

CRIMINAL PROCEDURE

CRJU 4223-X10

Online Course

Fall, 2022

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Course Description

This course will examine the criminal procedural process throughout pretrial, trial, and appeal. The rules of evidence and Supreme Court interpretation of the law relating to arrest, search, seizure, and confessions will be explored in detail. The course will address constitutional safeguards established at both the federal and state levels, as well as the ways that these provisions affect criminal defendants and those acting on behalf of the government. The course will explore the contemporary implications of criminal procedure, such as the procedural response to terrorism and the reality of plea bargaining in a modern criminal justice system. The course will also examine the civil liability that may result from a failure to follow these mandatory safeguards.

Course Objectives

At the conclusion of this course, you should have a thorough understanding of the processes and procedures that must be observed throughout the criminal justice system. You should be able to:

- 1) Articulate the constitutional protections and procedures that are afforded to criminal defendants and suspects in various circumstances during arrest, pretrial, trial, and appeal
- 2) Apply these protections and procedures to real-life fact scenarios in order to make appropriate decisions regarding interaction with criminal defendants and suspects
- 3) Read and analyze decisions rendered by the U.S. Supreme Court, and apply the provisions of these decisions to the applicable components of criminal procedure
- 4) Present logical, coherent, and well-rounded arguments based upon fact scenarios, both orally and in writing
- 5) Develop rational solutions to criminal procedure-based fact scenarios, both individually and in teams
- 6) Understand the implications of modern-day phenomena, such as terrorism, court overload, the current public defender system, technological advances, and their relation to established principles of criminal procedure

- 7) Understand the effects of globalization upon the increasingly international dimensions of criminal law and criminal procedure

Required Texts

Criminal Procedure: Law and Practice (10th ed.) by Rolando V. Del Carmen.
Wadsworth Publishing, 2015, ISBN #978-1-305-57736-7

Course Requirements

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1) Discussion Questions:

The discussion questions you respond to each week are a critical and integral portion of the course. This is where I can make the determination, or non-determination, that you are (1) reading, (2) comprehending, (3) applying, and (4) correlating the knowledge you obtain to other aspects of the course and your degree program in general.

For each discussion question asked, I am looking for a detailed and well thought-out answer that integrates the assigned reading, your knowledge, and your own thoughts and perspective on the question posed. Your answers to the discussion questions should consist of your own analysis and synthesis of the course material presented. **No credit** will be given for answers that are either copied from the textbook or another source, or are substantially similar to the textbook or another source. Your answers to discussion questions must utilize correct grammar, capitalization, and punctuation. When referencing outside material other than your textbook, proper APA citations must be given. If you have any questions on what constitutes a quality answer to a discussion question, please do not hesitate to contact me.

Your answers must be posted as text within the D2L text box. Do not post your answers as a document attachment. Each question must be answered separately within the thread started for each question. Do not answer all the questions in one posting. Answers that are posted as document attachments or answered all in one posting **WILL NOT BE GRADED.**

Your own answers to the discussion questions will constitute 75% of your grade for each discussion assignment.

2) Discussion Board Participation:

Every week throughout the semester, discussions will be held via D2L. Discussions are a vital part of the class, as they occur in lieu of live class discussions that would normally take place in a traditional class setting. Thoughtful participation in each of these discussions is mandatory and will be calculated as a part of your participation grade. Discussions will take place by each student:

- 1) answering each discussion question given for that week AND
- 2) responding to the answer that another student has given to one of that week's discussion questions.

In addition to responding to that week's assigned discussion questions with your own answers, each student must respond to an answer of a fellow student **at least one time per week**. When responding to the answer of a fellow student, you must comment upon his or her answer to the discussion question, state whether you agree or disagree with the answer and reasoning given, and give support for your response. You must submit **one** response to a classmate that contains a **minimum of 200 words**. Responses must utilize proper grammar, punctuation, and capitalization. When referencing outside material, proper APA citations must be used.

Your response(s) to a fellow student will constitute 25% of your grade for each discussion assignment.

When responding to the answers and thoughts of another student, it is perfectly acceptable to agree or disagree with their answer. However, all responses must be constructive, must not be derogatory in any way, must not use inappropriate language, and must show respect for the thoughts and opinions of your fellow students. If you would not make the comment in a live classroom setting, do not make it on D2L. **Violating these rules of etiquette will result in a loss of all points associated with that discussion assignment.** If there are any questions about what constitutes an appropriate response, please contact the professor.

