

Legal Aspects of Law Enforcement – CRJU 2213
Course Syllabus Fall
Location: Internet Class

Instructor: Michael Alpers

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Office Hours: Mon 8AM-10AM, Wed 8AM-10AM, FRI 8AM-10 AM (By Appointment)

Required Text:

Lippman, M. (2014). *Criminal Procedure* (5th ed.) Thousand Oaks, California: SAGE Publications, ISBN-

Texts may be purchased by contacting the MWSU bookstore (www.follett.com) or by visiting the MWSU bookstore in person. Additional materials may be assigned.

Minimum Technology Requirements:

A computer with an internet connection (High Speed Internet, Cable or DSL, is **strongly** recommended).

Desire2Learn will be utilized. Students may need to use Mozilla Firefox; other browsers will not always work. Do not take the chance with your grade.

Class (Catalog) Description:

Credit 3 semester hours. Substantive law relating to law enforcement with special attention to Constitutional issues and case law. Emphasis on the application of statutes and cases to the enforcement of laws and liability of peace officers.

Course Objectives:

The purpose of this course is to explore the authority and responsibilities police officers have based on Constitutional restraints and case law. The course is designed to highlight responsibilities, guidelines, and liability related to searches and seizures, stop and frisk, interrogations and confessions, with emphasis on civil and criminal remedies for Constitutional violations from improper or illegal acts taken by police officers. After completing this course, students should be able to:

1. Demonstrate an understanding of the foundations for criminal procedure and police authority.
2. Demonstrate an understanding of how case law and the Constitution influence police officers' searches and seizure of persons and property as well as stop and frisk.
3. Demonstrate and understanding of police officers' responsibilities relating to probable cause and its bearing on arrests.
4. Demonstrate an understanding of case law and Constitutional guidelines relating to interrogations, confessions, eyewitness and scientific identifications.
5. Demonstrate an understanding of the exclusionary rule and entrapment.
6. Demonstrate an understanding for the civil and criminal remedies for Constitutional violations by police officers.
7. Demonstrate an understanding of the criminal justice process, including pretrial, trial, and post-trial procedures.
8. Demonstrate an understanding of the USA PATRIOT Act's influence on reforms to criminal procedure.

Course Format:

This class is completely online; there are no class meetings. All homework, assignments, discussions, and examinations are to be completed online no later than the final due dates for each assignment stated in the course schedule. If students have questions regarding the reading material, quizzes, and exams, they should post questions in the appropriate forum. Other students may have the same or similar questions. Students may also email (preferred method) or call me if additional instructions are needed.

Course Requirements:

- 1. Introduction: (5 pts)** Due to the internet course format, the personal profile is intended to help students get acquainted with each other. The student's profile should include information that the student is willing to share about him or herself, for example, hometown, major, classification, work experience, and goals or objectives in life. If students have any problems or questions, they should contact the computing center. After the profile has been created, students have to introduce themselves in the introduction forum. Each student has a responsibility to post and welcome each other to this online class.
- 2. Examinations: (400 pts)** There will be 4 exams including the final, which will primarily consist of multiple choice, true/false, and matching items. Fill-in-the-blank, short answer, and essay items may also be included. Each exam will be conducted online. Each student must take and finish each test within the time allotted.
- 3. Quizzes: (75 pts)** Students must log-in to take quizzes by the due date (11:55 p.m. Saturday evenings). These quizzes are timed (5 minutes); therefore, students must be ready to take and finish the quiz before logging-in. Quizzes can only be viewed when students are taking them. If students have any questions regarding the quizzes, they should make a note and post that question in the chapter forum. Once everyone takes the quiz for a chapter, posted questions will be answered.
- 4. Discussion Forum: (100 pts)** This is the primary method of communicating ideas with other students and the instructor. All students must participate in discussions about the readings, uploaded materials, websites, and outside materials in a true seminar fashion. This will be accomplished by the use of a discussion forum.

