

Criminal Procedure: Arrest, Search, and Seizure
Dixie State University-CJ 3320 CRN: 46994
T-5:15 p.m.-7:45 p.m.
3.00 CR

Instructor: Craig Harter
Office: NIB (North Instructional Building) #110
Office Hours: 10:00-11:00 a.m.-(M) Monday – (F) Friday
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Room: Union Plaza Building D, Room 102D
Final Exam: December 10, 2013 in Union Plaza Building Room 102D.

Course Description:

The objective of this course is to teach students how to identify constitutional rights of private citizens and protecting conduct by government agents. Students will gain a greater understanding of the Federal Law dealing with prosecuting criminal offenses, and whether or not evidence may be suppressed against them at trial due to government misconduct. This course will aid students who are pursuing a career in Criminal Justice. Students will learn the importance of keeping apprised of the latest Supreme Court Decisions, and how it may affect their work in the Criminal Justice system.

Text:

“Basic Criminal Procedure,” (13th Edition) by Yale **Kamisar**; Jerold H. **Israel**; Wayne R. **LaFave**; Nancy J. **King**; and Orin S. **Kerr** (ISBN: 978-0-314-91166-7).

“The Dictionary of Criminal Justice,” (7th Edition) by Connie Estrada **Ireland** and George E. **Rush** (ISBN: 978-0-07-352780-2) *Note: This text is not required, but highly recommended.*

Course Goals and Objectives:

This course covers the basic constitutional rights associated with the investigation and adjudication of criminal cases. Topics covered include police searches, seizures, and interrogations under the fourth, fifth and sixth amendments, right to counsel, jury trial and double jeopardy. Students are expected and encouraged to comment on and advocate their personal views on the assigned text and lectures as they relate to the criminal justice system. This course will enhance the student’s view to a global perspective and relationship to crime and the criminal justice system’s attempt to meet challenges worldwide.

By the end of this course, students will be able to identify and objectively analyze:

- Procedural requirements for judicial processing of criminal offenders.
- General court procedures.
- How to identify and analyze whether or not probable cause exists.
- How to obtain and properly execute a search warrant.
- Warrantless arrests and searches of the person.
- Warrantless entries and searches of the premises.
- Stop and frisk.

- Undercover investigations.
- Network surveillance.
- Police Interrogations and confessions.
- Privilege against self-incrimination.
- Exclusionary rule/fruit of the poisonous tree doctrine.
- Miranda Warnings.
- Statements and confessions.
- Chronology of procedures from arrest to trial.

Grading Criteria:

Participation/Quizzes:	50 pts
Assignments:	100 pts
Exam 1:	50 pts
Exam 2:	50 pts
Exam 3:	50 pts
Exam 4:	50 pts
Exam 5:	50 pts

Participation:

Students are expected to brief all cases associated with the reading and will receive a participation score associated therewith. Students will be called on to recite case material in order to demonstrate an understanding of the assigned readings. If a student is unprepared, they will receive a '0' for their participation for that class period. If students are not prepared to submit their briefs upon request they **will not** be able to submit it at a later date.

Final Grades will be determined as follows:

A	=	372 - 400
A-	=	360 - 371
B+	=	344 - 359
B	=	332 - 343
B-	=	320 - 331
C+	=	304 - 319
C	=	292 - 303
C-	=	280 - 291
D+	=	264 - 279
D	=	252 - 263
D-	=	240 - 251
F	=	239 and below

Expectations:

Classroom attendance and participation are a mandatory part of course instruction. Students are expected to read ahead of time and prepare to be called on to comment on related issues. All assignments are to be

completed on a timely basis and in a thorough manner. Students shall be expected to bring their textbook to class. Note taking and of all relevant in class discussion is detrimental to the student's success as there will be points that either may or may not be adequately covered, or amendments to a 'related area' in the textbook. All lectures will be recorded and made available for the "out-of-class" study. However, the student is still responsible for all assigned reading and testing purposes, regardless of whether or not the material was discussed in class. The instructor may change the syllabus as needed in order to enhance the learning experience.

Academic Integrity:

No form of academic dishonesty will be tolerated. Students are encouraged to work together for purposes of studying for upcoming exams, and in related coursework. Avoid cheating in all forms! If a student is caught cheating, the instructor will be forced to report academic dishonesty to Dixie State University (Dean of Students). Your name will be placed upon the academic database, and you will receive a '0' on the assignment/test. Any such academic dishonesty will subsequently be reported to any college institution to which you may apply, and can ultimately affect your ability to attend college.

Student's with Disabilities:

Proper documentation of a disability is required in order to receive services or accommodations. Any student who is eligible for requesting reasonable academic accommodations due to a disability must provide a letter of accommodation to their professor from the Disability Resource Center within the first week of the course. Please take the initiative to provide the aforesaid documentation to your Professor for signature, and return it to the Disability Resource Center located at the North-East corner of the North Plaza Building on the corner of Tabernacle and 1000 East-Entrance is located on the East side of the building right next to the testing center. The phone number is 435.652.7696. The Disability Resource Center is located beneath the Financial Aid Office in the Career & Financial Aid (CFA) building, or you may call for an appointment and further information regarding the Americans with Disabilities Act (ADA) at 652-7880.

