

CJ204 – CONSTITUTIONAL LAW
Bellevue College-Criminal Justice Program
Winter 2014

Lecturer: Tom Pritchard
Office hours: T/TH, 9:30 a.m – 11:20 a.m.; Friday, 10:30 a.m. – 11:20 a.m.
Class meets: M/W, 11:30 a.m. – 1:20 p.m., Friday, 11:30 a.m. – 12:20 p.m. Rm D103
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Required Textbook: *Criminal Procedure (9th Edition)*. By Joel Samaha

I. Course Description:

1. **Introduction**
 - a. An overview of the criminal justice process
 - b. The nature and scope of the 14th amendment – due process clause; The Federal Supervisory Power; State Rights Protections
 - c. The right to counsel, transcripts and other aids; poverty, equality and the adversary system
2. **Police Practices**
 - a. Issues concerning the police, the courts and the criminal process
 - b. Arrest, search and seizure
 - c. Wiretapping, electronic eavesdropping, the use of secret agents to obtain incriminating statements, and the fourth amendment
 - d. The defense of entrapment
 - e. Police interrogations and confessions
 - f. Line ups, show ups, and other pretrial identification procedures
3. **Commencement of formal proceedings**
 - a. Pretrial Release
 - b. Location of the prosecution
 - c. The right to a speedy trial and right to speedy disposition at other steps in the criminal process
4. **The adversary system and determination of guilt or innocence**
 - a. Assistance of counsel
 - b. Trial by jury
 - c. The ban against double jeopardy
5. **Appeals and post conviction review**
 - a. Appeals

II. Class Format:

This class will be a combination of lectures and class discussions. You are responsible for coming to class prepared (i.e., having read the assigned material) to actively participate in class discussions. We will spend a considerable amount of time discussing cases and theories included in the materials and practical applications of class material. It is my intention to cultivate a classroom environment in which each of us feels free to express opinions and ask questions. Opinions expressed by students must be supported by social, legal, economic and/or political arguments. We do not discuss to demonstrate whether we are right or wrong. Rather, it is an exercise to develop a broader understanding of the complexities of theories. **DISRESPECT IN ANY FORM WILL NOT BE TOLERATED.**

III. Grading:

Your grade will be based upon a total of 400 points (three exams at 100 points each and one legal problem – Moot Court presentation at 100 points). These points will be a reflection of exams, the completion of paper and class participation. The grading scale is as follows:

100%-97%	A
96%-93%	A-
92%-89%	B+
88%-85%	B
84%-81%	B-
80%-77%	C+
76%-73%	C
72%-69%	C-
68%-65%	D+
64%-61%	D
60% and below	F

IV. Assignments:

1. PARTICIPATION

Participation is key to your understanding of concepts discussed in this course. Understanding or mastery of concepts may be demonstrated by appropriate application of criminological theories during classroom discussions. Students may have their grades increased by 1/3 through active participation.

2. EXAMS 300 points

There will be three exams during the quarter, consisting of two midterms (100 points each) and a final (100 points). The exams are not cumulative. Each exam will include

material from the book and class lectures. Material from the book will be covered even if we have not discussed it in class. The exams will be in-class, closed-book, and consist of multiple choice and essay questions. I will conduct a thorough review the day before the exam in class. **No make-up exams will be allowed unless you have a medical emergency, with proof.** **BRING A SCANTRON SHEET, A #2 PENCIL AND A PEN TO CLASS FOR EXAMS.**

3. **LEGAL PROBLEM – MOOT COURT PRESENTATION 100 points**

At the beginning of the Fifth Week, an assignment sheet will be handed out describing structure and requirements for Moot Court presentation.

V. **Course Rules:**

1. **Cheating.** Students are expected to do their own work. This includes not just copying things verbatim off the Internet. Cheating of any kind will not be tolerated. See a full statement of my policy on this at the end of this syllabus.
2. **Disability Support.** If you require special accommodation based on a documented disability, or need special arrangements in case of emergency evacuation, or have other special medical information that needs to be taken into account, please bring me documentation to that effect from the Disability Resource Center, B132, the first week of class. You can make these arrangements through advisors/counselors by calling 425-564-2498.
3. **Cell Phones and Other Devices.** Cell phones, paging and other such devices must be turned off in class; you may not bring them to the exams. Cell phones or other electronic devices that are visible during exams will be considered prima facie evidence that you are cheating.
4. **Lap Tops:** Lap Tops are permitted in class for note taking purposes only.
5. **Late Papers:** Late papers will be downgraded at 25% per day. They may not be submitted by email attachment.

<u>Course Schedule</u>		
<u>Date</u>	<u>Subject</u>	<u>Assignment</u>
<u>WEEK 1</u>		
Jan. 6, 8, 10	Introductions and Road Map Criminal Procedure and the Constitution	Ch. 1 and start Ch. 2
<u>WEEK 2</u>		
Jan. 13, 15, 17	Criminal Procedure and the Constitution Definition of Search and Seizure	Cont. Ch. 2 Ch. 3

WEEK 3

Jan. 20
Jan. 22, 24

Holiday – No Class

Definition of Search and Seizure
Stop and Frisk

Cont. Ch. 3
start Ch. 4

WEEK 4

Jan. 27, 29, 31

Stop and Frisk
Seizures of Persons: Arrest

Cont. Ch. 4
Ch. 5

WEEK 5

Feb. 3

Assign Legal Problem – Moot Court Presentation
Presentations begin on March 10

Feb. 3

Midterm, in class, second hour

Feb. 5, 7

Searches for Evidence

Ch. 6

WEEK 6

Feb. 10, 12, 14

Special Needs Searches
Self Incrimination

Ch. 7
Ch. 8

WEEK 7

Feb. 17
Feb. 19, 21

College Closed – No Class

Identification Procedures

Ch. 9

WEEK 8

Feb. 24
Feb. 26, 28

Midterm Two, in class, first hour

Remedies for Constitutional Violations I

Ch. 10

WEEK 9

Mar. 3, 5, 7

Constitutional Violations II
Court Proceedings I: Before Trial

Ch. 11
Ch. 12 (if time)

WEEK 10

Mar. 10, 12, 14

Legal Problem – Moot Court Presentations

WEEK 11

Mar. 17, 19, 21

Court Proceedings II: Trial and Conviction Ch. 13 (if time)

Monday, March 24

Final Exam, in class, 11:30 a.m. - 1:20 p.m.

POLICY REGARDING CHEATING, STEALING AND PLAGIARISM

Cheating includes, but is not limited to, copying answers on exams, glancing at nearby exams, turning in assignments or papers that have been used in other classes, and giving or receiving help during an exam. Cheating includes, but is not limited to, purchasing or selling notes, assignments or examination materials.

Stealing includes, but is not limited to, taking the text, notes, exams, library books or other personal property of others without their permission.

Plagiarism is presenting the words, ideas, and/or work of others as if it is an individual's own work. It includes, but is not limited to, using other's papers as one's own and including parts of published works without giving credit where credit is due.

If you choose to cheat, steal or plagiarize, the following actions will be taken: You will receive a zero for the assignment. You may receive a failing grade for the course.