Students are required to log on to the course website regularly to participate in the discussion forum. Discussion board topics will be posted. Discussions will begin on Mondays and continue through Saturday evenings (11:55 p.m.). Students must begin discussions and must also react to, or comment on, other student's responses throughout the semester. Student responses must be substantive, not merely recognition that another student posted. **Each student is expected to post an individual answer to the main topic each week, and then respond to MINIMALLY two other student's posts.**

Student's participation in the above discussions will be graded. Considerations for grades will include but are not limited to the number of initiated discussions, the number of responses, timeliness, appropriateness, contribution value, and accuracy. Students that log on and respond to a question or topic but have clearly not read the assigned material will receive the lowest number of points possible. Students that log on, participate actively, and have clearly read the material may receive the highest grade possible. Average work will receive the median point value. Participation grades will occur randomly but equally for all students across the semester.

All quizzes and exams must be completed as assigned. Otherwise, '0' points will be recorded for the missing work and grades will be calculated as usual.

Grading Scale: Available on D2L Class Gradebook

Class Policies:

Etiquette, Communication Expectations, & Freedom of Expression: Academia is dependent on the ability of all participants to freely express ideas. Many of our discussions involve ideas or behaviors that may be offensive but this does not mean that our discussions should be offensive. Students must be courteous, tolerant, and refrain from personal attacks when others' beliefs differ from theirs. There are limits on freedom of expression, which carry penalties within the university and under the law if not observed. Please refrain from comments that could be considered obscene, harassing, menacing, hostile, or slanderous.

The use of correct grammar, punctuation, and spelling (no internet/text acronyms) are expected in all written forms of communication associated with this course.

Safe Zones Statement: The professor considers this classroom to be a place where you will be treated with respect as a human being - regardless of gender, race, ethnicity, national origin, religious affiliation, sexual orientation, political beliefs, age, or ability. Additionally, diversity of thought is appreciated and encouraged, provided you can agree to disagree. It is the professor's expectation that ALL students consider the classroom a safe environment.

Academic Honesty and Integrity: Plagiarism is the use of someone else's thoughts, words, ideas, or lines of argument in your own work without appropriate documentation (a parenthetical citation at the end and a listing in "Works Cited")-whether you use that material in a quote, paraphrase, or summary. It is a theft of intellectual property and will **not be tolerated**, whether intentional or not.

Student Honor Creed

As an MSU Student, I pledge not to lie, cheat, steal, or help anyone else do so."

As students at MSU, we recognize that any great society must be composed of empowered, responsible citizens. We also recognize universities play an important role in helping mold these responsible citizens. We believe students themselves play an important part in developing responsible citizenship by maintaining a community where integrity and honorable character are the norm, not the exception. Thus, we, the Students of Midwestern State University, resolve to uphold the honor of the University by affirming our commitment to complete academic honesty. We resolve not only to be honest but also to hold our peers accountable for complete honesty in all university matters. We consider it dishonest to ask for, give, or receive help in examinations or quizzes, to use any unauthorized material in examinations, or to present, as one's own, work or ideas which are not entirely one's own. We recognize that any instructor has the right to expect that all student work is honest, original work. We accept and acknowledge that responsibility for lying, cheating, stealing, plagiarism, and other forms of academic dishonesty fundamentally rests within each individual student. We expect of ourselves academic integrity, personal professionalism, and ethical character. We appreciate steps taken by University officials to protect the honor of the University against any who would disgrace the MSU student body by violating the spirit of this creed. Written and adopted by the 2002-2003 MSU Student Senate.

All students are expected to maintain the highest standards of academic honesty. Cheating, plagiarism, and unethical practices will not be tolerated. Consequences include an F on an assignment and/or an F for the course.

