Course Description

Focuses on U.S. Supreme Court interpretations of the U.S. Constitution with respect to rights of the accused. Students discuss Supreme Court decisions and identify the impact on the criminal justice system as well as study a historical overview of the procedures involved in moving a suspect through the criminal justice system.

Course Textbook


Course Learning Outcomes

Upon completion of this course, students should be able to:

1. Distinguish between the due process and crime control perspectives including impact on criminal procedure.
2. Examine steps that may be taken should constitutional rights be violated including criminal, civil, and non-judicial remedies.
3. Describe the circumstances involved with search and arrest of individuals with and without a warrant.
4. Examine the procedures of interrogation, confessions, and identification of suspects within the justice process.
5. Examine how the Fourth, Fifth, and Sixth Amendments protect individual rights.
6. Analyze criminal procedure prior to trial.
7. Describe the roles of prosecutors, grand juries, and defense attorneys prior to trial initiation.
8. Analyze criminal procedure from first contact with the system through the appeals process.

Credits

Upon completion of this course, the students will earn three (3) hours of college credit.

Course Structure

1. **Unit Learning Outcomes:** Each unit contains Learning Outcomes that specify the measurable skills and knowledge students should gain upon completion of the unit.
2. **Unit Lessons:** Each unit contains a Unit Lesson, which discusses unit material.
3. **Reading Assignments:** Each unit contains Reading Assignments from one or more chapters from the textbook.
4. **Learning Activities (Non-Graded):** These non-graded Learning Activities are provided in each unit to aid students in their course of study.
5. **Discussion Boards:** Discussion Boards are part of all CSU term courses. More information and specifications can be found in the Student Resources link listed in the Course Menu bar.
6. **Unit Assessments:** This course contains seven Unit Assessments, one to be completed at the end of Units I–VI and VIII. Assessments are composed of written response questions.
7. **Unit Assignments:** Students are required to submit for grading Unit Assignments in Units III, IV, V, VII, and VIII. Specific information and instructions regarding these assignments are provided below. Grading rubrics are included with each assignment. Specific information about accessing these rubrics is provided below.
8. **Ask the Professor:** This communication forum provides you with an opportunity to ask your professor general or course content related questions.
9. **Student Break Room:** This communication forum allows for casual conversation with your classmates.
CSU Online Library

The CSU Online Library is available to support your courses and programs. The online library includes databases, journals, e-books, and research guides. These resources are always accessible and can be reached through the library webpage. To access the library, log into the myCSU Student Portal, and click on “CSU Online Library.” You can also access the CSU Online Library from the “My Library” button on the course menu for each course in Blackboard.

The CSU Online Library offers several reference services. E-mail (library@columbiasouthern.edu) and telephone (1.877.268.8046) assistance is available Monday – Thursday from 8 am to 5 pm and Friday from 8 am to 3 pm. The library’s chat reference service, Ask a Librarian, is available 24/7; look for the chat box on the online library page.

Librarians can help you develop your research plan or assist you in finding relevant, appropriate, and timely information. Reference requests can include customized keyword search strategies, links to articles, database help, and other services.

Unit Assignments

Unit III Case Study

Case Study Scenario:

Two homicide detectives employed by the local city police department want to conduct a “knock and talk” at a murder suspect’s home. There is a grassy road leading to the suspect’s home, but it is faster for the detectives to travel by boat. They use the department’s marine patrol vessel, arrive at the suspect’s home, and dock their boat. They walk up the dock to the path leading to the suspect’s home. As they approach the front door, they notice a trash pile in the back yard. On top of the trash pile is a pair of pants with red-colored stains on them. The officers seize the pants, which turn out to be stained with the victim’s blood. The pants are critical evidence. The defendant’s attorney moves to suppress the pants.

What is the state’s best argument for the validity of the seizure to include the pants as admissible evidence?

Ensure you cover the following issues in your arguments:

- curtilage,
- exigent circumstances,
- knock and announce/knock and talk,
- plain view, and
- public space.

Cite relevant case law when appropriate.

Your paper should be at least two pages in length, follow APA guidelines, and include a title and reference page. The title and reference page do not count towards the minimum page length. Use at least one article from the CSU Online Library (the ProQuest Criminal Justice database is a good place to start your research). Properly cite the textbook and any other scholarly references utilized to support your position.