Testing Center

All tests w/exception to the final examination will be given at the testing center. The testing center is located at the North-East corner of the North Plaza Building on the corner of Tabernacle and 1000 East-Entrance is located on the East side of the building. The phone number is 435.652.7696.

Library Services

The Criminal Justice liaison is John Burns. If you need assistance with locating resources or other assistance you may contact him at 879-4712.

Tutoring/Writing Center

The Tutoring Center is located in the Holland Centennial Commons (HCC Room 431). Monday-Thursday 9:00 a.m. to 8:00 p.m. Friday 9:00 a.m. to 5:00 p.m. Saturday 1:00 p.m.-4:00 p.m.

Important Dates/Deadlines:

- Aug 19** Classwork Starts
- Aug 22** Last Day to Waitlist
- Aug 23** Last Day to Add Without Signature
- Aug 28** Drop/Audit Fee Begins (\$10 per class)
- Aug 28** Residency Application Deadline
- Sep 2** Labor Day

- Sep 3** \$50 Late Registration/Payment Fee
- Sep 9** Pell Grant Census
- Sep 9** Last Day for Refund
- Sep 9** Last Day to drop without receiving a "W" grade
- Sep 10** Courses dropped for non-payment
- Sep 13** Last Day to Add/Audit
- Oct 1** Associate's degree Graduation Deadline - Fall 2013
- Oct 9** Mid-Term Grades Due
- Oct 10-11** Semester Break
- Oct 14** Last Day to Drop Individual Class
- Oct 21** Spring and Summer 2014 class schedules available online
- Nov 1** Bachelor's degree Graduation Deadline - Spring 2014
- Nov 8** Last Day for Complete Withdrawal
- Nov 11** Spring Registration open to Seniors (90+ credits)
- Nov 12** Career Day
- Nov 12** Spring Registration open to Juniors (60+ credits)
- Nov 13** Spring Registration open to Sophomores (30+ credits)
- Nov 14** Spring Registration Open to All Students
- Nov 27-29** Thanksgiving Break
- Dec 6** Classwork Ends
- Dec 9-13** Final Exams

Class Schedule

- Aug 20 Course Introduction, Course Syllabus, Course Lecture, Chapter 6 Review pp. 222-292
Read Chapter 6: pp. 292-383 for 8/27 class.
- Aug 27 Course Lecture, Chapter 6 pp. 292-383 Review. Read Chapter 6: pp. 383-469 for 9/3 class.
- Sept 3 Course Lecture, Chapter 6 pp. 383-469 Review. *Test #1* Review. Read Chapter 7: pp. 470-500; Chapter 8: pp. 501-542 for 9/17 class.
- Sept 10 Meet in Testing Center to take Test #1 (*Must be taken from 5:15 p-7:45 p on this day only-There will be **No Make-ups** for those who do not take the exam.*)
- Sept 17 Return Test #1. Course Lecture, Chapter 7: pp. 470-500; Chapter 8: 501-542 Review.
Read Chapter 9: pp. 543-571 for 9/24 class.
- Sept 24 Course Lecture, Chapter 9: pp. 543-571 Review. Read Chapter 9: pp. 571-690 for 10/1 class.
- Oct 1 Course Lecture, Chapter 9: pp. 571-690 Review. Read Chapter 9: pp. 690-760. *Test #2 Review (Mid-term Examination).*

- Oct 8 Meet in Testing Center to take Test #2 (Mid-Term Examination). *(Must be taken from 5:115 p-7:45 p on this day only-There will be No Make-ups for those who do not take the exam).*
- Oct 15 Return Test #2 (*Mid-term Examination*) Course Lecture, Chapter 9: pp. 690-760. Read Chapter 9: pp. 760-790 for 10/22 class.
- Oct 22 Course Lecture, Chapter 11: pp. 838-879 Review. Read Chapter 12: pp. 879-930 for 10/29 class.
- Oct 29 Course Lecture, Chapter 12: pp. 879-930 Review. *Test #3 Review (Will be in testing center until 11/4).* Read Chapter 4: pp. 69-107 for 11/5 class.
- Nov 5 Return Test #3. Course Lecture, Chapter 4: pp. 69-107. Read Chapter 4: pp. 107-130 for 11/12 class.
- Nov 12 Course Lecture, Chapter 4: pp. 107-130. Read Chapter 5: pp. 131-220 for 11/19 class.
- Nov 19 Course Lecture, Chapter 5: pp. 131-220. *Test #3 Review (Will be in testing center until 11/22).*
- Nov 26 *Video: In-Class Assignment (Gideon's Trumpet).*
- Dec 3 Course Lecture, Complete Comprehensive Final Exam Review. Course Wrap-up.
- Dec 10 Final Exam!!!