Reedley Community College

CRIM 4: Principles & Procedures of the Justice

SPRING 2015

**Instructor: Tasha Cummings, M.A.**

**Office Hours: Office hours posted on Blackboard**

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**Course Description:** This course analyzes criminal law and its relationship to court proceedings in the United States. Additionally, the class introduces students to concepts such as: procedural rules, jurisdiction, classification and elements of crimes. It also focuses on the legal issues and constitutional interpretations involving extradition, arrest, search and seizure laws, admissions and confessions and other directives provided to law enforcement agencies.

**ADVISORIES: Eligibility for English 125 & 126. (A, CSU)**  **Course Credits/Class Hours: 3**

**Course Objectives**:

In the process of completing this course, students will:

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| 1. Assemble the various historical and developmental concepts of the United States and California criminal court procedures. 2. Critically analyze the hierarchy of the court systems. 3. Demonstrate the ability to use legal terminology, definitions, and theories of criminal law. 4. Understand the adversarial nature of the American courtroom 5. Identify the elements of a crime, the seriousness of the offense and the defendant's capacity to commit such crimes. 6. Explain and discuss the various criminal defenses, legal justifications, and burdens of proof. |

**Course Outcomes**:

Upon completion of this course, students will be able to:

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| 1. Arrange the various components of the court system into proper sequence. 2. Discuss and describe the various stages in the trial process. 3. Understand and correctly use the vocabulary of the court room. 4. Identify key due process issues relating to the 6th, 8th, and 14th amendments to the United States Constitution. 5. Describe the history and application of the exclusionary rule in shaping criminal procedures. |

**Americans with Disabilities Act:** RC complies with the Americans with Disabilities Act. If you would like to request any accommodation for this course, please contact the Coordinator of Disabilities at (559) 638-3641 (**DSP&S**: <http://www.reedleycollege.edu/index.aspx?page=260>).

**Zero tolerance policy for Disruptive conduct in the classroom**

* The instructor has primary responsibility for control over classroom behavior and maintenance of academic integrity.
* He/she can order temporary removal or exclusion from the classroom of any student engaged in disruptive conduct or conduct which violates the general rules and regulations of the College.
* Disruptive behavior in the classroom that obstructs or disrupts the learning environment is defined as:
  + **Offensive language;**
  + **Harassment of students or professors;**
  + **Repeated outbursts from a student which disrupt the flow of instruction or prevent concentration on the subject taught;**
  + **Failure to cooperate in maintaining classroom decorum; and**
  + **Continued use of any electronic or other noise or light emitting device which disturbs others: beepers, cell phones, palm pilots, lap-top computers, games, etc.**
* Students who are removed from class for disruptive behavior will not be allowed to return until the issue is resolved and may be administratively withdrawn from the course or the college.

**Academic Integrity Statement**

* Students guilty of academic dishonesty, either directly or indirectly through participation or assistance, are responsible to the instructor of the class. Academic dishonesty is defined as but not limited to plagiarism and cheating.
* At the discretion of the instructor, students who cheat or steal work from another source will either (1) be dismissed from class with a grade of “F” or (2) receive a grade of “F” for the assignment/test. Some examples of plagiarism and cheating are using undocumented sources, copying work verbatim from the Internet, using someone else’s work, recycling work from another class, using unauthorized notes during an exam, and/or looking on a classmate’s test/paper.
* Additional disciplinary sanctions may be imposed through the regular institutional procedures as a result of academic misconduct.

**Required Text and Materials**:

**Important Note**: Portfolio assignments are embedded in the required textbook. Students are encouraged to purchase or familiarize themselves with the campus resources available to them early on. Such acquisition of the required materials will increase the likelihood of successfully completing the course.

* Neubauer, D. & Fradella, H. (2014) *America’s Courts and the Criminal Justice System*, 11th edition, Cengage (available at campus bookstore: <http://www.bookstore.fresnocitycollege.edu/reedley/>).
* A red pen
* (1) 882-E scantron

**Course Requirements:**

All assignments are expected to be submitted on the day due. **Late assignments will not be accepted**. Submit on **Blackboard (Bb)**: <https://scccd.blackboard.com>

Your grade will be based on successful completion of the following:

1. ***Critical Thinking Q&A:*** There are 3-7 questions noted at the end of each chapter. Students will work in small groups to answer questions posed, and an assigned leader will report back to whole class. These will help you better understand the chapter content, and also help you apply to real world experiences. (worth 5 points each)
2. ***Quizzes:*** A quiz will be given at the end of each chapter to assess how well you are learning the material. Students will work in small groups, open book/notes, to answer questions posed. These will be in the multiple-choice format so you will have immediate feedback. (worth 5 points each)
3. ***Presentation:*** Students will work in small groups to prepare a PowerPoint presentation on one of the controversial criminal justice issues noted in each chapter. Further directions will be provided in class.
4. ***Final Exam:*** The final is 100% comprehensive (inclusive of all seventeen chapters). Students will use quiz questions to review for this exam. See Blackboard (Bb) for study tools. Students are encouraged to work in groups to prepare for the final exam.