Information about accessing the Blackboard Grading Rubric for this assignment is provided below.

Unit IV Case Study

Read the following Case Study and answer the questions below. Your paper should be at least two pages in length and follow APA guidelines, to include a title and reference page. The title and reference page do not count towards the minimum page requirement. Properly cite the textbook and all other references utilized to support your position.

Case Study Scenario:

Shortly after a fire had killed her handicapped child, a mother was asked to come to police headquarters to talk with a detective. The mother knew that her two older children had been questioned at school but had no idea what the detectives wanted with her. She was questioned for several hours at the police department. After questioning, she was arrested and charged with murder of her child, charged with deliberately starting a fire by throwing a blanket over a space heater next to the child’s crib.
Later in the investigation, the detective questioned the father. During the questioning the detective claimed he also had a special needs child and that he and his wife often thought of hurting their child and even thought and said to one another that the child would be better off dead. The detective claimed the father repeatedly stated that “a special needs child needs to be with God and suffer no longer.”

The interrogator asked the mother if she had these kinds of thoughts as well. He asked variations of this question until the mother eventually acknowledged that it was possible that she may have thought about it.

Eventually, during the interrogation, the detective also threatened to charge the two older children with murder, telling the mother that they were suspects if she was not the one who started the fire. At this point, she dissociated and responded to this threat with high anxiety, confusion, and stress. The detective falsely told the mother that they had conclusive evidence that the fire started from the space heater, although no tests had been done at that point in the investigation. He had also falsely told her during the beginning of the interrogation that there was no intention to charge her.

The evaluation of the mother indicated that she was most likely dissociating at times during the investigation. She never admitted to purposefully choosing to throw the blanket on the space heater, but only that it might have happened inadvertently without her knowledge. She never admitted to wanting the child dead but only to the possibility that part of her may have wanted that to happen.

1. Was this interrogation within the legal ramifications regarding case law? Cite case law that deals with detectives sympathizing, using deceit, or minimizing the moral seriousness of the offense.
2. Should any of the mother's confession be admitted into court as evidence? Why, or why not?
3. Were any of the mother's rights violated? Explain your response.
4. What are your concluding thoughts on this case scenario?

Information about accessing the Blackboard Grading Rubric for this assignment is provided below.

Unit V Case Study

Respond to the questions that follow each scenario. Explain your answers citing the textbook and other sources if utilized.

Scenario 1:

Police receive an anonymous tip that there is a white man, wearing a gray hoodie and black pants standing at the bus stop carrying a gun in his left jacket pocket. Officer Bob responds to the bus stop and observes the man as described.

Question 1: Can Officer Bob conduct a stop and frisk based upon the dispatched information? Explain your answer.

Scenario 2:

After receiving the call regarding the man at the bus stop, Officer Bob approaches the subject and although Officer Bob has every intention of stopping and frisking the subject, he asks the man: “May I speak with you for a moment? By the way, we have a report that you have a gun in your pocket, would you mind if I frisked you”?

Question 2: If the subject allows Officer Bob to frisk him, is the frisk valid? Explain your answer.

Scenario 3:

The bus stop in these scenarios is located in a high-crime area. Upon seeing Officer Bob pulling up at the bus stop, the man in the gray hoodie and black pants ran. Officer Bob stopped the subject and frisked him, leading to the recovery of the gun.

Question 3: Is this a valid stop and frisk? Explain your answer.

Your paper should be at least two pages in length and follow APA guidelines, to include a title and reference page. The title and reference page do not count towards the minimum page length requirement. Properly cite the textbook and all other scholarly references utilized to support your position.

Information about accessing the Blackboard Grading Rubric for this assignment is provided below.
Unit VII Case Study

In the cases that follow, you will approach the prosecutor as the public defender assigned to these cases to negotiate the charge and/or sentence. In each of the fact patterns below, the wishes of the client have been set out. However, the client may agree to some other proposal. In none of the cases does the client want to go to trial.

Remember that you, as the defense attorney, need to make a rational argument as to why the charges should be reduced or dismissed, or why sentencing recommendations should be made. The prosecutor will not just grant a request to dismiss charges or make a sentencing recommendation without a rational basis for doing so.

Scenario 1:

Sam has been charged with robbery. He was arrested for robbing a clothing sales clerk after an informant notified the police that Sam had admitted to committing the robbery. Sam has no prior history of criminal activity.

