

DRAFT SYLLABUS

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TROY STATE UNIVERSITY
College of Arts and Sciences
Department of Criminal Justice
Course Syllabus

COURSE NUMBER & TITLE: CJ-6620 CURRENT TRENDS IN CRIMINAL LAW

FACULTY: Edward H. Stevens, Ph.D., J.D.
Troy State University, 320-B MSCX
Troy, AL 36082

CONTACT: estevens@troyst.edu
Office: 334-670-3441
Home: 334-566-8942

COURSE DATES: Term 4, 2004 (04/T4) March 15 – May 23, 2004

COURSE DESCRIPTION: A critical review through case studies of recent trends and developments affecting the interpretation of major portions of the U.S. Constitution which safeguard personal liberties and those which safeguard the public. An examination of principle trends and changes in the judicial processes in the light of historical experience.

COURSE OBJECTIVES: Upon successful completion of CJ-6620, the student should be able to:

1. Understand the role of the courts in shaping the direction and methods of criminal procedure and law.
2. Analyze the facts, issues and reasoning in legal decisions and recognize the constitutional rationale underlying each decision.
3. Evaluate patterns of evolving case law.
4. Identify and apply the interrelationships between the decisions of the U.S. Supreme Court and American Society.
5. Analyze the decision-making processes of the courts.

6. Evaluate significant current trends in criminal procedure and law.

This course also fosters the following Common Objectives:

- Effective written and oral communication;
- Global understanding and an appreciation of the criminal justice system;
- Research and computer skills;
- The skills and capacity for critical thinking, problem solving, and life-long learning;

TEXTBOOK: "Criminal Procedure - Constitution and Society," 3rd Edition, M. Zalman; Prentiss-Hall

REQUIRED READINGS: Text, U.S. Supreme Court cases and Internet sites as assigned. In addition to reading the text, U.S. Supreme Court decisions, and specified Internet material, the student is encouraged to conduct his/her own research.

EVALUATION: The grades in this course are A, B, C, D, and F. The final letter grade is determined by the number of points accumulated at the end of all assignments: 180-200 points equals an A; 160-179 points equals a B; 140-159 points equals a C; 120-139 points equals a D and below 120 points equals an F. Points will be deducted for the students overall score in the class for each day that an assignment is late.

COURSE GRADING: 4 Outlines (15 pts. each, total 60 points) and 4 Essay Answers (25 pts each, total 100 points) and 1 Final Exam Essay (40 points) (Overall Total of 200 points)

There is additional information on the essays required for this class at the end of this Syllabus, but note that each of the analytical essays should be 5-7 SINGLE-spaced electronically produced pages. Each Outline should be of comparable depth (by that I mean that, from your outline, it should be clear to me what your essay will say - not just what it will cover - what it will actually say). Please do not exceed the page limit for the essay answers, exclusive of references and bibliography. Put your name on each document you submit. Do not use a Cover page. The topics will set some limits on the question you can address, but you will certainly have to limit the essay further in order to stay within the available pages. That means you cannot write the definitive response to the topic, nor can you include everything you can think of concerning it. You must make choices about the topics, examples, and conclusions to include. In the end those are personal choices: "What do I feel is most significant?" The page limit forces you to confront decisions of significance in a way that a 50 page limit does not. Depending on how you work, you may want to write a much longer first and then pare it down by excluding what seems to be tangential or repetitive. Your outline (which is also graded!) will help with this.

You should understand that there is no single “right answer” to these assignments. As the readings will demonstrate, the subject matter of the course is the source of disagreements among scholars and attorneys. Although the Supreme Court may say what is legally correct and what is not, these are not puzzles, for which there is only a single determinate solution. Do not feel compelled to restate the textbook author’s views or my own. This is contentious material, that may change as the Supreme Court changes the law. By the same token, although there are no absolutely right or wrong answers, some essays will be better than others.

What criteria of excellence do I have in mind? First, they should be written with clarity and precision. Literary elegance is not required – lucid, grammatical English is; a poorly written paper will be downgraded substantially, regardless of its content.

Second, the logic of the argument should be sound. All steps of your reasoning should be presented so that your conclusions flow from clearly stated premises. Make sure that in the process of making your argument, you do not contradict yourself.

