

**University of North Texas at Dallas**  
**FALL 2016**  
**SYLLABUS for Distance Learning**

**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>	TBD		
<b>Virtual Office Hours:</b>	TBD		
<b>Contacting Dr. Hackard outside of office hours:</b>			
<p>For <b>course-related questions and information</b> (e.g., grades, questions about an assignment or exam, etc.), you <b>must use Blackboard messaging</b> 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. If it is urgent, please see my phone policy below. I generally check Blackboard at least once daily during the workweek, and at least once during a weekend. I will do my best to respond to 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> <p>For <b>non-course information</b> (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>PHONE: If you have an urgent question and I have not responded in Blackboard, you may contact my work cell. For my cell, texts are preferred initially. You <b>MUST</b> identify yourself and the class you are in when you send your first text. If the conversation needs to go beyond a reasonable text length, then we can talk. I do not check office 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>Please understand that I may not always be available at the very moment you need assistance, but will do my best to respond promptly when I am available to do so.</i></p>			
<b>Classroom Location:</b>	<i>Learn.untdallas.edu</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>. 10th ed. Wadsworth: 2016</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		

<b>Course Goals or Overview:</b>	
	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.
<b>Learning Objectives/Outcomes:</b> 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
6	Identify and evaluate procedural issues in novel situations

## 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, but particularly this: 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).

<b>DUE BY 11:59 p.m. ON:</b>	<b>Related SLO</b>	<b>Readings/Activities/Assignments</b>
<b>Sunday, October 9</b>	<b>1, 2, 3, 4, 5</b>	<b>Introduction to Course Quiz Units 1-12 Readings and Quizzes</b>
<b>Sunday, October 16</b>		<b>Supreme Court Paper Issue Submission</b>
<b>Sunday, October 31</b>	<b>1, 2, 3, 4, 5, 6</b>	<b>Draft Supreme Court Paper</b>
<b>Sunday, November 27</b>	<b>1, 2, 3, 4, 5, 6</b>	<b>Final Supreme Court Paper</b>
<b>Sunday, December 11</b>	<b>1, 2, 3, 4, 5, 6</b>	<b>Journal Project</b>

### Additional important Dates:

- **Wednesday, 9/7/16 – Last day to drop without a W**
- **Friday, 9/4/16 – Last day to drop with instructor consent**
- **Friday, 11/18/16 – 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. Additional details on the assignments are included below in the syllabus.

Quizzes: - designed to measure knowledge of presented course material

Journal: - designed to measure understanding of presented course material to a real-life situation (rubric in Blackboard)

Paper: - designed to measure ability to evaluate a new situation and apply presented course material to that situation (rubric in Blackboard)

### Grading Matrix:

Instrument	Measures SLO	Value (points or percentages)	Total
Quizzes	1, 2, 3, 4, 5	13 quizzes at 20 points each	260
Journal	6	7 entries at 10 points each	70
Supreme Court Paper Issue identification	6	2 issues identified at 10 points each	20
Supreme Court Paper Draft	6	50	50
Supreme Court Paper Final	6	100	100
<b>TOTAL:</b>			<b>500</b>

To determine your grade, divide your total number of points earned by 500.

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

### Policy on Late Work:

*NO LATE WORK WILL 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.*

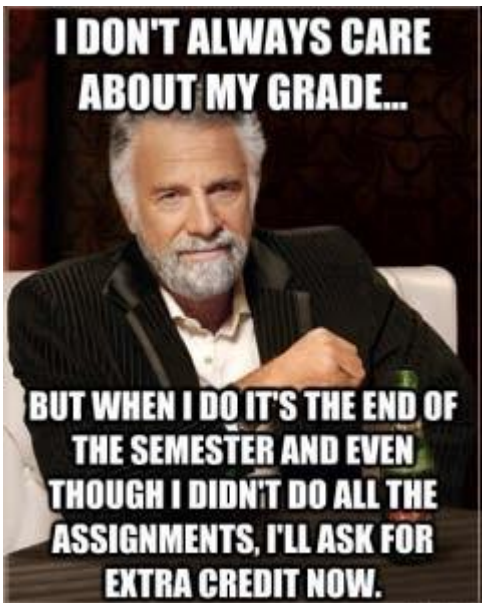
### Incompletes:

*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 five attempts on each of the unit quizzes. The highest attempt score on each will count toward your grade.*

### Journal Project

*You will listen to 7 episodes of a podcast called "Breakdown" (<http://breakdown.myajc.com/episode/1/>). BE SURE YOU ARE LISTENING TO SEASON 1 (about Justin Chapman's case). After each episode, you will create a journal entry using the "Journal Project" tab in Blackboard for a minimum of 7 entries (you may certainly create more entries as you reflect beyond your initial entry for each episode). Identify the episode number 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 procedural issues in this case, 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? How could or should a court evaluate what you heard in the episode, and why? Do not limit yourself to just these questions; if you have other thoughts and insights, your journal is the place to include them. A rubric will be provided in Blackboard at the Journal Assignment link.*

### Supreme Court Paper

*You will be required to write a paper related to a procedural issue (problem or concern) raised by the facts in the Supreme Court Paper Facts (SCENARIO) 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, then discuss those issues in the context of those facts. You must follow the guidelines set forth in the Supreme Court Paper Guidelines, including initial submission of your selected issues and a substantially complete draft. Papers will be submitted electronically through the links in the Supreme Court Paper tab in Blackboard. There will be separate links for the issue submission, the draft and the final paper. You must use the appropriate links for each of these submissions or you will not receive credit. A rubric will be provided in Blackboard at the Supreme Court Paper link.*

## 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](mailto: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.*

#### **Course Evaluation Policy:**

*Student's evaluations of teaching effectiveness 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 students' evaluations 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](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.*

**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.

**Online 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://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](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.*