

CJ 204 M-F 1230-120

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CRIMINAL JUSTICE 204—CONSTITUTIONAL LAW

WINTER 2018

Hours and Location:

Daily, 12:30 p.m. – 1:20 p.m.

D102

Office Hours: Tuesdays, 2:30 - 3:30 p.m.; Thursdays, 2:30 - 3:30 p.m.; Fridays, 2:30 - 3:00 p.m.; and by appointment.

Professor:

Professor Maria Leininger, Esq. (I prefer Professor Leininger)

J.D., Seattle University School of Law

B.A., University of Washington, Seattle

Member, Washington State Bar Association*

Email: Maria.Leininger@bellevuecollege.edu (<mailto:Maria.Leininger@bellevuecollege.edu>)

Office: A200F

Course Materials*:

The primary text for this course is *Constitutional Law and the Criminal Justice System (7th edition)*.

Supplemental texts will be made available on our course website. To access the supplemental materials click on the "Modules" and/or the "Announcements" button and you will find them uploaded in the order in which they have been assigned. You are responsible for reviewing all supplemental materials as well as the primary text.. **Please note that you are responsible for downloading (and reading and/or watching) all supplemental materials as they are assigned.**

For those of you who do not have a printer at home you can print in the student computer lab in the N-Building or if you prefer you can just read the materials on-line. **Please also note that all assigned materials should be completed before the class session for which they are scheduled, so that you can participate in discussions and other activities that I have planned.**

Any material covered by an assigned reading/video may be included in examination questions, regardless of whether it is specifically discussed in lecture. If adjustments are made to the reading/viewing schedule, you will be informed via the announcement board on our class website. The assigned reading/viewing is the core of this class—if you don't keep up you are going to find it hard to

succeed. Please review the modules section carefully and let me know if you have any questions or concerns so that we can address potential issues before they become problems.

Course Description:

This is an introductory course that is designed for students new to the study of constitutional law. This course will survey theories and concepts of law pertaining to federal and state constitutional law, and how these relate to the criminal justice system.

By the end of the quarter, I hope you will have a basic understanding of constitutional law in the United States and Washington state, and have an increased ability to critically reflect on this system. Specific topics of study include: the Fourth, Fifth, Sixth, and Fourteenth Amendments to the U. S. Constitution and their impact on contemporary police practices. Students analyze Supreme Court decisions concerning arrests, searches, seizures, self-incrimination, and post-indictment right to counsel.

Course Objectives:

After completing this class, students should be able to:

- Explain the history of the U.S. Constitution; the importance of the Constitution and the development and role of the United States Supreme Court
- Explain and discuss the process of judicial interpretation of the Constitution and the impact of the philosophies of the individual justices on the courts decisions
- Explain the legal terminology and concepts in the area of Constitutional Law
- Identify and explain selected individual liberties as established by the Constitution, the Bill of Rights and other amendments
- Explain and discuss historical decisions handed down by the U.S. Supreme Court and to further discuss contemporary issues facing the U.S. Supreme Court today

Course Policies:

This is a college-level course, which means **you are responsible for your own learning**. I will do my best to facilitate our interactions and to assess your learning fairly. I expect you to do your best to complete assignments in a timely and appropriate fashion and to attend class each day. If you do not understand something you need to take the initiative to find out the answer. I cannot read minds, so it is up to you to try to seek clarity when it is lacking.

Technology Policy:

I do not allow laptops, cell phones, or any other technology in my classroom without prior approval and/or an accommodation request from the DRC. If a student is using technology during class without my prior approval, in my discretion, I may ask the student to leave for the day and the student will not be allowed to make up any participation points for that class period.

Electronics and or other materials used during quizzes or other graded assignments without my express prior approval will be considered prima facie evidence that you are cheating, and I will, in my discretion, fail you for that assignment and report this activity to the school.

Course Absences:

Because this course will be an opportunity for us to explore the materials together as a group, attending class is essential for both your ability to learn the material and your grade.

