

SYLLABUS
LEGAL ASPECTS OF CORRECTIONS

CRJU 2223-201

Spring, 2025

CLASS FORMAT: Lecture/Discussion – Student will prepare prior to each class period to answer/discuss/ask questions over assigned material.
Case Briefing – During each class period, student(s) will be scheduled to present an assigned Supreme Court case for oral briefing before the class. Each student will brief once during the semester. Student must be prepared to answer instructor and student questions regarding the majority and dissenting opinions of the case.

TEXT: Hemmens, Craig, B. Belbot and K. Bennett. *Significant Cases In Corrections* (2nd Edition), Oxford University Press, ISBN 978-0-19-994858-1 (2013).

CLASS SCHEDULE: TR 1:00 - 2:20 p.m.; Martin Hall 108.

INSTRUCTOR: Ted Paddack; Martin Bldg. 112; (940) 397-4090;
ted.paddack@msutexas.edu

INSTRUCTOR'S PERSPECTIVE/GOALS FOR THE COURSE

The contents and requirements of this course are designed to expose the student to various legal issues affecting the corrections field of criminal justice, both institutional corrections and community corrections. These issues affect both the offender and the criminal justice practitioner at the federal, state and local levels of government, as well as those in contractual private practice. It is hoped that the knowledge learned in this course will be utilized by the student in a career in the criminal justice (corrections) field.

SPECIAL NEEDS Should the student have a documented disability or is requesting special help in any area during this course, contact Ted Paddack, Office 112 of Martin Bldg., extension 4090, *at the beginning of the semester*. Student should additionally contact the Disability Support Center (Clark Student Center 168, ext. 4140), to document specific accommodations requested.

EXTRA CREDIT No work for extra credit will be accepted, unless the student documents extreme hardship circumstances that were both unforeseen and unpreventable.

STUDENT PERSPECTIVE: At the beginning of the semester, each student will write his/her own perspective regarding the rights of those convicted and sentenced due to a criminal offense, as well as any Constitutional rights that the student feels should be added or eliminated by law.

COURSE REQUIREMENTS/GRADING SCALE:

- A. **CLASS PARTICIPATION/ATTENDANCE** (10% of final grade)
Student is expected to respond appropriately in class, especially when requested to do so by the instructor. Disruption of any class period will result in the student being required to leave that class period. Repeated disruption will result in student being dropped from the class.

Attendance is strictly kept each class period. If a student must miss class for a justifiable reason, the student must notify the instructor *in writing* after returning. Student has the responsibility of acquiring any information/materials missed during his/her absence. Any unexcused absences over three (3) will result in minus two (-2) points off the final semester grade for each unexcused absence.

No electronic devices are allowed in class, with exception of personal laptops which may be used for note taking. Contents of laptop are reviewable by instructor for class notes at any point during class period! No ear-buds allowed during class, and no hoodies on head.

- B. **CHAPTER QUESTIONS** (10% of final grade)
Read and consider the cases found in the assigned chapter, and answer the questions assigned. Response to questions must be computer generated, no handwritten accepted. Assignment is due in class on the date printed in Syllabus. Late submission (up to next class period) counts ½ credit.
- C. **ORAL CASE BRIEFING** (10 % of final grade)
Student will orally present a legal brief of an assigned case on the date scheduled. Case Briefing should be no longer than seven (7) minutes. **Student's presentation will follow the prescribed briefing format for this class provided by the instructor.**
- D. **WRITTEN CASE BRIEFING SUMMARIES** (15% of final grade) [**Due 4/15/25**]
Using the prescribed class format, (computer generated – no hand written), each student will summarily brief ten (10) significant cases affecting current correctional legal practices.

Seven (7) cases briefed must be found in the Hemmons, et. al. textbook. No more than one (1) case will be briefed from any one chapter in the text. Three (3) of the written case briefings must be taken from the attached "Additional Relevant Cases".

While the textbook summarizes each case, the student must state in his/her own words (no plagiarism) the relevant information using the prescribed class format .

***** (NOTE: No Xerox copies or "group process" written briefs will be accepted. Take great pains to ensure that your case briefing submission is uniquely your own!!)**

The student should retain an electronic or printed copy of all submission.

E. **RESEARCH PROJECT** (15% of final grade) [due 4/24/25]

Student must submit an eight to twelve (8-12) page research paper, including: (1) cover sheet, (2) Abstract of Paper, (3) 5-9 pages of narrative, and (4) Works Cited (Bibliography). The narrative body of the paper must be **well-documented (APA style)** as to the Works Cited (professional sources of information) used.

The paper must be double-spaced, computer generated, and must include at least eight (8) references, of which four (4) must be since January, 2021. Sources cited must include no less than three (3) significant Appellate Court decisions regarding the researched issue. The research project must cover one of the following topics:

- 1) "Legal Liability Concerns of Correctional Personnel";
- 2) "The Changing Face Of The U.S. Supreme Court" 1960-2025;
- 3) "The Evolution the Death Penalty in the United States 1976-2025";
- 4) "The Impact of Correctional Reform In Texas, 1980-2025";
- 5) "The Impact of The Religious Freedom Restoration Act and the Religious Land Use and Institutional Persons Act on Correctional Administration";
- 6) "Rehabilitation Efforts Within the Prison Confinement Environment".

Student may express his/her own personal conclusions and opinions only on final page of Research Paper.

Upon submission of research paper, the student should retain an electronic or printed copy of the research paper.

