Course Description: The course is designed to familiarize students with the legal aspects of a criminal prosecution from investigation through trial, conviction, and appeal. Particular emphasis is placed on constitutional requirements affecting police and courtroom procedure. Major topics include: search and seizure under the Fourth Amendment, police interrogation under the Fifth Amendment, and trial rights under the Sixth Amendment. Leading U.S. Supreme Court cases defining and interpreting these rights are covered in detail. Selected Texas court cases and sections of the Texas Code of Criminal Procedure which relate to these topics are also explained.

Student Learning Outcomes: By the end of the semester, the student should be able to:

1. Recognize key terms and common concepts related to criminal procedure and search and seizure law
2. Articulate the steps which a criminal case takes through the legal system from investigation through conviction and appeal
3. Correctly apply legal reasoning to hypothetical fact patterns illustrating the constitutional principles which govern criminal procedure.

Required Text:

Grading: Four examinations (including the final exam) will be given and four study exercises will be assigned. The lowest scoring exam and study exercise will be dropped from the calculation of the student’s final grade. A variable number of reaction papers will be assigned in order to stimulate class discussion and to demonstrate writing skills. Participation also may affect the grade. The percentage of each of these of the final grade is:

- Study Exercise #1: 5%
- Exam #1: 25%
- Study Exercise #2: 5%
- Exam #2: 25%
- Study Exercise #3: 5%
- Exam #3: 25%
- Participation/Reaction Papers: 10%
Students may work together on the study exercises but must submit their answers separately. The study exercises consist of hypothetical questions requiring the application of the legal principles covered in class to specific fact patterns. All other assignments, including reaction papers, must be the student’s own work. Cheating or plagiarism will be reported to the appropriate authorities and will result in failure of the course. Plagiarism is defined as presenting another person’s work as one’s own. Cheating includes consulting any unauthorized sources for in-class exams.

Late study exercise will not be accepted for grading once they have been collected and discussed. Study exercises are due in class at the beginning of class on the date assigned. If the student is unable to attend class the day that the study exercise is due, simply e-mail me the answers you have selected NLT the class start time to the address given above.

The study exercises and examinations are objective (multiple choice). Examinations will include both general knowledge questions and hypothetical questions similar to those on the study exercises.

Make-Up Exams: All makeup exams will be given the final week of the session. Make-up exams may be in essay format. It is the student’s responsibility to schedule the makeup exam with the instructor.

Attendance/Participation: Roll will be taken and chronic absenteeism will count against the student’s grade. Positive class participation is expected and primarily measured through the reaction papers and class discussion. Students should make every effort to neither leave early nor arrive late. The Class is 100% Face to Face: Blackboard is not used. Students should take this into account in committing to attend all scheduled classes.

Dropping the Course: Students should be aware that the instructor has no authority to unilaterally drop students from the class.

Notice to Students with Disabilities: The Americans with Disabilities Act (ADA) is a federal anti-discrimination statute that provides comprehensive civil rights protection for persons with disabilities. Among other things, this legislation requires that all students with disabilities be guaranteed a learning environment that provides for reasonable accommodation of their disabilities. If you believe you have a disability requiring an accommodation, please call or visit Disability Services at (361) 825-5816 in Corpus Christi Hall, Room #116.

Sex Discrimination: Texas A&M University –Corpus Christi fully complies with Title IX, 20 USC 1681 et. seq., which provides that:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance[.]
All complaints of sex discrimination must be made or referred to the Director of Equal Opportunity for TAMU-CC. Office number: 361-825-2765. Email: Samuel.ramirez@tamucc.edu

Military Reserve, National Guard, and active duty military personnel with special circumstances (e.g. upcoming deployments, drill requirements, disabilities) are welcome and encouraged to communicate these, in advance if possible, to the instructor.

Veterans and Eligible Family members: The TAMU/CC Office of Veterans Affairs is dedicated to assisting veterans and eligible family members in achieving their goals efficiently and without impediments. If you are a veteran or eligible family member, please contact the Office of Veterans Affairs at (361) 825-2331 or veterans.affairs@tamucc.edu for information regarding educational benefits and opportunities. The office of Veterans Affairs is located on the first floor of the Student Services Center (Round Building).

Academic Advising

The College of Liberal Arts requires that students meet with an Academic Advisor as soon as they are ready to declare a major. Degree plans are prepared in the CLA Academic Advising Center. The University uses an online Degree Audit system. Any amendment must be approved by the Department Chair and the Office of the Dean. All courses and requirements specified in the final degree plan audit must be completed before a degree will be granted. The CLA Academic Advising Office is located in Driftwood #203. For more information please call 361-825-3466.

Dropping a Class

I hope that you never find it necessary to drop this or any other class. However, events can sometimes occur that make dropping a course necessary or wise. Please consult with your academic advisor, the Financial Aid Office, and me, before you decide to drop this course. Should dropping the course be the best course of action, you must initiate the process to drop the course by going to the Student Services Center and filling out a course drop form. Just stopping attendance and participation WILL NOT automatically result in your being dropped from the class.