I do not allow quiz or assignment make-ups for unexcused absences. Absences will be excused for issues that include, but are not limited to: illness, death in the family, and school obligations. All excused absences will need to be requested, verified, and approved PRIOR to the date of the absence. If you have an excused absence, you will still be responsible for staying current with the reading schedule.

Rules of Engagement for Class Discussions:

This course involves the discussion of controversial issues. Remember that reasonable people often disagree. Your challenge and responsibility is to maintain civil discourse. We will achieve this by being respectful of each other and avoiding inflammatory, derogatory and insulting words, phrases and labels. Please use your common sense to avoid any other conduct that might distract or offend me or your classmates.

If you do not adhere to these rules of engagement for our discussions, I will, in my discretion, ask you to leave the class and I will not grade any in-class quizzes or assignments that were given for that class period.

A Note About Ideology:

I have no intention of trying to convert you to my belief system. The issues we will be exploring are often contentious and sometimes there will be no right or wrong answers. That said, there are good and bad arguments. Good arguments will be entertained (i.e., those that are logically sound and supported by the available evidence); bad arguments will be discouraged. Racist, derogatory, sexist, offensive inflammatory, and/or insulting arguments will not be tolerated.

E-Mail Etiquette:

Please only message me on Canvas—I set aside time specifically to respond to Canvas messages. I will **only** respond to messages on Tuesdays and Thursdays. **Importantly, I will not answer any substantive questions about an assignment 48 hours before the due date.**

You should strive to use professional-grade, typo-free writing when drafting electronic messages. Your attention to detail reflects your professionalism; I don't take typos personally, I just want to prepare you for the real world.

Please include in Canvas message subject lines: 1) an identification of both the class; and 2) the matter (example: "CJ 204—Week 3 Quiz; NOT "question"). Most professionals receive dozens—if not hundreds—of e-mails every day. The subject line provides an opportunity to summarize your request and allows the reader to appropriately triage your question.

If I do not respond, please feel free to send me another message to ensure that I've received your message. **You are responsible for confirming receipt of any message.** Consequences for any glitches resulting

from not following these or any other instructions are your responsibility—you are training for a college-educated career and should act as if every responsibility is your own.

Grades will be awarded as follows:

GRADE	POINTS	PERCENTAGE
A	4.0	95-100
A-	3.7	92-94.99
B+	3.3	88-91.99
B	3.0	85-87.99
B-	2.7	81-84.99
C+	2.3	77-80.99
C	2.0	73-76.99
C-	1.7	69-72.99
D+	1.3	65-68.99
D	1.0	61-64.99
F	0.0	BELOW 60

Assignments:

All assignment due dates are posted under the "Modules" section on Canvas. Updates to assignments, or supplementary materials will be posted in the "Announcements" section on Canvas. Assignments will be unlocked during the few weeks before their due dates.

All due dates are posted in the "Modules" section of the course. Assignment descriptions are posted under the "Assignments" tab and are unlocked during the few weeks prior to the assignment due date. We'll also be discussing assignment details during class--it is therefore your responsibility to attend class and/or seek clarification from me about the assignments.

Importantly, it is your responsibility to ensure that you are turning in the correct assignment that you wish to be graded. I will grade only the latest, on-time submission uploaded to the appropriate space

in Canvas without exception. This policy is to help prepare you for other college courses and the workplace, where attention to detail, learning how to use the required technology correctly, and turning in the correct assignment is incredibly important.

