

STERLING COLLEGE SYLLABUS
SOCIAL SCIENCES DEPARTMENT
CRIMINAL JUSTICE

Course Number: CJ230 Name: Criminal Procedure
Credit Hours: 3 Semester/Year: Summer 2 2020
Meeting Place: online Time: online (asynchronous)

Instructor Name: Mark A. Tremaine
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Office Hours
(email for a phone call)

Textbook: Worrall, John L. (2013). *Criminal Procedure*, Pearson

COURSE DESCRIPTION

A concentration on the rules of criminal procedure as they relate to the criminal justice process, including rights of those accused of crimes, arrests, search and seizure, interrogation, confessions, right to counsel and the exclusionary rule.

PERFORMANCE OUTCOMES

Course Objective	Activities	Assessments
Students will gain an introductory knowledge of criminal procedure.	Class readings Class discussion	Regular quizzes and tests. Evaluation of discussion responses.
Students will develop better abilities to read and think critically	Class readings	Regular quizzes and tests.
Students will develop enhanced ability to write clearly.	Class writing assignments.	Evaluation of writing assignments.

GRADING

13 Chapter Quizzes (40 points each)	520 points
Case Briefs (5 briefs, 50 points each) • Case Brief #6 may be completed for 50 points extra credit.	250 points
Weekly Discussion Forums (35 points per week)	210 points
Final Exam	200 points
Other assignments	varies

The above listed assignments are representative of the required coursework for the semester. The professor reserves the right to add or remove assignments, and the right to adjust points for assignments, throughout the course.

Letter Grade	Points Earned
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A	900 +
B	800-899
C	700-799
D	600-699
F	0-599

Chapter Quizzes –For each chapter, students are required to complete an online quiz through their Canvas account. Each quiz will consist of 20 multiple choice questions worth 2 points each and students will have 20 minutes to complete the quiz. All quizzes must be completed prior to the set closing times. See the schedule posted on Canvas.

Weekly Discussion Forums – Each week, students will discuss a question presented by the professor. Students must answer the discussion question presented in an initial post (due Wednesdays, by 11:59 pm), as well as post a minimum of 3 substantive responses to posts and responses of other members of the class (due by the following Sunday, 11:59 pm). Students will receive up to 20 points each week for correctly and comprehensively answering the discussion question, as well as up to 5 points per substantive response, for a maximum total of 35 points per week.

Case Briefs – As a portion of the requirements of this course, each student will submit five case briefs, according to the following guidelines:

How to Brief Cases

In order to better understand criminal law and many of the concepts related to criminal law, you need to be able to read and understand court decisions. To make this task easier, we will be using a method of case analysis that is called briefing. There is a fairly standard procedure to follow when you “brief” any court case. First, you must read the case opinion carefully. When you feel you understand the case, you can prepare a brief of it. We will utilize the following format, addressing the essentials of the case under headings as listed below.

1. Citation (5pts). Give the full citation for the case, including the name of the parties, the volume and page number for the case, the court that decided the case, and the date it was decided. For example, using this information:

462 U.S. 579 (1983)

UNITED STATES

v.

VILLAMONTE-MARQUEZ ET AL.

[No. 81-1350.](#)

Supreme Court of United States.

The correct citation would be: United States v. Villamonte-Marquez, 462 U.S. 579 (1983)

It is proper to underline the names of the parties. “462” is the volume of the U.S. Reports which contains this opinion. “579” is the beginning page number for the opinion. The opinion was decided by the United States Supreme Court in 1983.

2. Facts (10 pts). Briefly state the key facts of the case. This should include key information regarding the defendant, the victim, and the circumstances of the crime that was committed.

3. Procedural History (5 pts). Briefly state what happened in the lower court (i.e., “After a jury trial the defendant was convicted of second degree involuntary manslaughter. The defendant appealed his conviction and the _____ Court of Appeals affirmed the trial court decision. The United States Supreme Court granted certiorari.”

4. Issue (5 pts). Concisely phrase, in the form of a question, the essential issue before the court. (If more than one issue is involved, you may have two—or even more—questions here.)

5. Holding/Rule (5 pts). Indicate here the court’s answer to the question (or questions) in the Issue section above.

6. Reason (20 pts). Summarize and analyze briefly the reasons given by the court for its decision (or decisions) and the case law or statutory law relied on by the court in arriving at its decision. This section should explain why the court ruled the way that it did. Make sure that most of your efforts are placed on this section as it is worth 40% of the grade for this assignment.