**Grading Criteria/Scale**:

Critical Thinking *Q&A* 85 points A=90-100%=269-300 points

Quizzes 85 points B=80-89%=239-268 points

Presentation 30 points C=70-79%=209-238 points

Final 100 points D=60-69%=179-208 points

TOTAL 300 points F=Below 60%=below 179 points

**Attendance and Tardiness Policies:**

Students are expected to attend all class meetings. Excessive absences may result in the student being dropped. Ultimately, it is the student’s responsibility to officially drop a class in which he/she no longer wishes to be enrolled.

**Course & Homework Schedule:**

**Important Note**: The syllabus provides a general plan for the course. *Deviation from this plan may be necessary.*

**READINGS All required readings are taken from the textbook. It is recommended that you read the corresponding chapter before completing the tasks assigned. Homework assignments are listed below and must be completed within a week from being assigned.**

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| **Week/Chapter** | **Topic/Activity** |
| **Week 1**  Introduction  &  PART I: LEGAL SYSTEM  Chapter 1  COURTS, CRIME AND CONTROVERSY | Introduction to America’s Courts and the Criminal Justice System  **TOPICS**  Courts and Crime. Courts and the Criminal Justice System. An Overview of U.S. Courts. Identifying the Actors in the Courthouse.  Following the Steps in the Process. Law on the Books.  **Read** Chapter 1  **HW** P. 24 #1-4 |
| **Week 2**  Martin Luther King Jr. (observed 1/19)  &  Chapter 2  LAW AND CRIME | **TOPICS**  The Basis of Law. The Common Law Heritage. The Adversary System. The Rights of the Accused. Civil Law Overview. Criminal Law Overview. Effects of Criminal Law on the Books.  **Critical Thinking Q&A DUE AND QUIZ - Chapter 1**  **Read** Chapter 2  **HW** P. 52 #1-3 |
| **Week 3**  Chapter 2  *Continued*  &  Chapter 3 & 4  FEDERAL & STATE COURTS | **TOPICS**  Basic Principles of Court Organization. History of the Federal Courts. U.S. Magistrate Judges. U.S. District Courts. U.S. Courts of Appeals. U.S. Supreme Court. Specialized Federal Courts. Federal Judicial Administration. Caseloads in the Federal Courts. Consequences of Federal Involvement in the Criminal Justice System. And, History of State Courts. Trial Courts of Limited Jurisdiction: Lower Courts/General Jurisdiction: Major Trial Courts. Intermediate Courts of Appeals. State High Courts of Last Resort. Court Unification. Problem-Solving Courts.  **Critical Thinking Q&A DUE AND QUIZ - Chapter 2**  **Read** Chapters 3 & 4  **HW** P. 86 #1-4 & P. 118 #1-5 |
| **Week 4**  Chapter 3 & 4  *Continued*  &  PART ii: legal actors    Chapter 5  COURTHOUSE JUSTICE | **TOPICS**  The Courthouse and the People Who Work There. Courthouse Security and Changing Technologies. Dynamics of Courthouse Justice. Assembly-Line Justice. Discretion. The Courthouse Work Group.  **Critical Thinking Q&A DUE AND QUIZ - Chapters 3 & 4**  **Read** Chapter 5  **HW** P. 144 #1-4 |
| **Week 5**  Chapter 5  *Continued*  &  CHAPTER 6  PROSECUTORS  Lincoln Day (observed 2/13) | **TOPICS**  Role of the Prosecutor. Prosecution in State/Federal Courts. The Prosecutor’s Office at Work. Prosecutorial Ethics. Prosecutors and Courtroom Work Groups. The Expanding Domain of t Prosecutor.  **Critical Thinking Q&A DUE AND QUIZ- Chapter 5**  **Read** Chapters 6 & 7  **HW** P. P. 170 #1-5 & P. 194 #1-6 |
| **Week 6**  Washington Day (observed 2/16)  &  Chapter 6 *Continued* &  Chapter 7  DEFENSE ATTORNEYS | **TOPICS**  The Right to Counsel. Defense Attorneys and the Courtroom Work Groups. The Criminal Bar. Providing Indigents with Attorneys. Lawyers and Clients. Defense Attorney Ethics.    **Critical Thinking Q&A DUE AND QUIZ - Chapters 6 & 7**  **Read** Chapter 8  **HW** P. 218 #1-5 |
| **Week 7**  Chapter 8  JUDGES | **TOPICS**  The Position of Judge. Judges within the Courtroom Work Group. Varying Roads to Judgeship. Consequences of Judicial Selection. Judging the Judges. Judicial Ethics.  **Critical Thinking Q&A DUE AND QUIZ - Chapter 8**  **Read** Chapter 9  **HW** P. 242 #1-4 |