Grade Appeals

As stated in University Procedure 13.02.99.C2.03, Student Grade Appeals, a student who believes that he or she has not been held to appropriate academic standards as outlined in the class syllabus, equitable evaluation procedures, or appropriate grading, may appeal the final grade given in the course. The burden of proof is upon the student to demonstrate the appropriateness of the appeal. A student with a complaint about a grade is encouraged to first discuss the matter with the instructor. For complete details, including the responsibilities of the parties involved in the process and the number of days allowed for completing the steps in the process, see University Procedure 13.02.99.C2.03, Student Grade Appeals. These
documents are accessible online at:
For assistance and/or guidance in the grade appeal process, students may contact the Associate Dean’s office in the college in which the course is taught. For complete details on the process of submitting a formal grade appeal in CLA, please visit the College of Liberal Arts website,
http://cla.tamucc.edu/about/student-resources.html.

Classroom/professional behavior

Texas A&M University-Corpus Christi, as an academic community, requires that each individual respect the needs of others to study and learn in a peaceful atmosphere. Under Article III of the Student Code of Conduct, classroom behavior that interferes with either (a) the instructor’s ability to conduct the class or (b) the ability of other students to profit from the instructional program may be considered a breach of the peace and is subject to disciplinary sanction outlined in article VII of the Student Code of Conduct. Students engaging in unacceptable behavior may be instructed to leave the classroom. This prohibition applies to all instructional forums, including classrooms, electronic classrooms, labs, discussion groups, field trips, etc.

Academic Integrity/Plagiarism

University students are expected to conduct themselves in accordance with the highest standards of academic honesty. Academic misconduct for which a student is subject to penalty includes all forms of cheating, such as illicit possession of examinations or examination materials, falsification, forgery, complicity or plagiarism. (Plagiarism is the presentation of the work of another as one’s own work.) In this class, academic misconduct or complicity in an act of academic misconduct on an assignment or test will result in a grade of ‘F’ in the course and referral to the appropriate University authorities for disciplinary proceedings.

Academic Honesty/Plagiarism

Definition: In an instructional setting, plagiarism occurs when a writer deliberately uses someone else’s language, ideas, or other original (not common-knowledge) material without acknowledging its source. Plagiarism is a violation academic expectations, but it is sometimes difficult to understand what plagiarism actually is. Often, students commit unintentional plagiarism (not citing sources properly, for example), because they are unaware of the standards that apply. Plagiarism includes:

- Using the work of another as your own,
- Downloading or purchasing ready-made essays off the web and using them as your own,
- Using resource materials without correct documentation,
- Using the organization or language of a source without using quote marks and proper citation.
- Turning in a researched project without citing sources in an appropriate documentation style.

When you are confused about citation of quotes or ideas, please visit the Writing Center or me to get help.
Information on MLA documentation rules and APA documentation rules is available at Purdue University’s OWL: [http://owl.english.purdue.edu/](http://owl.english.purdue.edu/), and from our local Writing Center at CASA.

**Statement of Academic Continuity**

In the event of an unforeseen adverse event, such as a major hurricane and classes could not be held on the campus of Texas A&M University–Corpus Christi, this course would continue through the use of Blackboard and/or email. In addition, the syllabus and class activities may be modified to allow continuation of the course. Ideally, University facilities (i.e., emails, web sites, and Blackboard) will be operational within two days of the closing of the physical campus. However, students need to make certain that the course instructor has a primary and a secondary means of contacting each student.

**Miscellaneous:** smart phones should be kept on mute during the class session. Laptops may be used in class. Students wishing to bring a guest to one of the lectures must first obtain the consent of the instructor. Please note that criminal justice by definition involves the discussion of topics which are not suitable for minors and minors should **not** be brought to class.

The Counseling Center Provides free assistance to students experiencing emotional difficulties. Their number is 825-2703.

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<thead>
<tr>
<th>4313.001 F 18</th>
<th><strong>Outline of Topics/Readings Due Dates</strong></th>
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<tbody>
<tr>
<td><strong>Week beginning:</strong></td>
<td><strong>Topic</strong></td>
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<tr>
<td>Aug 27</td>
<td>Introduction; Court system</td>
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<tr>
<td>Sep 3</td>
<td>Labor Day Holiday</td>
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<tr>
<td>Sep 4</td>
<td>trial process; substantive Criminal law concepts</td>
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<tr>
<td>Sep 10</td>
<td>Probable Cause</td>
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<tr>
<td><strong>Sep 17</strong></td>
<td><strong>Study Exercise #1 due; first exam</strong></td>
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<td>Sep 24</td>
<td>The Exclusionary Rule</td>
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<tr>
<td>Oct 1</td>
<td>warrants</td>
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<td>Oct 8</td>
<td>searches and arrests without warrants</td>
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<tr>
<td>Oct 15</td>
<td><strong>Study Exercise #2 due; second exam</strong></td>
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<tr>
<td>Oct 22</td>
<td>Stop and frisk</td>
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<td>Date</td>
<td>Event</td>
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<tr>
<td>Oct 29</td>
<td>Stop and frisk continued</td>
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<tr>
<td>Oct 30</td>
<td><strong>Study exercise #3 due; third exam</strong></td>
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<tr>
<td>Nov 5</td>
<td>Special Needs searches Ch. 7</td>
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<td>Nov 12</td>
<td>Confessions and admissions Ch. 8</td>
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<td>Nov 19</td>
<td>Texas Confession Statute TBD</td>
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<td>Nov 23</td>
<td>Thanksgiving Holiday</td>
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<td>Nov 26</td>
<td>Civil Liability issues TBD</td>
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<tr>
<td>Dec 3</td>
<td>Review and Catch-up: Study Exercise#4 due Dec. 5</td>
</tr>
</tbody>
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**Final Exam Wednesday, December 12, at 11:00 AM as per SAIL**