Case briefs must be submitted via turnitin.com, which is a plagiarism detection service and the platform through which the assignments will be graded. In order to submit these assignments, you must register for the course at www.turnitin.com. If you already have a turnitin.com account, you may log in with that account and then enter the new class information. If you do not yet have an account, you may create one at this site: https://www.turnitin.com/newuser_join.asp.

Check Canvas for Class ID and Enrollment Key/Password.

You will submit the appropriate assignments by uploading them within the turnitin.com site. Turnitin will allow the following file types: Microsoft Word, PowerPoint, WordPerfect, PostScript, PDF, HTML, RTF, OpenOffice (ODT), Hangul (HWP), Google Docs (submitted via the Google Drive submission option), plain text files. Submissions to turnitin.com become a part of the turnitin.com database, which is used to guard academic integrity. If you have any problems with the turnitin website, visit the “Support >> Help Center” link from the top menu of the site (direct link: http://www.turnitin.com/en_us/support/help-center).

All case briefs should be:

- single spaced
- set in Times New Roman size 12 font
- checked for correct spelling, grammar, and punctuation
- make sure *your name* and *assignment description* is on each document (i.e. Case Brief – #1)
- case briefs should be submitted via Canvas as Microsoft Word documents (.docx).
- uploaded electronic files will use the following naming structure:
CaseBrief_1_students last name.docx

Rubric for Evaluating Case Briefs

REQUIREMENT	Needs Work	Adequate	Exemplary
Submitted on Time	Case brief was not submitted on time. (-5 points)		Case brief was submitted on time. (0 points)

Citation	Case citation contained numerous errors. (0-1 point)	Case citation contained some errors in content or format. (2-3 points)	Case citation was complete and accurate with no more than one minor error (4-5 points)
Facts	Facts of the case were incomplete or contained substantive errors. (0-3 points)	Facts of the case contained some errors, but were not substantively erred. (3-6 points)	Facts of the case were stated fully and accurately. (7-10 points)
Issue	The issue in the case was not correctly identified. (0-1 point)	The issue in the case was partially identified. (2-3 points)	This issue in the case was fully identified and described. (4-5 points)
Procedural History	The procedural history was not correctly summarized. (0-1 point)	The procedural history was partially summarized correctly (2-3 points)	The procedural history was fully summarized. (4-5 points)
Decision/Holding	The decision was listed incorrectly; significant errors in response. (0-1 point)	The decision was listed correctly, but response contained some errors. (2-3 points)	The decision was listed correctly, with no major errors. (4-5 points)
Reason	The reason given reflected little thought or contained significant errors in content. (0-3 points)	The reason given was thoughtful, accurate in content and included some detail, but was limited in depth. (3-6 points)	The reason given was complete, contained sufficient details to reflect the students understanding of the case. (7-10 points)

Attendance –

Weekly participation is recorded in the "Attendance" section of the course.

Weekly student participation is fulfilled by one or more of the following criteria:

- discussion board participation
- strong participation in the form of assignment submissions other than basic logins/views such as assignment submissions

Please note: any student not participating regularly may be administratively withdrawn from the course.

Final Exam – A comprehensive final exam will be given during finals week. The final exam will be worth 200 points, and may include T/F, multiple choice, short answer, or essay questions.

ACADEMIC INTEGRITY

Sterling College faculty and students form an academic community committed to the Biblical principles of justice and honesty, and to the core values of faith, calling, learning, integrity, service, and community. Our commitment to academic integrity requires that each student and faculty member be responsible for creating an environment of trust and respect in which the

search for knowledge, truth, and wisdom can be successfully accomplished. Students are expected to:

- perform and represent honestly their own academic work,
- properly acknowledge others' ideas, words, and creations when appropriate,
- respect the learning environment and the expression of others' ideas and opinions,
- demonstrate good stewardship in the use of academic resources.

Any violation of these expectations will result in disciplinary actions. A record of these violations will become a part of the student's permanent academic record at Sterling College. Violations of the Sterling College Academic Integrity Policy include, but are not limited to:

Plagiarism: The presentation of someone else's words or ideas as the student's own.

Cheating: Obtaining unauthorized help on a course activity. Assistance of any kind on course activities will be considered cheating unless the instructor has explicitly expressed consent for such assistance to take place.

False Information: Creation or manipulation of false information (including lying) in or with regard to any course related activity.

Recycling: Use of work submitted in another course to meet course requirements without explicitly expressed consent of both instructors.

Supporting Academic Integrity Violations: Assisting a student in committing any of the violations listed above (plagiarism, cheating, false information, or recycling) where such assistance has not been approved by the instructor through explicitly expressed consent.

Disrupting the Learning Process and/or Experience: Willful and repeated violation of classroom behavior policies as outlined and/or described in the course syllabus or disruption of course activities.