Writing conventions

With the exception of daily quizzes, I expect all writing assignments turned in to follow these conventions. We will discuss the writing conventions in detail during the course. It is your responsibility to ensure that your submissions follow the required writing conventions. **NOTE: If you do not follow these conventions you will receive an additional 25% off of any submission without exception.** This is a deduction on top of the grade you receive:

- Times New Roman font
- 12-point size
- Double-spaced throughout (2.0 spacing)
- Normal margins (1" on all sides)
- Indentation no more than 0.5" for the beginning of paragraphs
- Page numbers are optional, but if you use them, please put them in the footer on the right side (Times New Roman font, 10-point size)
- Cover pages, tables of contents, works cited pages, or any other additional non-assignment pages do not count toward your total number of pages; however, you are welcome to use them to provide additional clarity

Reading responses--35% of your overall course grade

You'll submit a two-to-four (2-4) page double-spaced response to your choice of topics from a list of topics I will provide the class with. You'll submit a total of two (2) reading responses throughout the quarter. Your first reading response will be worth 15% of your overall course grade, and your second reading response will be worth 20% of your overall course grade; I weight the later assignment more heavily so you have a chance to "warm up" to my expectations and the course. More details about the assignment will be unlocked on Canvas during the second week of class under the "Assignments" section.

Reading Response 1 and Reading Response 2 must follow all of the writing conventions (above). I will only grade the latest, on-time submission in the appropriate space on Canvas—so please ensure that you are turning in the assignment you would like me to grade.

Reading Response 1 and Reading Response 2 cannot be turned in late without prior authorization.

Midterm Examination--25% of your overall course grade

We will have an in-class midterm examination that we will discuss in detail a few weeks prior to the examination.

The midterm examination cannot be turned in late without prior authorization.

Class participation and quizzes--20% of your overall course grade

Daily throughout the quarter, I'll conduct a brief quiz to test your understanding of the assigned class materials for that day. Additionally, periodically, in-class activities will be graded. *To receive credit for any in-class work, you must be present for the entire class period unless you have received prior authorization from me to leave class early.*

In-class activities and quizzes do not have to follow the writing conventions unless otherwise required. **In-class participation quizzes and activities cannot be made up without an excused absence.**

Final examination--20% of your overall course grade

The final examination will be a take-home essay examination and there will be no need to come to school to get the questions, complete the final examination, or turn in the final examination. You will be given the questions approximately two weeks in advance. We will discuss the examination in detail in-class week eight of the quarter.

The Final Examination must follow all of the writing conventions (above). I will only grade the latest, on-time submission in the appropriate space on Canvas—so please ensure that you are turning in the assignment you would like me to grade.

The Final Examination cannot be turned in late without prior authorization.

Academic Integrity:

If you choose to cheat, steal, or plagiarize, then you will receive a zero (0) for the assignment. You might also receive a failing grade for the course. Additionally, the professor may, in her discretion, report your cheating to Bellevue College.

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, using 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 your own. 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.

Late Policy:

All graded assignments are due on the dates specified unless you are notified otherwise in class or via Canvas. **Late assignments receive zero (0) points without at least 24-hours' pre-approval.**

If you are experiencing difficulties comprehending or completing the material, are experiencing personal hardship, or otherwise need to make any other arrangements, please contact me as soon as possible.

I will allow each student a single one-day (24-hour) extension on one of their papers if the student emails me on Canvas at least 24-hours prior to the due date requesting the extension. Importantly, I must approve the extension in writing for it to be valid. If you request an extension and do not receive

approval, it is your responsibility to check in with me prior to the due date. If I do not respond in writing to an extension request, that functions as a denial of your request. I will only grant extensions for written papers, and will not grant extensions for any quizzes, journals, midterm examinations, final examinations, or other assignments.

Affirmation of Inclusion:

Bellevue College is committed to maintaining an environment in which every member of the campus community feels welcome to participate in the life of the college, free from harassment and discrimination. We value our different backgrounds at BC, and students, faculty, staff members, and administrators are to treat one another with dignity and respect.

Code of Honor:

By being a student in this course you acknowledge that you are a part of a learning community at Bellevue College that is committed to the highest academic standards. As a part of this community, you pledge to uphold the fundamental standards of honesty, respect, and integrity, and accept the responsibility to encourage others to adhere to these standards.