Defendant's wishes—the client wants the charge lowered to second degree robbery, and a prosecution recommendation for six months imprisonment.

Scenario 2:

Jerri committed at least five burglaries in January and February. She is charged with two counts of burglary. The search of Jerri's apartment turned up items that had been taken during the two burglaries. There is a possible question as to whether or not the search was legal.

Defendant's wishes—Jerri wants the counts reduced to burglary in the second degree, an agreement that the prosecutor will not bring charges on the other three burglaries, and a recommendation that the times of imprisonment for each charge be served together.

Scenario 3:

A woman who was a passenger in Gary's taxi cab charged him with sexual assault. Gary totally denies the charge, but there is very strong evidence against him.

Defendant's wishes—Gary is willing to plead guilty to indecent exposure, although he still claims he is innocent.

Your paper should be at least two pages in length and follow APA guidelines, to include a title and reference page. The title and reference page do not count towards the page length requirement. Properly cite the textbook and all other scholarly references utilized to support your position.

Information about accessing the Blackboard Grading Rubric for this assignment is provided below.

Unit VIII Case Study

Respond to the questions in both Case Studies below. Your paper should be at least two pages in length and follow APA guidelines, to include a title and reference page. The title and reference page do not count towards the page length requirement. Properly cite the textbook and all other scholarly references utilized to support your position.

Scenario 1:

Jason, an undercover agent (UC), was posing online as a 13-year-old girl and was contacted by a 30-year-old male offender when they were in a chat room together. The UC and the offender communicated via chats, instant messaging (IM), and e-mail for about a month and a half. They always talked during the day when the offender was at work because he said that his wife was too domineering at home to let him use the computer without being disturbed.

The offender was not deceptive to the UC while they were online together and was trying to begin a romantic/sexual relationship with the UC. While the offender did not send any pictures to the UC, there was a naked photo of the offender in his online profile. There was a phone conversation and a local public area was set as their meeting place. The offender was arrested there.

Question 1: Was this entrapment by law enforcement? Explain your position.
Scenario 2:
William had been convicted of several drug offenses in the past, but had apparently given up the use of drugs. He was approached by a police informer (a former acquaintance) and repeatedly asked over several months to supply narcotics. William indicated that he had no interest in doing so. At one point, they went for a walk in the woods where the informer produced a handgun and was going to show the accused his marksmanship. At this meeting, the informer raised the issue of drugs and made certain comments that the accused perceived as threats.

William was later asked to telephone the informer but did not do so. He finally met with the informer because he was terrified of him. At the meeting, William was told about a drug syndicate and was shown a large amount of money by an undercover police officer. William was asked to obtain a sample of cocaine. He obtained it from a supplier he had known previously. Later, William delivered 12 ounces of cocaine to the informer (after further threats). He was charged with possession of narcotics for the purpose of trafficking.

Question 2: Was this entrapment? Explain your position.

Information about accessing the Blackboard Grading Rubric for this assignment is provided below.

APA Guidelines
The application of the APA writing style shall be practical, functional, and appropriate to each academic level, with the primary purpose being the documentation (citation) of sources. CSU requires that students use APA style for certain papers and projects. Students should always carefully read and follow assignment directions and review the associated grading rubric when available. Students can find CSU’s Citation Guide by clicking here. This document includes examples and sample papers and provides information on how to contact the CSU Success Center.

Grading Rubrics
This course utilizes analytic grading rubrics as tools for your professor in assigning grades for all learning activities. Each rubric serves as a guide that communicates the expectations of the learning activity and describes the criteria for each level of achievement. In addition, a rubric is a reference tool that lists evaluation criteria and can help you organize your efforts to meet the requirements of that learning activity. It is imperative for you to familiarize yourself with these rubrics because these are the primary tools your professor uses for assessing learning activities.

Rubric categories include: (1) Discussion Board, (2) Assessment (Written Response), and (3) Assignment. However, it is possible that not all of the listed rubric types will be used in a single course (e.g., some courses may not have Assessments).

The Discussion Board rubric can be found within Unit I’s Discussion Board submission instructions.

The Assessment (Written Response) rubric can be found embedded in a link within the directions for each Unit Assessment. However, these rubrics will only be used when written-response questions appear within the Assessment.

