulations implementing Title VI, VII, IX, and Section 504. Inquiries regarding non-discrimination policies and practices may be directed to Eulanda Cade, Director of Human Resources, Title VI, VII, IX Compliance Coordinator, Peru State College, PO Box 10, Peru, NE 68421-0010, (402) 872-2230.

Students requesting reasonable accommodation and tutoring services should contact the Center for Achievement and Transition Services (CATS).

Tentative Course Schedule

Week #	Chapter and Assignments
1	Chapter 1 Introduction to Criminal Procedure
2	Chapter 2 Sources of Criminal Procedure
2	HW 1
3	Chapter 3 Searches and Seizures Chapter 4 Stop and Frisk HW 2, Quiz 1
4	Chapter 5 Probable Cause and Arrests
5	Chapter 6 Searches and Seizures of Property HW 3, Quiz 2
5	Chapter 7 Inspection and Regulatory Searches
6	Chapter 8 Interrogations and Confessions Quiz 4
7	Chapter 9 Eyewitness and Scientific Identification HW 4
8	Chapter 10 The Exclusionary Rule and Entrapment HW 5
9	Chapter 11 Civil and Criminal Remedies for Constitutional Violations HW 6
	Chapter 12 The Initiation of the Legal Process, Bail, and the Right to Counsel HW 7, Quiz 5
10-11	Chapter 13 The Courtroom: The Pretrial and Trial Process HW 8
13	Chapter 14 Sentencing and Appeals HW 8, Quiz 6(possible)
14	HW 9, Project Completion (Teams)
15	Chapter 15 Counter-terrorism
16	HW 10