Academic dishonesty involves the inappropriate use of someone else's work product. While preparing for a test, students may study together but they should not work together while taking the test. On discussions, students may receive feedback from others; but, it is unacceptable to have someone else write a section of the discussion or for the student to copy or use a portion of someone else's discussion whether or not it has been previously published. *It is*

also inappropriate to use a paper or sections of a paper for which the student has previously received credit (course credit, thesis, publication, payment through a grant or assistantship etc.). Double dipping is a violation of academic honesty, unless it is explicitly agreed upon in advance. While presenting someone else's ideas as one's own is obvious when done *verbatim*, students must also guard against more subtle forms of plagiarism, such as the failure to appropriately cite materials. If unsure of what constitutes plagiarism, consult the university guidelines as well as those of professional organizations, and writing manuals (APA style guide, etc).

Absenteeism and Tardiness: Virtual classroom discussion depends on the preparedness of students. Discussions and participation on-line are a portion of the grade. It is not possible for students to "make up" missed discussions. **Missed exams and quizzes will be excused (with proper documentation) only for dire emergencies and approved university sponsored or sanctioned events.** Work-related absences are generally not excused.

Make-up Policy: If students miss an exam for a valid and university acceptable reason, they should contact the instructor immediately. Missed exams will be recorded as a "0" until the student presents a valid written excused absence and the instructor will keep this for the student's records. A make-up test may be given the following week, later in the semester, or at the end of the semester, at the discretion of the instructor. There are no make-ups for discussions.

An Incomplete: Grades of "I" will be issued only on rare occasions where a student is unable to complete an assignment toward the end of the course because of truly exigent circumstances.

Student Services: The Americans with Disabilities Act (ADA) is a federal anti-discrimination statute that provides comprehensive civil rights protection for persons with disabilities. Among other things, this legislation requires that all students with disabilities be guaranteed a learning environment that provides for reasonable accommodation of their disabilities. If you believe you have a disability requiring an accommodation, please contact the Disability Support Services in Room 168 of the Clark Student Center, 397-4140.

Writing Proficiency Requirement: All students seeking a Bachelor's degree from Midwestern State University must satisfy a writing proficiency requirement once they've 1) passed English 1113 and English 1123 and 2) earned 60 hours. You may meet this requirement by passing either the Writing Proficiency Exam or English 2113. Please keep in mind that, once you've earned over 90 hours, you lose the opportunity to take the \$25 exam and have no option but to enroll in the three-credit hour course. If you have any questions about the exam, visit the Writing Proficiency Office website at <http://academics.mwsu.edu/wpr>, or call 397-4131.

Additional Policies & Procedures:

Other class policies and procedures follow the *MWSU Student Handbook* (please see <http://forms.mwsu.edu/uploaded-forms/Student-Handbook-20100825-163916.pdf>) **Tentative Course Schedule and Tentative Due Dates:**

The instructor reserves the right to adjust and change the syllabus and course schedule as needed.

****SEE D2L CONTENT TAB FOR SCHEDULE****

Again, the instructor reserves the right to adjust the schedule as needed.

It is incumbent on each student to monitor Desire2Learn and their official email account **REGULARLY**. Dates may change. Assignments may be adjusted. Additional work may be suggested or necessitated based on current environmental and situational issues. **Accessing these accounts once per week will not be sufficient if an above average grade is desired. This is the student's responsibility!!**

Caution: Do not wait until the last minute to complete discussions or quizzes. There may be problems with internet connections, Desire2Learn, work or family issues, etc.

Faculty Expectations:

Dear Students:

Please review the faculty expectations below. Once you have read and understand these, please post a message to this discussion thread saying, "I have read and understand the faculty expectations for this course" (or something equivalent). If you have any questions, please do not hesitate to contact me at michael.alpers@mwsu.edu.

Professor Alpers

Professor Alpers' Faculty Expectations Message

As a professional educator, I have some reasonable expectations of my learners. My first goal in this course is that you learn the maximum amount of material possible. However, I am reasonable. Research into pedagogy and andagogy indicate that learners will remember less than 10% of course material a year after the course has concluded. As such, there are some topics within each course that I teach which, in my professional experience, I believe you will find most useful and needed as a scholar-practitioner.