Accommodations:

The Disability Resource Center serves students with a wide array of learning challenges and disabilities. If you are a student who has a disability or learning challenge for which you have documentation or have seen someone for treatment, and if you feel you may need accommodations in order to be successful in college, please contact DRC as soon as possible.

If you are a person who requires assistance in case of an emergency situation, such as a fire, earthquake, etc., please meet with your individual instructors to develop a safety plan within the first week of the quarter.

The DRC office is located in B 132 or you can call at 425-564-2498. Deaf students can reach us by video phone at 425-440-2025 or by TTY at 425-564-4110. Application information and other helpful links are available at www.bellevuecollege.edu/drc.

Public Safety:

The Bellevue College Public Safety services provide personal safety, security, crime prevention, preliminary investigations, and other services to the campus community, 24 hours per day, 7 days per week. Their phone number is 425-564-2400. Public Safety is located in K100 and on the web at <http://bellevuecollege.edu/publicsafety/> for campus emergency preparedness information, campus closure announcements, and critical information in the event of an emergency.

Bellevue College Counseling Center

The Bellevue College Counseling Center assists students with a wide variety of personal life challenges. They assist with concerns that may be impacting academic performance, assist students with exploring college majors and career choices, among other things.









Their phone number is 425-564-5747, you can email them at askacounselor@bellevuecollege.edu (<mailto:askacounselor@bellevuecollege.edu>), or you can visit their office, which is located on the 2nd floor of the Student Affairs building (B-Building).




Syllabus subject to change. Syllabus updated 12/29/17.

**The instructor is a lawyer licensed to practice in Washington State, but neither the course, nor lectures, nor anything else related to the course constitutes legal advice.*

* The syllabus and classroom policies are borrowed in part from Dr. Michael S. Brown and Dr. Timothy Jones.

Course Summary:

Date	Details	
Wed Jan 3, 2018	 Course Overview (https://bc.instructure.com/courses/1551322/assignments/11635754)	due by 12:30pm
Mon Jan 8, 2018	 Writing Workshop (https://bc.instructure.com/courses/1551322/assignments/11687634)	due by 12:30pm
Tue Jan 9, 2018	 Ch 1: A Historical Overview (https://bc.instructure.com/courses/1551322/assignments/11687704)	due by 12:30pm
Wed Jan 10, 2018	 Discuss Reading Response 1 (https://bc.instructure.com/courses/1551322/assignments/11689171)	due by 12:30pm
	 Canvas photo extra credit (https://bc.instructure.com/courses/1551322/assignments/11798416)	due by 11:59pm
Thu Jan 11, 2018	 Ch 2: An overview of the U.S. legal system (https://bc.instructure.com/courses/1551322/assignments/11687732)	due by 12:30pm
Tue Jan 16, 2018	 MLK Day picture extra credit (https://bc.instructure.com/courses/1551322/assignments/11723145)	due by 11:59pm
	 MLK Day reflection paper extra credit (https://bc.instructure.com/courses/1551322/assignments/11723146)	due by 11:59pm

