

CJ 204 INTRODUCTION TO CONSTITUTIONAL LAW

Winter Quarter 2010

Instructor: Kevin Demone Rainge
Phone: 206-300-6972
Email: krainge@bellevuecollege.edu
Office Hours: By appointment

Required Text: Harr, J. Scott and Hess, Karen M., **Constitutional Law and the Criminal Justice System**, 4th Edition, 2008, Thomson/Wadsworth Publishing

Additional required readings for the course will be posted on MyBC in the Course Assignments Section. In addition, I will post suggested readings on various related subjects that are not required you are encouraged to read these as well

COURSE SUMMARY AND OBJECTIVE

This course will provide an overview of the history, structure and key provisions of the United States Constitution as they relate to issues in the administration of the criminal justice system. In addition, we will explore the structure of the legal system and the legal process by which constitutional issues are raised, argued and decided. More specifically, we will focus on the constitutional standards for the interplay of federal and state laws governing the criminal justice system, the limits on governmental power imposed by the equal protection clause and the First, Second, Fourth, Fifth, Sixth, Eighth and Fourteenth Amendments as well as the legal and political concepts which define the notion of constitutional rights. The course will be a combination of lecture, group discussions and student presentations. Topics will be introduced through assigned readings and lectures or group discussions. We will then further explore how constitutional principles apply to the criminal justice system through examination of specific law enforcement scenarios in which constitutional principles can be argued to limit governmental power. Students will be assigned to present a position as to the available options for the law enforcement authorities or the citizens in a given situation [such as during a protest march].

EXPECTED LEARNING OUTCOMES

The course will expose students to the key substantive, constitutional and procedural legal doctrines that govern the criminal justice system in the United States and will place those legal doctrines in a policy and practical context. Students will learn: the history and structure of the United States Constitution, the structure and function of key institutions of the legal system and the criminal justice system, basic principles of legal research, the constitutional principles of equal protection set forth in the thirteenth and fourteenth amendments, the first amendment freedoms of religion, speech, press and of assembly, the second amendment and regulation of the possession and use of firearms, the fourth amendment protections relating to search and seizure, the practical application of those principles in the law enforcement context, the fifth and fourteenth amendment guarantee of due process in criminal cases, the

sixth amendment right to counsel, the eighth amendment protections with regard to bail, fines and punishment, as well as how constitutional issues have effected and been effected by recent concerns about terrorism. In addition students will read and interpret court decisions, including constitutional decisions of the United States Supreme Court.

COURSE GRADING CRITERIA

Your grade will be based upon attendance, participation in class and two exams. To receive a passing grade in this course, students must complete all of the assignments and exams. Students must submit the assignments on the due dates. The instructor will grade each student individually on a possible total score of 300 points, which is structured as follows:

1. **Exams (200 points):** The exams are based on all of the assigned reading material regardless of whether or not we discuss the material in class. There will be two examinations - a midterm and a final exam. Each exam will consist of short answer questions and essay questions. Each exam will cover all the course work up to the date of the exam, both readings and in class discussion and performance. Tests may also cover handouts, material presented in class including but not limited to, lectures, videos, and guest lecturers. A portion of each exam will be drawn from material presented only in class. ***There will be no make up exams without advance approval from me.*** Such approval will be granted only for true family or medical emergencies. You are encouraged to take notes in class and to make outlines of the readings - *there will be no formal exam review in class, although I will set aside time during the class before each exam to address any issues that may need clarification or review.*

- a. Midterm (100 points)
- b. Final Exam (100 points)

2. **Class Project (50 points):** I will post this project on MyBC.

3. **Class Attendance and Participation (50 Points):** is required and expected. Since this course will focus on both mastering the relevant facts and developing the analytic and advocacy skills needed to use what you know, one cannot fulfill the course requirements without attending and participating in the class discussions and presentations. In addition to the above-referenced grading criteria, I do take into account the degree and quality of your class participation when determining the final grades. Thus, class participation can only help your grade and it is highly recommended. Also, the course exams will test both familiarity with the assigned readings and topics covered exclusively in class I will take attendance at every class. If you cannot attend class due to an emergent situation, e-mail or call me ***in advance***.

COURSE RULES

1. Class lectures are kept informal to facilitate discussion. Students should conduct their side conversations very quietly, they should keep those conversations to a minimum, and they should be related to the topic being discussed in class.
2. Students are expected to do their own work. Cheating of any type is prohibited and students who fail to comply with this requirement may be denied credit for the course. If appropriate, the college may also impose other sanctions. Those wishing further clarification may seek advice from the instructor or consult their Student Handbook.
3. The instructor will not accept any late work and he will not give any make-up work or make-up exams. Attendance is strongly encouraged, though neither required nor recorded. Students are encouraged to study all assigned readings before class because performance on class assignments and on exams are directly related to the student's knowledge of the text reading materials.
4. Students are encouraged to discuss concerns or class problems, if any, with the instructor. The instructor is available throughout the Quarter to discuss the student's current approximate grade and ways to improve the grade.
5. Students with special needs should contact Disabled Student Services (DSS) and notify the instructor during the first week of the course. DSS will evaluate your specific needs and issue an Accommodation Memorandum as needed. If the student does not do the above, it is assumed that the student does not have a disability requiring some form of an accommodation.

COURSE SCHEDULE AND ASSIGNMENTS¹

Week 1 (1/4)

Chapter 1. Introduction and Historical Overview of the Constitution

Week 2 (1/11)

Chapter 2. The US Constitution and the Federal and State Legal Systems

¹ All test and assignment dates shown in this syllabus are tentative and subject to change upon notice given during class. The instructor may give additional assignments in class throughout the quarter. It is the student's responsibility to keep informed as to any announced assignments or schedule changes. If a student cannot attend a class, be sure to get any missed information from a classmate or contact the instructor.

Week 3 (1/18)

NO CLASS ON 1/18

Chapter 3. The Reach of Federal Legislative Authority and The United States Supreme Court

Week 4 (1/25)

Chapter 4. Researching and Advocating the Law

Chapter 5. Equal Protection

Week 5 (2/1)

Chapter 6. The First Amendment

Week 6. (2/8)

Midterm on 2/8

Chapter 7. The Second Amendment

Week 7 (2/15)

NO CLASS ON 2/15

Chapter 8. The Fourth Amendment

Week 8 (2/22)

Chapters 9 & 10. Conducting Constitutional Seizures

Week 9 (3/1)

Chapter 11. The Fifth Amendment

Week 10 (3/8)

Chapter 12. The Sixth Amendment

Week 11 (3/15)

Chapter 13. The Eighth Amendment

Week 12 (3/22)

Final Exam on Monday, 3/22 11:30 am to 1:20 pm