

# University of North Texas at Dallas

## FALL 2015

### SYLLABUS

#### CJUS 4200D: CRIMINAL PROCEDURE (3 Hrs)

<b>Department of</b>		<b>Criminal Justice</b>	<b>School of</b>		<b>Liberal Arts and Sciences</b>
<b>Instructor Name:</b>		<i>Gretchen Hackard, J.D., M.S.</i>			
<b>Office Location:</b>		<i>FH (DAL2) 317</i>			
<b>Office Phone:</b>		<i>972-338-1840</i>			
<b>Email Address:</b>		<a href="mailto:Gretchen.hackard@untdallas.edu">Gretchen.hackard@untdallas.edu</a>			
<b>Office Hours:</b>		<b>MW 1-3:45 PM and by appointment</b>			
<b>Virtual Office Hours:</b>		<b>TR 1-3 PM and by appointment</b>			
<b>Contacting Dr. Hackard:</b>					
<p>For <u>course-related questions and information</u> (e.g., grades, questions about an assignment or exam, etc.), you must use Blackboard to contact me. Course-related messages that are sent to my general UNT Dallas email address will not be answered.</p> <p>For <u>non-course information</u> (e.g., career information, prelaw advising, internship opportunities, etc.), you may use the email address in my contact information above, but are also free to use Blackboard as well.</p> <p>I do not check phone messages remotely, so if you leave a message on my office phone, it may not be returned until the next time I am in the office (which could be as much as a few days). I generally check Blackboard and email at least once daily during the workweek, and at least once during a weekend.</p>					
<b>Classroom Location:</b>		<i>N/A</i>			
<b>Class Meeting Days &amp; Times:</b>		<b>ONLINE - ASYNCHRONOUS</b>			
<b>Course Catalog Description:</b>		This course examines the constitutional and statutory bases and judicial interpretations of the procedures governing the administration of criminal justice.			
<b>Prerequisites:</b>		<b>CJUS 2100 and CJUS 3201 or equivalents</b>			
<b>Co-requisites:</b>		<b>None</b>			
<b>Required Text:</b>		<b>del Carmen, Rolando V. <u>Criminal Procedure: Law and Practice</u>. 9th ed. Wadsworth: 2014</b>			
<b>Recommended Text and References:</b>		<p>Hemmens, C., Thompson, A., and Nored, L. <u>Significant Cases in Criminal Procedure</u>. 2nd ed. Oxford University Press: 2013</p> <p>Texas Code of Criminal Procedure (available online); access to Lexis/Nexis or Westlaw through UNT Dallas library electronic resources</p>			
<b>Access to Learning Resources:</b>		Please refer to the UNTD Student Resources tab in Blackboard			

**Course Goals or Overview:**

The goal of this course is to examine the constitutional and statutory bases and judicial interpretations of the procedures governing the administration of criminal justice.

**Learning Objectives/Outcomes:** At the end of this course, the student will be able to:

1	Articulate and apply the different burdens of proof in the justice system, including scintilla of evidence, reasonable suspicion, probable cause, preponderance of the evidence, clear and convincing evidence, and beyond a reasonable doubt
2	Apply judicial opinions regarding constitutional issues involving arrests, searches and seizures
3	Articulate and apply laws and judicial opinions regarding interrogations and confessions
4	Articulate and apply laws concerning constitutional rights during trial
5	Explain and apply the potential consequences of unlawful police conduct, including exclusion of evidence

**Course Schedule and Requirements**

This schedule is subject to change by the instructor. Any changes to this schedule will be communicated via announcements or emails in Blackboard. You are also responsible for reading through the course information on Blackboard.

On Monday each week, there will be a new unit of course material posted (the introduction unit and Unit 1 are both posted in the first week). **The unit quizzes and any assignments should be completed each week according to the schedule below.**

For several reasons, it is to your advantage to keep up with the material each week rather than trying to wait to complete it at the end of the semester:

1. The material is not something that can be grasped overnight. It will take time and effort to understand it to a point of application (not just memorization).
2. You get 5 points for each unit (which includes the introduction unit!) that you complete by 11:59 p.m. on the Sunday after the unit was posted. Those points are forfeited for each unit that is completed after that time. You can still complete Unit quizzes through the end of the course, so even if you have missed participation points you can still take the quizzes and get credit for those.
3. While the class is technically asynchronous and you are graded individually, the weekly assignments and activities are designed to be done with collective input within your groups.

<b>DAY/DATE (all due by 11:59 p.m.)</b>	<b>WHAT IS DUE:</b>
Sunday, 8/30	Introduction Quiz and Unit 1
Sunday, 9/6	Unit 2
Sunday, 9/13	Unit 3
Sunday, 9/20	Unit 4
Sunday, 9/27	Unit 5
Sunday, 10/4	Unit 6
Sunday, 10/11	Unit 7
Sunday, 10/18	Unit 8
Sunday, 10/25	Unit 9
Sunday, 11/1	Unit 10
Sunday, 11/8	Unit 11
Sunday, 11/15	Unit 12; Supreme Court Paper Draft
Sunday, 11/22	Journal Project
Sunday, 12/6	Supreme Court Paper Final

## Course Evaluation Methods

This course will utilize the following instruments to determine student grades and proficiency of the learning outcomes for the course.