3) Examinations:

Three multiple choice exams will be given during the semester. The first exam will cover the material assigned for weeks 1, 2, 3, 4, and 5. The second exam will cover the material assigned for weeks 7, 8, 9, and 10. The final exam will be cumulative, and will also cover the reading for weeks 12, 13 and 14. The purpose of these exams is to assess your knowledge and application of the information presented throughout the readings, class discussions, and assignments.

Exams are to be completed individually by each student. Collaboration with other students is not allowed on exams. Collaboration will be considered an act of academic dishonesty.

Please feel free to contact me about any questions you have regarding course assignments.

Grading Policy

Exam 1	10%
Exam 2	15%
Final Exam	20%
D2L Discussion & Participation	55%

***Failure to complete any of these assignments will result in an F for the course**

Students are expected to submit assignments on the due date and late assignments will **not be accepted**. Unless prior arrangements have been made with the professor, students will receive **no credit** for an assignment submitted past the due date.

Your grades will be determined on the following scale:

90-100	= A
80-89	= B
70-79	= C
60-69	= D
60-below	= F

Contacting Me

I am available to answer any questions you may have about the course. When a question arises, you may contact me through the mail feature on the D2L site or at laura.fidelie@msutexas.edu.

ALL COMMUNICATIONS WITH ME MUST COME FROM YOUR OFFICIAL MSU EMAIL ADDRESS OR THROUGH D2L EMAIL. ANY EMAILS FROM EXTERNAL EMAIL ADDRESSES WILL NOT BE READ OR RESPONDED TO.

Academic Integrity

Academic integrity is something that I take very seriously. As future professionals, it is something that you should take seriously as well. Establishing ethical work habits and maintaining both your own integrity and that of your profession begins during your education and training.

Each student is expected to abide by the rules of ethical and academic honesty as defined by the student handbook. All cases of academic dishonesty will result in a **failing grade for the course** and a letter to the Dean of Students requesting that you be **withdrawn from the University**. If there are any questions as to whether an action is academically dishonest, please consult with the professor.

COURSE ASSIGNMENTS

Week 1 (due by 11:59 PM CST, Sunday, August 28):

Read del Carmen, Chapter 1

D2L Discussion Questions and Response

Submit biographical information and syllabus agreement (for the syllabus agreement, just send me an email stating that you have read the syllabus and agree to abide by its terms throughout the semester)

Week 2 (due by 11:59 PM CST, Sunday, September 4):

Read del Carmen, Chapter 2

D2L Discussion Questions and Response

Week 3 (due by 11:59 PM CST, Sunday, September 11):

Read del Carmen, Chapter 3

D2L Discussion Questions and Response

Week 4 (due by 11:59 PM CST, Sunday, September 18):

Read del Carmen, Chapter 4

D2L Discussion Questions and Response

Week 5 (due by 11:59 PM CST, Sunday, September 25):

Read del Carmen, Chapter 5

D2L Discussion Questions and Response

Week 6 (due by 11:59 PM CST, Sunday, October 2)

Exam I (exam will be available from 6:00 AM on Friday, September 30 until 11:59 PM on Sunday, October 2)

Week 7 (due by 11:59 PM CST, Sunday, October 9)

Read del Carmen, Chapter 6

D2L Discussion Questions and Response

Week 8 (due by 11:59 PM CST, Sunday, October 16)

Read del Carmen, Chapter 7
D2L Discussion Questions and Response

Weeks 9 and 10 (due by 11:59 CST, Sunday, October 30)

Read del Carmen, Chapters 8 & 9 (*note that this is a longer and very involved unit—make sure to give yourself plenty of time to complete it and answer the questions)

D2L Discussion Questions and Response

Week 11 (due by 11:59 PM CST, Sunday, November 6)

Exam II (exam will be available from 6:00 AM on Friday, November 4 until 11:59 PM on Sunday, November 6)

Week 12 (due by 11:59 PM CST, Sunday, November 13)

Read del Carmen, Chapter 11

D2L Discussion Questions and Response

Weeks 13 and 14 (due by 11:59 PM CST, Sunday, November 27)

Read del Carmen, Chapters 12 and 14

D2L Discussion Questions and Response

Week 15 (due by 11:59 PM CST, Sunday, December 4)

Final Exam (exam will be available from 6:00 AM on Friday, December 2 until 11:59 PM on Sunday, December 4)