

University of North Texas at Dallas

SPRING 2016

SYLLABUS

CJUS 4200D: CRIMINAL PROCEDURE (3 Hrs)

Department of				Criminal Justice		School of		Liberal Arts and Sciences	
Instructor Name:		<i>Gretchen Hackard, J.D., M.S.</i>							
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Email Address:		Gretchen.hackard@untdallas.edu							
Office Hours:		M 10-2; W 12-12:50; and by appointment							
Virtual Office Hours:		T 10-2 PM and by appointment (via Skype: gretchen.hackard)							
<p>Contacting Dr. Hackard outside of office hours:</p> <p>For course-related questions and information (e.g., grades, questions about an assignment or exam, etc.), you must use Blackboard messaging to contact me. Course-related messages that are sent to my general UNT Dallas email address will not be answered. Please only use Skype during my virtual office hours.</p> <p>For non-course information (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. I will do my best to respond to emails and Blackboard messages within 1 business day. If I am unable to answer a question immediately, I will respond and let you know that I am working on it.</p>									
Classroom Location:		<i>Learn.untdallas.edu</i>							
Class Meeting Days & Times:		ONLINE - ASYNCHRONOUS							
Course Catalog Description:		This course examines the constitutional and statutory bases and judicial interpretations of the procedures governing the administration of criminal justice.							
Prerequisites:		CJUS 2100 and CJUS 3201 or equivalents							
Co-requisites:		None							
Required Text:		del Carmen, Rolando V. <u>Criminal Procedure: Law and Practice</u>. 9th ed. Wadsworth: 2014							
Recommended Text and References:		<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>							
Access to Learning Resources:		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:

- 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).
- 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.
- 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.

DAY/DATE (all due by 11:59 p.m.)	WHAT IS DUE:
Sunday, 1/24	Introduction Quiz and Unit 1
Sunday, 1/31	Unit 2
Sunday, 2/7	Unit 3
Sunday, 2/14	Unit 4
Sunday, 2/21	Unit 5
Sunday, 2/28	Unit 6
Sunday, 3/6	Unit 7
Sunday, 3/13	Unit 8
Sunday, 3/20	<i>SPRING BREAK – NO WORK DUE</i>
Sunday, 3/27	Unit 9
Sunday, 4/3	Unit 10
Sunday, 4/10	Unit 11
Sunday, 4/17	Unit 12 (Units close on this date); Supreme Court Paper Draft
Sunday, 4/24	Journal Project
Sunday, 5/1	Nothing due; work on Supreme Court Paper
Sunday, 5/8	Supreme Court Final Paper

Additional important Dates:

- **Wednesday, 2/3/16 – Last day to drop without a W**
- **Friday, 4/8/16 – Last day to drop with instructor consent**
- **Friday, 4/22/16 – Last day to withdraw from all courses**

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 discussion 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	50 points
Supreme Court paper final	100 points
Total:	590 points

To determine your grade, divide your total number of points earned by 590.

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

Policy on Late Work:

You will lose timely participation points if you do not complete the units as assigned, but you may complete them as late as 11:59 PM Sunday, April 17, after which they will be closed. No discussions or quizzes may be completed after that date. Late papers (drafts and final versions) and late journals will not be accepted. Emergencies will be considered on a case-by-case basis, and you must request permission to submit late work at the earliest opportunity. Requests may or may not be granted.

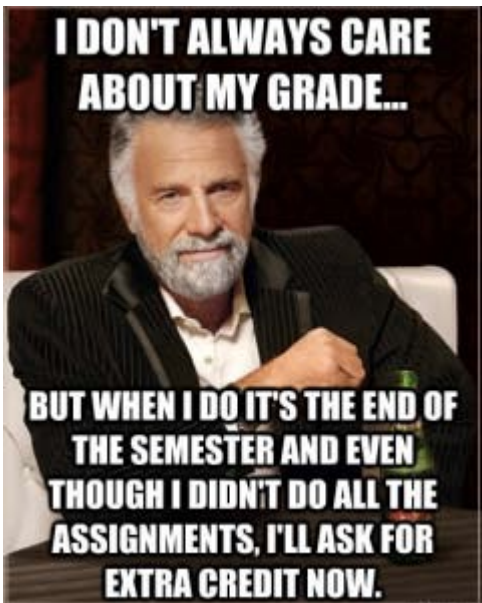
Incompletes:

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).*

Extra Credit:

On occasion, I have assigned extra credit to various classes. If offered, it is a privilege and an opportunity, not a right or an obligation, and will only be available if I make it available to the class as a whole. I do not give individual extra credit opportunities under any circumstances.



Assignments for the Course

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 on each will count toward your grade. The unit quizzes will be available from the time each opens until April 17, but you will lose the timely participation points if you miss the weekly deadlines. Timeliness of quizzes is worth 2 of the 5 weekly participation points.

Discussions

You will be assigned group discussions for each unit. These discussions themselves are assessed only for timeliness and whether there was a sincere effort put into the response. Discussions are worth up to 3 of the 5 weekly participation points.

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.

Don't just describe what you watched and what happened in each episode, but discuss how it impacted your thoughts on ethics in the criminal justice system, particularly if there was something related to the class material. Think about such questions (as an example) as what could have been done differently? What could have been the consequences of a different choice? Do not limit yourself to just these questions; if you have other thoughts and insights, your journal is the place to include them.

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. There will be one link for the draft and a separate link for the final paper.