Academic Integrity

All assignments, discussions boards, etc. should follow the rules of academic integrity established by Midwestern State University, as well as your discipline. Please see MSU's policy on academic integrity for more information. If you should ever have a question regarding academic integrity please contact me.

Length of Class

This class is designed to be 16 weeks long. Each week you will be responsible for reading, responding to discussion questions, responding to your learner colleagues' discussion questions, submitting assignments, and so on. It is imperative that you develop and maintain the discipline to keep up with the course work.

Syllabus

On the course home page you will find a link to your course syllabus. Please review this syllabus very thoroughly and get in touch with me **ASAP** if you have a question or reservations as to whether or not you will be able to complete the course given the time-frame.

Learning Unit Objectives and Activities

Within each of the learning units you will find learning unit objectives and activities. This is a very handy tool for you to use to help guide you through the course successfully. You can also use this section of the course as a "checklist" to ensure that you have completed all the required assignments and discussions for the week.

The discussions 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 learn to other aspects of the course and your degree program in general.

Proper References and Citations

You should utilize APA 6th edition referencing whenever and wherever possible throughout the course. Proper referencing and citations are a key component to preventing plagiarism and avoiding academic dishonesty (both intentionally and unintentionally).

Asking Questions

A link may be provided for you in the course room entitled "Ask Professor Alpers." I strongly advise you to heavily use this link (if present) for questions you have which will help the entire class. Of course, feel free to e-mail me directly with private

concerns. However, do not feel offended when if you send me an e-mail asking a question and I ask you to post it in the "Ask Professor Alpers" section. All this indicates is that you have asked an important question that I believe the entire class will benefit from hearing the answer. If this link is not present, then please e-mail any questions to me at michael.alpers@mwsu.edu.

E-Mail Etiquette

When attempting to communicate with a faculty member regarding a class, please include the class name, number, and course section in the subject line of the e-mail. Without this, the faculty member may have a great deal of difficulty determining which course you are in, and may also result in additional time-consuming e-mails trying to figure this out. E-mails sent to Professor Alpers which are lacking this information shall be deleted without further review or response.

Pop-Up & Download Blockers

Be sure that your pop-up blocker is turned OFF when working in WebCT. Also, make sure that you do not have a download blocker on when working in WebCT.

Grading

Grading in this course will be assessed on the 100 point scale utilizing criterion-based assessments. The syllabus contains a section entitled "Grading" which specifies the weights associated with each assignment.

Additionally, your class grade and class letter grade are based on a "running total" in the class. As such, when I enter a grade for you, the class grade and class letter grade will reflect ONLY the information I have put into the database. For this reason you will see "low grades" until all grades are submitted. Thus, if you see that you only have, for example, a "3" in the course after the week one participation grades are in, and that your course grade is "F", there is no need to panic. These grades will change and increase as more grades are entered. If you send me an e-mail about this later in the term I will refer you to this faculty expectations message.

Exceptional Cases/Exigent Circumstances

In the event of exigent circumstances (i.e., family emergency, death in the family,

etc.) I will make modifications to the due dates for learners on a case-by-case basis. You must contact me as soon as practicable in the event that an exception needs to be made. I will make every reasonable effort to accommodate your needs.

Professor Alpers' Contact Information

You may e-mail me at michael.alpers@mwsu.edu with any questions, thoughts, or concerns that you have in the course.

What you can expect of me

I will answer all e-mail messages within 48-hours of seeing them during the work week. On weekends I will be unavailable. I will respond to discussion postings, assignments, etc. that you make within 72 hours of seeing it (excluding weekends).

Professor Alpers' Teaching Philosophy

I believe that teaching is a discipline of inquiry and that teachers should be dedicated to the scholarship and advancement of the field. Teaching is a discipline of inquiry in that a teacher must be curious about the world in which he or she lives in order to seek out the requisite knowledge to become an expert in her or his field of study. Without inquiring minds, there would be no need for teachers, because there would be no students. Students, by their nature, are inquiring minds. They want to know more about the subject matter, and it is the responsibility of the teacher to convey his or her knowledge in an effective, efficient, and impartial manner.