Each Assignment type (e.g., article critique, case study, research paper) will have its own rubric. The Assignment rubrics are built into Blackboard, allowing students to review them prior to beginning the Assignment and again once the Assignment has been scored. This rubric can be accessed via the Assignment link located within the unit where it is to be submitted. Students may also access the rubric through the course menu by selecting “Tools” and then “My Grades.”

Again, it is vitally important for you to become familiar with these rubrics because their application to your Discussion Boards, Assessments, and Assignments is the method by which your instructor assigns all grades.

Communication Forums
These are non-graded discussion forums that allow you to communicate with your professor and other students. Participation in these discussion forums is encouraged, but not required. You can access these forums with the buttons in the Course Menu. Instructions for subscribing/unsubscribing to these forums are provided below.
Ask the Professor

This communication forum provides you with an opportunity to ask your professor general or course content questions. Questions may focus on Blackboard locations of online course components, textbook or course content elaboration, additional guidance on assessment requirements, or general advice from other students.

Questions that are specific in nature, such as inquiries regarding assessment/assignment grades or personal accommodation requests, are NOT to be posted on this forum. If you have questions, comments, or concerns of a non-public nature, please feel free to email your professor. Responses to your post will be addressed or emailed by the professor within 48 hours.

Before posting, please ensure that you have read all relevant course documentation, including the syllabus, assessment/assignment instructions, faculty feedback, and other important information.

Student Break Room

This communication forum allows for casual conversation with your classmates. Communication on this forum should always maintain a standard of appropriateness and respect for your fellow classmates. This forum should NOT be used to share assessment answers.

Grading

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<th>Component</th>
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<td>Assessments (7 @ 7%)</td>
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<td>Case Studies (5 @ 7%)</td>
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<td><strong>Total</strong></td>
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Course Schedule/Checklist (PLEASE PRINT)

The following pages contain a printable Course Schedule to assist you through this course. By following this schedule, you will be assured that you will complete the course within the time allotted.
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## Unit I  Introduction to Procedures in the Justice System

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<th>Review:</th>
<th>Unit Study Guide</th>
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<td><strong>Learning Activities (Non-Graded):</strong></td>
<td>See Study Guide</td>
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<tr>
<td>Read:</td>
<td><strong>Chapter 1:</strong> Introduction to Criminal Procedure</td>
</tr>
<tr>
<td>Discuss:</td>
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## Unit II  Remedies to Violations of Constitutional Rights

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<tr>
<td>Read:</td>
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## Unit III  Search and Arrest with/without Warrants

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<tr>
<td>Read:</td>
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<td><strong>Chapter 4:</strong> Searches and Arrests with Warrants</td>
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<th>Interrogation, Confession, and Identification Procedures</th>
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<td>□ Chapter 9: Identification Procedures and the Role of Witnesses</td>
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<td>Read:</td>
<td>□ Chapter 6: Actions Based on Reasonable Suspicion</td>
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<td>□ Chapter 7: Actions Based on Administrative Justification and Consent</td>
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Notes/Goals:
## Unit VII: Prosecutors, Defense Attorneys, and Plea Bargains

**Review:**
- Unit Study Guide
- **Learning Activities (Non-Graded):** See Study Guide

**Read:**
- Chapter 11: Prosecutors, Grand Juries, and Defense Attorneys
- Chapter 12: Plea Bargaining and Guilty Pleas

**Discuss:**
- **Discussion Board Response:** Submit your response to the Discussion Board question by Saturday, 11:59 p.m. (Central Time)
- **Discussion Board Comment:** Comment on another student’s Discussion Board response by Tuesday, 11:59 p.m. (Central Time)

**Submit:**
- Case Study by Tuesday, 11:59 p.m. (Central Time)

## Unit VIII: Rights of Defendants from Trial to Appeals

**Review:**
- Unit Study Guide
- **Learning Activities (Non-Graded):** See Study Guide

**Read:**
- Chapter 13: Rights at Trial
- Chapter 14: More Rights at Trial
- Chapter 15: Sentencing, Appeals, and Habeas Corpus

**Discuss:**
- **Discussion Board Response:** Submit your response to the Discussion Board question by Saturday, 11:59 p.m. (Central Time)
- **Discussion Board Comment:** Comment on another student’s Discussion Board response by Tuesday, 11:59 p.m. (Central Time)

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