Process:

Once a faculty member judges that an offense has occurred, the instructor must normally notify the student in writing of the charge of an academic integrity violation and the reasons for the charge within two days of the alleged violation being discovered. This notification can occur via the student's college email address. If the student disputes the faculty member's finding, then the student has two working days to submit to the faculty member a written appeal of the charge. If, based on the student appeal, the faculty member determines that no violation has occurred, then the charge is dropped and the process ends. If the faculty member upholds the determination that a violation has occurred or if the student does not appeal, the faculty member then notifies the student and the Office of Academic Affairs via email, and forwards all documentation to Academic Affairs. The student can then appeal the decision to the Vice President of Academic Affairs (or his/her designee) in writing within five working days. The decision of the Vice President for Academic Affairs is final. No appeal will be entertained regarding the punitive consequences of an academic integrity violation, only whether the violation occurred. A record of offenses is maintained in the Office of Academic Affairs and the student's file.

Simultaneous Offenses: Multiple offenses by one student reported to the Office of Academic Affairs before the student has had the benefit of a first offense warning will be treated as one offense.

Consequences: The consequences of an academic integrity violation are as follows. Please note that charges to a student's account are not altered when as a result of an academic integrity violation the student is issued a grade of W, is suspended, or is dismissed.

First Offense: The faculty member decides on the penalty for a violation in that course, up to a failing grade for the course. The recommended penalty is a failing grade on the assignment and a one letter grade reduction in the final grade for the course. Academic Affairs will notify the student in writing that he/she has been found guilty of an academic integrity violation and, when possible, the student will meet personally with the Vice President for Academic Affairs or his/her designee to discuss the penalties for any subsequent violation and how to correct the behavior in the future.

Second Offense: Upon confirmation of the second offense the student will be suspended from the College and receive a grade of F for the class in which the academic integrity violation occurred and a W in all other classes. "Academic Integrity Violation" will be recorded on the student's transcript as the reason for suspension. The student may apply for readmission to Sterling College the following semester.

Third Offense: Upon confirmation of the third offense, the student will receive an F for the class in which the academic misconduct occurred and a W in all other classes. The offense will be recorded on the student's transcript and the student will be immediately and permanently dismissed from Sterling College.

CLASSROOM BEHAVIOR POLICIES:

The online learning environment includes technology, information, and people. Students should demonstrate professionalism and integrity in regard to all components of the learning environment. Given that students and instructors may be from anywhere in the world, learners should consider differences in time zones if telephone conversation is ever required.

Treating Other Students with Respect

Students should avoid inflammatory or offensive comments—which undermine the objective of a positive learning experience—in communicating with their peers. Most students want to get the most from their online course, which means that they expect their peers' cooperation on collaborative assignments and thoughtful participation in discussion forums.

Treating Instructors with Respect

Students can show respect to instructors by reading all announcements in a timely manner, communicating in a timely fashion about problems (technological or other) that will cause work to be turned in late, and following directions.

Respect for All Parties Who Collaborate with the Institution to Create Learning Experiences

Service, observation, and clinical practice are important components of Sterling College Online programs. The organizations and employers who cooperate with Sterling College to help students succeed do so out of kindness and social responsibility; they are not *required* to participate in Sterling College Online learning experiences. Sterling College values the cooperation of all parties who help students learn and grow by providing observatory and hands-on experience. Students should likewise respect the contributions of such parties.

Respecting Laws Regarding Technology and Information

Students may not use or reproduce any technology or course component for financial purposes or for the purpose of defaming the institution or individuals. Online learners should use technology for the sole purpose of learning and sharing course-related information with others in the learning community.

LATE WORK:

All work must be turned in when it is due. Late work will NOT be accepted unless prior arrangements have been made with the professor.

SPECIFIC EXPECTATIONS:

Be prepared and submit assignments on time.

ELECTRONIC COMMUNICATION:

The Sterling College e-mail system will be the official means of communication for this course. If you use another email account, make sure that your SC email messages are forwarded to that account. However, *no assignments will be accepted via email*. All assignments submitted electronically must be submitted via Canvas.

COURSE OUTLINE/DAILY SCHEDULE:

The course schedule will be posted on Canvas. Please check it often as the schedule is flexible and subject to change in order to accommodate course objectives.

STATEMENT OF NONDISCRIMINATION

Sterling College does not discriminate on the basis of race, color, national origin, sex, disability or age. The policy in the current Academic Catalog will be followed for this class.

DISABILITY ACCOMMODATIONS

Any student with a disability who may need classroom accommodations in this course should contact the Academic Support Office, located in Mabee Library (campus ext. 463). The office serves students with a wide range of documented physical and learning disabilities.