Legal Aspects of Corrections
Grading Scale (Research Paper)

NAME _____

Cover page (5 points) _____

Double Spaced Narrative Text (5 points) _____

Abstract, Single-spaced (10 points) _____

APA Style Documentation in Narrative (15 points) _____

8+ Works Cited, incl. 4 since January 2021 (15 points) _____

5-8 pages Research Narrative Text (50 points) _____

TOTAL POINTS _____

F. **EXAMINATIONS** (40% of final grade)

Mid-Term Exam (20%) [March 18]

Final Exam (20%) [Tuesday, May 8; 1:00-3:00 p.m.]

Exams are "mixed-objective" (True-False, Matching, Multiple Choice, Etc.), and will require a SCANTRON card, which student must supply for each exam. Both mid-term and final will have an essay component, but no blue-book is required. The Final Exam will require the student to brief in writing a relevant Supreme Court cases not included in the text. The published written report of the case will be attached to the Final Exam.

All students, including graduating seniors are required to take both the mid-term and final exams. No make-ups will be allowed unless the student has a previously authorize excused absence or there are documented emergency circumstances.

“ADDITIONAL RELEVANT CASES”
CRJU 2223-201
Spring 2025

The following cases may be referenced during the course of this semester, but are not included in your textbook. They may be accessed either in the legal section (Supreme Court recorders) of Moffett Library on the MSU campus or accessed on the Web. **Three (3) of these cases are required as part of the ten (10) written briefs due on April 15, 2025.**

Fare v. Michael C., 442 U.S. 707 (1979)

Hope v. Pelzer, 536 U.S. 730 (2002)

Howe v. Smith, 452 U.S. 473 (1981)

Kansas v. Hendricks, 521 U.S. 346 (1997)

Kentucky v. Thompson, 490 U.S. 454 (1989)

Olim v. Wakinekona, 461 U.S. 238 (1983)

Overton v. Bazetta, 539 U.S. 126 (2003)

Saxbe v. Washington Post Co., 417 U.S. 843 (1974)

Schurer v. Rhodes, 416 U.S. 232 (1974)

***** In addition, one of the above cases will be utilized for briefing purposes on the Final Exam on Thursday, May 8, 2025 (and will be reproduced and attached as part of the Final Exam).**

COURSE CONTENT and CHAPTER ASSIGNMENTS
LEGAL ASPECTS OF CORRECTIONS
CRJU 2223
Spring 2025

- January 21 *Introduction to Course*
Housekeeping Chores
Conflicting Social Objectives (Instructor Material)
- January 23-30 *Case Briefing Review (Instructor Material)*
- February 4-6 *The Judicial Appellate System (Instructor Material)*
- February 11-13 *Use of Force (Chapter 7 and Instructor Material)*
 - **Read and consider all cases found in Chapter 7 (pp. 109-112)**
 - **Answer questions 1, 2 and 8 on page 113. Due Feb. 11**
- February 18-20 *Free World Associations [Visitation/Mail/Media] (Chapter 4 and Instructor Material)*
 - **Read and consider all cases found in Chapter 4 (pp. 70-80)**
 - **Answer questions 1, 5 and 10 on page 80. Due Feb. 18**
- February 25-27 *Isolation and Disciplinary Proceedings (Chapter 8 and Instructor Material)*
 - **Read and consider all cases found in Chapter 8 (pp. 114-129)**
 - **Answer question 1, 5 and 8 on pages 129-130. Due Feb. 25**
- March 4-6 *Rehabilitation/Medical Issues of Incarcerated Persons (Chapter 6 and Instructor Material)*
 - **Read and consider all cases found in Chapter 6 (pp. 100-108)**
 - **Answer questions 2, 5 and 8 found on page 108. Due March 4**
- March 11-13 **Spring Break**
- +++++
- March 18 *Midterm Exam Covers the Above-Referenced Material***
- +++++
- March 20 *The Death Penalty (Chapter 2 and Instructor Material)*
 - **Read and consider all cases found in Chapter 2 (pp. 29-58)**
 - **Answer questions 8 and 10 on pages 58-59. Due March 20**
- March 25-27 *Religion for Incarcerated Persons (Chapter 5 and Instructor Material)*
 - **Read and consider all cases found in Chapter 5 (pp. 81-99)**
 - **Answer questions 1 and 3 on page 99. Due March 25**
- April 1-3 *Parole of Incarcerated Persons (Chapter 11 and Instructor Material)*
 - **Read and consider all cases found in Chapter 11 (pp. 161-183)**
 - **Answer questions 2 and 4 on page 83. Due April 1.**

- April 8-15 *Community Corrections Legal Issues (Chapter 12 and Instructor Material)*
- **Read and consider all cases found in Chapter 12 (pp. 184-197)**
 - **Answer questions 4 and 5 found on pages 197-198. Due April 8**
- April 22-24 *Liability Issues for Prison Officials (Chapter 9 and Instructor Material)*
- **Read and consider all cases found in Chapter 9 (pp. 131-139)**
 - **Answer questions 2 and 4 on page 139. Due April 22**
- April 29 *Texas Legal Statutes on the Victimization of Children (Instructor Material)*
- **List and discuss the three (3) greatest ‘crimes against a child’ that can be perpetrated by an individual. Due April 29**
- May 1 *Juvenile Correctional Issues (Instructor Material)*
- May 6 Review

+++++

May 8 (1:00 – 3:00 p.m.) – FINAL EXAM

Final Exam Covers: (1) Above March 20-May 1 Material; (2) All Legal Terminology Used In This Course, Including “Glossary”, textbook pages 199-200; and (3) In-Class Written Briefing of a significant U.S. Supreme Court Case.

+++++