Date	Details	
Wed Jan 17, 2018	 Ch 3: The U.S. Supreme Court (https://bc.instructure.com/courses/1551322/assignments/11687760)	due by 12:30pm
	 Read: SCOTUSblog biographies of SCOTUS justices (https://bc.instructure.com/courses/1551322/assignments/11687758)	due by 12:30pm
	 Read: SCOTUSblog Supreme Court procedure (https://bc.instructure.com/courses/1551322/assignments/11687738)	due by 12:30pm
Thu Jan 18, 2018	 Read: Marbury v. Madison (https://bc.instructure.com/courses/1551322/assignments/11687804)	due by 12:30pm
Fri Jan 19, 2018	 Ch 4: EPC (p. 79-90) (https://bc.instructure.com/courses/1551322/assignments/11687836)	due by 12:30pm
Mon Jan 22, 2018	 Ch 4: EPC (p. 110-124) (https://bc.instructure.com/courses/1551322/assignments/11687838)	due by 12:30pm
Tue Jan 23, 2018	 Ch 5: The 1st Amendment (https://bc.instructure.com/courses/1551322/assignments/11687839)	due by 12:30pm
Thu Jan 25, 2018	 Reading Response 1 DUE 1/25/18 at 11:59 p.m. (https://bc.instructure.com/courses/1551322/assignments/11687903)	due by 11:59pm
Fri Jan 26, 2018	 Ch 7: The 4th Amendment (https://bc.instructure.com/courses/1551322/assignments/11687969)	due by 12:30pm
Wed Jan 31, 2018	 Ch 8: Conducting Constitutional Seizures (https://bc.instructure.com/courses/1551322/assignments/11689096)	due by 12:30pm
Fri Feb 2, 2018	 Discuss Reading Response 2 (https://bc.instructure.com/courses/1551322/assignments/11689264)	due by 12:30pm
Mon Feb 5, 2018	 Ch 9: Conducting Constitutional Searches (https://bc.instructure.com/courses/1551322/assignments/11689333)	due by 12:30pm
Fri Feb 9, 2018	 Ch 10: The 5th Amendment (https://bc.instructure.com/courses/1551322/assignments/11689334)	due by 12:30pm
Tue Feb 13, 2018	 Reading Response 2 DUE 2/13/18 at 11:59 p.m. (https://bc.instructure.com/courses/1551322/assignments/11689430)	due by 11:59pm
Wed Feb 14, 2018	 Discuss midterm examination (https://bc.instructure.com/courses/1551322/assignments/11689496)	due by 12:30pm

Date	Details	
Thu Feb 15, 2018	 Read: Densho: E.O. 9066 (https://bc.instructure.com/courses/1551322/assignments/11689516)	due by 12:30pm
	 Read: Densho: Korematsu v. U.S. (https://bc.instructure.com/courses/1551322/assignments/11689520)	due by 12:30pm
	 Read: Korematsu v. U.S. (Coram nobis) (https://bc.instructure.com/courses/1551322/assignments/11689523)	due by 12:30pm
Tue Feb 20, 2018	 Ch 11: The 6th Amendment (https://bc.instructure.com/courses/1551322/assignments/11689524)	due by 12:30pm
Fri Feb 23, 2018	 Midterm Examination (https://bc.instructure.com/courses/1551322/assignments/11689526)	due by 12:30pm
Thu Mar 1, 2018	 Movie Review DUE March 1 at 11:59 p.m. (https://bc.instructure.com/courses/1551322/assignments/11689528)	due by 11:59pm
Fri Mar 2, 2018	 Discuss final examination (https://bc.instructure.com/courses/1551322/assignments/11689818)	due by 12:30pm
Mon Mar 5, 2018	 Ch 12: The 8th Amendment (https://bc.instructure.com/courses/1551322/assignments/11689849)	due by 12:30pm
Mon Mar 12, 2018	 Read and Discuss: Trial by Fire (https://bc.instructure.com/courses/1551322/assignments/11689867)	due by 12:30pm
Tue Mar 13, 2018	 Listen: NPR, "Supreme Court Strikes Down D.C. Handgun Ban" (https://bc.instructure.com/courses/1551322/assignments/11689910)	due by 12:30pm
	 Read: Constitutional Amendment II (https://bc.instructure.com/courses/1551322/assignments/11689908)	due by 12:30pm
	 Read: DC v. Heller, 128 S.Ct. 2783 (2008) (https://bc.instructure.com/courses/1551322/assignments/11689933)	due by 12:30pm
	 1/11/18 quiz (https://bc.instructure.com/courses/1551322/assignments/11813968)	
	 1/16/18 in-class activity (https://bc.instructure.com/courses/1551322/assignments/11836777)	
	 1/17/18 quiz (https://bc.instructure.com/courses/1551322/assignments/11836796)	
	 1/9/18 quiz (https://bc.instructure.com/courses/1551322/assignments/11799464)	