University Policies and Procedures

Students with Disabilities (ADA Compliance):

Chapter 7(7.004) Disability Accommodations for Students

The University of North Texas at Dallas makes reasonable academic accommodation for students with disabilities. Students seeking accommodations must first register with the Disability Services Office (DSO) to verify their eligibility. If a disability is verified, the DSO will provide you with an accommodation letter to be delivered to faculty to begin a private discussion regarding your specific needs in a course. You may request accommodations at any time, however, DSO notices of accommodation should be provided as early as possible in the semester to avoid any delay in implementation. Note that students must obtain a new letter of accommodation for every semester and must meet/communicate with each faculty member prior to implementation in each class. Students are strongly encouraged to deliver letters of accommodation during faculty office hours or by appointment. Faculty members have the authority to ask students to discuss such letters during their designated office hours to protect the privacy of the student. For additional information see the Disability Services Office website at <http://www.untDallas.edu/disability>. You may also contact them by phone at 972-338-1777; by email at UNTDdisability@untDallas.edu or at Building 2, room 204.

Blackboard Learn Accessibility Statement:

University of North Texas at Dallas is committed to ensuring its online and hybrid courses are usable by all students and faculty including those with disabilities. If you encounter any difficulties with technologies, please contact our ITSS Department. To better assist them, you would want to have the operating system, web browser and information on any assistive technology being used. Blackboard Learn course management system's accessibility statement is also provided: <http://www.blackboard.com/Platforms/Learn/Resources/Accessibility.aspx>

NOTE: *Additional instructional technology tools, such as Skype, Turnitin, Respondus, Panopto, and publisher cartridge content (i.e. MyLab, Pearson, etc.) may NOT be fully ADA compliant. Please contact our Disability Office should you require additional assistance utilizing any of these tools.*

Student Evaluation of Teaching Effectiveness Policy:

The Student Evaluation of Teaching Effectiveness (SETE) is a requirement for all organized classes at UNT Dallas. 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. Many of the aspects of this course especially have been modified in response to student feedback from previous semesters.

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 at http://www.untDallas.edu/sites/default/files/page_level2/pdf/policy/7.002%20Code%20of%20Academic_Integrity.pdf for complete provisions of this code.

Academic dishonesty includes, but is not limited to, cheating, plagiarizing, fabrication of information or citations, facilitating acts of dishonesty by others, having unauthorized possession of examinations, submitting work of another person or work previously used without informing the instructor, or tampering with the academic work of other students.

Web-based Plagiarism Detection: *Please be aware in some online or hybrid courses, students may be required to submit written assignments to Turnitin, a web-based plagiarism detection service, or another method. If submitting to Turnitin, please remove your title page and other personal information. 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.

Inclement Weather and Online Classes:

Online classes may or may not be affected by campus closures due to inclement weather. Unless otherwise notified by your instructor via e-mail, online messaging, or online announcement, students should assume that assignments are due as scheduled.

Attendance and Participation Policy:

The University attendance policy is in effect for this course. Class attendance in the Blackboard classroom and participation is expected because the class is designed as a shared learning experience, and because essential information not in the textbook will be discussed in the discussion board. Online presence and participation in all class discussions is essential to the integration of course material and your ability to demonstrate proficiency in the subject area.

Attendance for this online or hybrid course is considered when you are logged in and active in Blackboard, i.e., posting assignments, taking quizzes, or completing Discussion Boards. To maintain financial aid award eligibility, activity must occur before the census date of the session or term of the course. Refer to <http://www.untDallas.edu/registrar> for specific dates. If you are absent/not active in the course shell, it is YOUR responsibility to let the instructor know immediately, upon your return, the reason for your absence if it is to be excused. All instructors must follow university policy 7.005 covering excused absences; however, it is the instructor's discretion, as outlined in the course syllabus, of how unexcused absences may or may not count against successful completion of the course

Online "Netiquette:"

In any social interaction, certain rules of etiquette are expected and contribute to more enjoyable and productive communication. Emails, Discussion Board messages and/or any other forms of written communication in the online environment should use proper "netiquette" (i.e., no writing in all caps (usually denotes yelling), no curse words, and no "flaming" messages (angry, personal attacks).

Racial, ethnic, or gender slurs will not be tolerated, nor will pornography of any kind.

Any violation of online netiquette may result in a loss of points or removal from the course and referral to the Dean of Students, including warnings and other sanctions in accordance with the University's policies and procedures. Refer to the Student Code of Student Rights Responsibilities and Conduct at <http://www.untDallas.edu/osa/policies>. Respect is a given principle in all online communication. Therefore, please be sure to proofread all of your written communication prior to submission.

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.

Technology Requirements:

In order to successfully access the materials in an online or hybrid course, UNT Dallas advises that your computer be equipped with the minimum system requirements.

Blackboard Learn 9.1 is the platform software for this course. Blackboard Learn supports major web browsers such as Windows Internet Explorer, Apple Safari, Mozilla Firefox, and Google Chrome. However, since the latter two are updated continually, some recent versions may not be compatible. If you experience difficulty accessing or using components of the course, try using Internet Explorer. Also, no matter what browser you use, always enable pop-ups. For more information see:

- <http://www.untDallas.edu/dlit/ecampus/requirements>
- https://help.blackboard.com/en-us/Learn/9.1_SP_12_and_SP_13/Student/040_Browser_Support_for_SP_13
- https://learn.unt.edu/bbcswebdav/institution/BrowserCheck/check_full.html

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 UNT Dallas, SMU and Texas A&M University law schools that might have resources available to assist you.