

Constitutional Law and Criminal Justice

Course Description: Constitutional Law and Criminal Justice. 3 cr. Study of constitutional law and its applicability in the criminal justice system. Prerequisite: Government 201.

Course Objectives: The course complements Criminal Law (293) and Criminal Procedure and Evidence (301). Criminal Law concentrates on the substantive law defining crimes, Criminal Procedure and Evidence concentrates on the development and application of procedural law applicable in the administration of criminal justice in the United States with emphasis on the understanding of the 4th, 5th, 6th, 8th, and 14th Amendments to the U. S. Constitution as they apply to police and prosecutors. CJUS418 follows with an analysis of the various Constitutional Amendments as they apply in the prison setting. It also includes analysis of civil liability as it applies to persons employed in the criminal justice system. The objective of this course is to ensure that students understand prison law and civil liability.

Course Format: This class is normal classroom format. It is scheduled to meet on Monday evenings from 6:00 to 8:45 p.m. consistent with the schedule contained in this syllabus. While there is a course lweb site, and all students have been added to it, there is no electronic component to this course. However, the grade book on Blackboard will be used; thus you will have your grades constantly available to you. It is possible that I will communicate with you through Blackboard. It is also possible, depending upon several things, that we may use Blackboard for test-taking.

Exams and Course Grades: There will be three major exams in this class, valued at 100 points each. In addition, students will complete at least three case briefs and will present and discuss them in class on the date(s) specified. The total value of the written briefs will be 100 points and the value of the presentation and discussion will be 100 points. Graduate students who are enrolled for graduate credit must complete an additional term paper (and perhaps present it if time allows), the topic of which will be chosen in consultation with the instructor. Thus, the possible points are as follows:

<u>Assignment</u>	<u>Undergraduate</u>	<u>Graduate</u>
Exam I (Civil Liability)	100	100
Exam II (Prisoner's Rights)	100	100
Exam III (Final—Comprehensive)	100	100
Case Briefs Written	100	100
Case Briefs Presented	100	100
Term Paper	0	100
Total	500	600

Grades will be assigned as follows: 90-100%=A, 80-89%=B, 70-79%=C, 60-69%=D, and below 60%=F. Undergraduate students in Criminal Justice are reminded that they must have at least a C in this class to graduate. Graduate students are reminded that they are allowed no more than two C's (one if the first twelve hours if they are admitted conditionally), no grade less than C, and that their GPA must remain at least 3.0.

Textbooks: Ross, Darrell L. (2003). *Civil liability in criminal justice*, 3d. Cincinnati, OH: Anderson Publishing Company. ISBN 087084072X.

Palmer, John W. and Stephen E. Palmer. (2004). *Constitutional rights of prisoners*, 7th edition. Cincinnati, OH: Anderson Publishing Company. ISBN 158360555X.

Note about textbooks: We will cover these texts one at a time. There is some over-lapping regarding civil liability issues in that the Palmer & Palmer text also contains a unit on it. However, that topic is sufficiently important that we will “cover it twice” rather than eliminate or coordinate coverage in some other way.

Case Briefs: Each student will be required to locate three U. S. Supreme Court cases regarding the subject matter covered in this class, write a one-page brief of the case, and present it to the class orally. The cases MUST be from the 2004 or 2005 term of the court. You may also select cases that the Court is considering in the 2006 term—you obviously won’t have their opinion (necessarily) but you will have the appeals court decision and you can observe the points of law being considered by the Court. It is up to students to locate the cases and to post them on the Discussion Board for that purpose on the web site. A single case cannot be briefed by more than one student. The one who places it on the discussion forum first is the one who does that case. The presentation in class will require not only the presentation of the brief but an indication of how that decision modifies or amplifies the subject matter of this course to which it relates. I will provide an example of a case brief.

Graduate Student Additional Assignments: Those persons enrolled in this class for graduate credit will be required to write an additional term paper. I will meet with the graduate students as a group within one week of class beginning and we will all agree upon this additional assignment.

Class Assignments: All readings must be completed prior to the class period for which it is assigned.

Jan	23	Introduction to course.
	30	Ross, pp. 1-110.
Feb	06	Ross, pp. 111-222.
	13	Ross, pp. 222-289.
	20	Exam I (Ross text).
	27	Mardis Gras Holiday.
Mar	06	Palmer, Chapters 1 and 2 and cases for chapters. Presentation of case briefs.
	13	Palmer, Chapters 3 and 4 and cases for chapters. Presentation of case briefs.
	20	Palmer, Chapters 5 and 6 and cases for chapters. Presentation of case briefs.
	27	Palmer, Chapters 7 and 8 and cases for chapters. Presentation of case briefs.
Apr	03	Exam II (Palmer, Chapters 1 through 8)
	10	Palmer, Chapters 9 and 10.
	17	Spring Break Holiday.
	24	Palmer, Chapters 11 and 12 and cases. Graduate student presentations.
May	01	Palmer, Chapters 13 and 14 and cases. Graduate student presentations.
	08	Final examination, 6:00-8:45 (Comprehensive).

Office Hours:	Monday-Wednesday-Friday	09:00-11:00
	Monday	05:00-06:00
	Wednesday-Friday	01:00-02:00
	Tuesday-Thursday	11:00-02:00