I believe that to be an effective teacher you must have a deep understanding of the subject matter as well as the underlying pedagogical theory. A teacher must have read all of the current research on his or her subject and be ready, able, and willing to answer all conceivable questions. Inevitably, though, some questions are asked that the teacher does not know the answer to. I believe it very wise and humble to tell your students that you do not know the answer, but that the next time you see them that you will know the answer and that it will be referenced. If a teacher does not know his or her subject matter thoroughly, then the best that s/he can do is to teach directly out of the book, a true travesty of education. The course textbook(s) should be considered a guide, not the primary conveyer of knowledge. In my view, students pay a great sum of money to attain a liberal University education and to have

qualified professors teach to them, not preach to them from the book.

I believe that a teacher must know his or her students in order to be effective. If a teacher does not know his or her students, then the teacher cannot understand the needs of those students. It is my obligation as a teacher to attempt to get to know my students on a personal, academic level. It is this interaction between student and professor that ensures the great traditions established in academe and furthers the educational process.

I believe that the primary role of a teacher is as an enabler. This means that the teacher should enable students to become responsible enough to advance their own learning outside the classroom. The ability and willingness of a student to seek knowledge, without the constant prodding of a professor, is a direct measure of the effectiveness of a person's ability to teach. In this capacity it is my belief that a teacher should expose the student to more than just a few sources of information and perspectives on a subject. That is, the student should be exposed to the broad spectrum of perspectives that exist in a globalized world. I believe this to be the true cornerstone of a liberal education.

I believe in advancing cultural and intellectual diversity, which enhances both the breadth and depth of learning. Cultural diversity enhances student's understanding of the world in which they reside. Students soon discover that there is more than their hometown perspective when they are exposed to people from cultures and countries from around the world. Intellectual diversity means that students should be exposed to a broad array of thought process paradigms. This includes the Socratic method of teaching law, learning in a seminar environment, and many other types of conveying knowledge and honing analytical reasoning skills.

I believe that writing is a critically important skill that a student must develop. If students do not develop the ability to write in accordance with their stage in life, then there is no one to blame but the teachers responsible for their education. I believe that students should have to write a paper or series of papers for every class they take in the social sciences. Once the paper has been written, it is the responsibility of the teacher to thoroughly edit and critique the paper. I edit all papers from senior level courses as if they are being submitted for publication. I then return the papers to the students with a grade and give them the opportunity to revise the paper for an improved grade. I inform my students that to get an "A" on the course paper means that the paper is publishable, albeit with more refinement. I have found this to be important to students because they enjoy seeing their work published. Publication

gives students a genuine sense of accomplishment.

I believe that pedagogy should be studied and advanced. The science and art of pedagogy is an area in which all teachers should be thoroughly read. Journals such as the *Journal of Criminal Justice Education* provide excellent resources for current literature on pedagogical issues specific to criminal justice education. I also believe that teachers at the University level should take an active research interest in all of their classes and approach each one as a pilot experiment. That is, each class should contribute and build upon the next in a continual learning process. This process of enhancing our own pedagogical skills does not stop after a few years of teaching, but must be aggressively pursued.

Finally, there are four themes that have emerged in my limited experience as a teacher. I attempt to hone:

- (1) Reflective practitioners,
- (2) Collaborative thinkers,
- (3) Effective communicators, and
- (4) Persons who appreciate diverse subject matter.

I consider these themes to be my personal duty to confer upon each student. A reflective practitioner is a creative person who can think independently and who can learn how to learn for themselves. A collaborative thinker is a person who has good listening and analytical skills and who is willing to share their ideas with others. An effective communicator is a person who can organize their thoughts and reasoning and who can write and speak effectively. Finally, persons who appreciate diverse subject matter are people that understand complex concepts, who value new knowledge, and who appreciate high standards of quality. I consider all of these themes to be critically important as a personal measure of teaching success.