Instrument	Value (points or percentages)
Timely unit participation and quiz completion	5 points each (60 points total)
Intro Quiz and 12 Unit Quizzes	20 points each (260 points total)
Journal Project	10 points per entry (120 points total)
Supreme Court paper draft	20 points
Supreme Court paper final	80 points
<b>Total:</b>	<b>540 points</b>

To determine your grade, divide your total number of points earned by 540.

- A = 90 – 100%
- B = 80 – 89%
- C = 70 – 79%
- D = 60 – 69%
- F = less than 60%

### Quizzes

The Introduction quiz must be completed and you must have a perfect score on it before you can proceed to the rest of the course content. You have unlimited attempts on the Introduction quiz, and three attempts on each of the unit quizzes. The highest attempt score will count toward your grade. The unit quizzes will be available past their due dates, and you may take them for credit, but you will lose the timely participation points if you miss the deadlines.

### Journal Project

You will listen to 12 episodes of a podcast called “Serial” (serialpodcast.org). After you listen to each episode, you will create a journal entry using the “Journal Project” tab in Blackboard for a minimum of 12 entries (you may certainly create more entries as you reflect beyond your initial entry for each episode). Identify the episode to which you are responding. This is a free-writing exercise, so grammar, punctuation, organization, etc. are not assessed. I really want to know your thoughts, questions, etc. about what you heard. You are also encouraged to listen to it and discuss it with classmates if that is possible or desirable to do so, but the journals are individual student assignments.

### Supreme Court Paper

You will be required to write a paper related to a procedural issue raised by the facts in the Supreme Court Paper Facts document in the “Supreme Court Paper” tab. You can select any procedural issue discussed in the class for which there is a conflict described in the facts. You must follow the guidelines set forth in the Supreme Court Paper Guidelines, including submission of a mandatory substantially complete draft. Papers will be submitted electronically through the links in the Supreme Court Paper tab in Blackboard.

### University Policies and Procedures

#### Emergencies:

*If you have a university-recognized emergency during the semester that prevents you from timely completing a portion of the course (e.g., module exam, quizzes, etc.), you must notify me immediately of the reason you were unable to fulfill the requirement on time. Access to the material after the deadline has passed will be granted on a case-by-case basis.*

## **Incompletes:**

*Pursuant to University policy, incompletes will not be given unless ALL of the following conditions have been met:*

- (1) the student has completed 3/4 of the class*
- (2) the student is currently passing the course, and*
- (3) the request for an incomplete is pursuant to a University-recognized reason (medical emergency or military deployment).*

## **Students with Disabilities (ADA Compliance):**

*The University of North Texas Dallas faculty is committed to complying with the Americans with Disabilities Act (ADA). Students' with documented disabilities are responsible for informing faculty of their needs for reasonable accommodations and providing written authorized documentation. Grades assigned before an accommodation is provided will not be changed as accommodations are not retroactive. For more information, you may visit the Student Affairs Office, Suite 200, Founders Hall (Building 2).*

## **Student Evaluation of Teaching Effectiveness Policy:**

*The Student Evaluation of Teaching Effectiveness (SETE) is a requirement for all organized classes at UNT. This short survey will be made available to you at the end of the semester, providing you a chance to comment on how this class is taught. I am very interested in the feedback I get from students, as I work to continually improve my teaching. I consider the SETE to be an important part of your participation in this class.*

## **Academic Integrity:**

*Academic integrity is a hallmark of higher education. You are expected to abide by the University's code of Academic Integrity policy. Any person suspected of academic dishonesty (i.e., cheating or plagiarism) will be handled in accordance with the University's policies and procedures. Refer to the Student Code of Academic Integrity for complete provisions of this code. In addition, all academic work submitted for this class, including exams, papers, and written assignments should include the following statement:*

**On my honor, I have not given, nor received, nor witnessed any unauthorized assistance that violates the UNTD Academic Integrity Policy.**

## **Diversity/Tolerance Policy:**

*Students are encouraged to contribute their perspectives and insights to class discussions. However, offensive & inappropriate language (swearing) and remarks offensive to others of particular nationalities, ethnic groups, sexual preferences, religious groups, genders, or other ascribed statuses will not be tolerated. Disruptions which violate the Code of Student Conduct will be referred to the Center for Student Rights and Responsibilities as the instructor deems appropriate.*

## **Legal Questions:**

*In my capacity as the instructor of record for this course, it would create a potential conflict of interest if I were to render legal opinions regarding specific circumstances. As such, if you have specific questions of a legal nature, please seek appropriate legal advice. For those meeting certain qualifications, the Dallas Volunteer Attorney Program is a good way to get affordable help (<http://dallasvolunteerattorneyprogram.org/>). Alternatively, you can get referrals from the Dallas Bar Association (if you have a legal issue that arises within Dallas County - <http://www.dallasbar.org/lawyerreferralservice>) or through the State Bar of Texas referral service for legal issues arising outside of Dallas County (<http://www.texasbar.com>). There are also clinical programs and law libraries at the courthouse and SMU and Texas A&M University law schools that might have resources available to assist you. Once the clinical programs are up and running at the UNT Dallas College of Law, I expect they will be available as well.*