| **Week 8**  Chapter 9  DEFENDANTS AND VICTIMS | **TOPICS**  Characteristics of Defendants/Victims. Defendants in Court. Courts Through the Eyes of Victims and Witnesses/Court. Aiding Victims and Witnesses. Aiding or Manipulating Victims.  **Critical Thinking Q&A DUE AND QUIZ - Chapter 9**  **Read** Chapter 10  **HW** P. 272 #1-7 |
| **Week 9**  PART iiI: Processing the Accused    Chapter 10  ARREST TO ARRAIGNMENT | **TOPICS**  Crime. Arrest. Initial Appearance. Charging. Bail. Preliminary Hearing. Grand Jury. Arraignment. Law in Action Perspective: Case Attrition. Why Attrition Occurs. The Criminal Justice Wedding Cake.  **Critical Thinking Q&A DUE AND QUIZ Chapter - 10**  **Read** Chapter 11  **HW** P. 304 #1-5 |
| **Week 10**  Chapter 11  DISPOSING AND SUPPRESSING EVIDENCE | **TOPICS**  Discovery. Suppressing Evidence. Interrogations and Confessions. Search and Seizure. The Exclusionary Rule and The Courtroom Work Group. Law and Controversy: Costs of the Exclusionary Rule.  **Critical Thinking Q&A DUE AND QUIZ - Chapter 11**  **Read** Chapter 12  **HW** P. 328 #1-3 |
| **Week 11**  Chapter 12  NEGOTIATED JUSTICE AND THE PLEA OF GUILTY  &  research | **TOPICS**  Law on the Books: Types of Plea Agreements. Law in Action: Bargaining and Caseloads. Law in Action: Bargaining and Discretion. Bargaining and the Courtroom Work Group. Dynamics of Bargaining. Copping a Plea. Law in Controversy: Abolishing Plea Bargaining.  **Library Research and Construction of Presentation Outline** |
| **Week 12** | SPRING RECESS  (no classes, campus open) |
| **Week 13**  chapter 12  *Continued*  &  Presentation | **Critical Thinking Q&A DUE AND QUIZ - Chapter 12**  **GROUP PRESENTATIONS**  **Read** Chapter 13  **HW** P. 366 # 1-5 |
| **Week 14**  Presentations  *Continued*  &  Chapter 13  TRIALS AND JURY | **TOPICS**  History of Trial By Jury. Law on the Books: The Constitution and Trial By Jury. Law on the Books: Selecting a Fair and Unbiased Jury. Law in Action: Choosing a Jury Biased in Your Favor. Presumptions and the Burden of Proof. Overview of Basic Evidence. Special Rules of Evidence Governing Expert Witnesses. Forensic Scientific Evidence in the Age of Daubert. Objections to the Admission of Evidence. Steps in the Trial Process. Law in Action: Trials as Balancing Wheels. Prejudicial Pretrial Publicity. Media in the Courtroom.  **Read** Chapter 14  **HW** P. 397 #1-4 |
| **Week 15**  Chapter 13 *Continued*  &  PART iV: Sentencing the convicted    chapter 14 & 15  SENTENCING OPTIONS & DECISIONS | **TOPICS**  Why Do We Sentence? Who Should Decide the Sentence? What Sentence Should Be Imposed? The Death Penalty. And, The Courtroom Work Group and Sentencing Decisions. Normal Penalties and Sentencing Decisions. Differences in Sentencing Outcomes. Changing Sentencing Structures. Structured Sentencing Schemes. Increasing the Severity of the Penalty  **Critical Thinking Q&A DUE AND QUIZ - Chapter 13**  **Read** Chapter 15  **HW** P. 432 # 1-5 |
| **Week 16**  Chapter 14 & 15  *Continued*  &  PART V: Appellate and Juvenile Courts  chapter 16  APPELLATE COURTS | **TOPICS**  Nature of the Appellate Process. Appellate Court Procedures. Criminal Appeals. Post-Conviction Review. Wrongful Convictions. State Courts of Last Resort. The U.S. Supreme Court and Criminal Justice Policy. The Supreme Court in Broad Perspective.  **Critical Thinking Q&A DUE AND QUIZ - Chapters 14 & 15**  **Read** Chapter 16  **HW** P. 465 #1-4 |
| **Week 17**  Chapter 16  *Continued* &  chapter 17  JUVENILE COURTS | **TOPICS**  Juvenile Courts 100 Years Ago. How Juvenile Courts Differ From Adult Courts. The Organization of Juvenile Courts. Juvenile Court Jurisdiction: Matter/Age. Transfers to Adult Court. Due Process in Juvenile Courts. Courtroom Work Group. Steps of the Juvenile Court Process. The Future of Juvenile Courts  **Read** Chapter 17  **HW** P. 497 #1-6  **Critical Thinking Q&A DUE AND QUIZ - Chapters 16 & 17** |
| **Week 18** | **FINAL MEETING DAY, MONDAY, MAY 18, 1:00-2:50 PM**  **FINAL EXAM** |