Finally, marshal evidence in support of your position. The major evidentiary resources that you have are the course readings. These readings should be referred to in detail to buttress the positions you take. Provide appropriate citations for all direct quotations and close paraphrases. Try to limit direct quotations to a small number, limited to those circumstances where the author expresses himself in a particularly vivid way. Do not submit a paper that is simply a string of quotations from other’s work..

The primary sources for the papers should be the course readings (by this I mean the text book and **SUPREME COURT CASES!**) and module notes. Outside sources should be used, as long as they are not employed as substitutes for course materials.

A NOTE ABOUT PLAGIARISM: PLAGIARISM IS THE FRAUDULENT PROCESS OF OFFERING AS ONE’S OWN WORK THE WRITINGS AND/OR IDEAS OF OTHERS. THIS INCLUDES MATERIALS THAT YOU GATHER FROM SOURCES ON THE INTERNET. SUCH PROCESSES WILL NOT BE TOLERATED.

REFERENCE ALL QUOTATIONS AND THOUGHTS THAT ARE NOT YOUR OWN. Use the American Psychological Association’s *Publication Manual* for referencing and typing guidelines.

SUBMITTING WORK

Your papers should be written in Standard English using a 12-pitch format, 1 inch margins, and SINGLE spacing. You can use any font you choose (although, I prefer Times New Roman). Submit all correspondence and assignments (as attachments) by email to the professor. Include CJ-6620 in the subject line. When submitting your papers and comments on discussion boards/e-mails please include the following information (in this order) Course number and title, first and last name, and subject. Include your name on your essays and outlines.

Hardware and Software Requirements: This course requires that the student have:

- Access to a PC with the Windows® 3.1, 95 or 98 operating system (or higher) or a Macintosh® OS 7 (or higher).
- Connection to the Internet and an e-mail account
- Internet Explorer® or Netscape® browser, version 3 or higher
- Java enabled browser
- Microsoft Word® processing software
- Connection to a printer

Class procedures & Course Requirements: This course is an asynchronous interactive distance learning course. Students must assume accountability for their own learning. The course requires that the student read each module and the assigned text and materials incorporated in it, seeking help from the professor when necessary.

Calendar: The course begins the week of March 15 and continues until May 23, 2004. Course modules are designed to be completed on a weekly schedule.

STANDARDS OF CONDUCT: All students are expected to abide by the standards published in the TSU publication, The Oracle, including those related to cheating, plagiarism and furnishing false information to the university or faculty. The university is unambiguous in its focus on maintaining the highest level of ethical standards in the teacher-student relationship. A copy of The Oracle is available to all TSU students.

Incomplete Grade Policy:

Students must request an Incomplete Grade by submitting to the instructor the Petition for and Work to Remove an Incomplete Grade form. In order to qualify for an Incomplete Grade, the student must be passing the course which will be determined by the instructor. **IF** the petition is approved, a signed copy will be mailed to the student. (This petition is online through the distance learning office) * NOTE: The instructor has the option of denying any request for an incomplete if it is deemed that the reason is not valid (for example: just too busy to complete the work). Students may request incomplete grades if EACH of the following criteria is met:

1. You must have completed at least 1/2 of the course work AND taken the MIDTERM exam. If not, you should drop the course through the TSU Distance Learning Center.
2. You have a family, work, or personal emergency arise that prohibits you from completing the coursework by the end of the term. DOCUMENTATION such as a doctor's excuse is REQUIRED. If you are active duty military, deployment, not field exercises, qualifies for an incomplete grade. You will need a letter from an O3 or above to qualify for an Incomplete Grade.
3. You must contact me prior to the end of the course and receive approval for an Incomplete Grade at which time we will agree on the outstanding assignments that must be completed before an Incomplete grade can be issued.
4. You have 4 additional weeks after the term has ended to complete the course requirements if you enroll in a subsequent term, or 1 year if you do not re-enroll. Military students using tuition

assistance or under eArmyU contract may have different timeframes in which to remove an Incomplete Grade.

5. You are responsible for contacting me when you are ready to resume your coursework and obtain the missing assignments.

Make-up Work Policy: Make-up work is not available due to the non-traditional format of this course.

Late Assignments: A 5 point deduction for late assignments will apply for each day the assignment is late.

Honor Code: The awarding of a university degree attests that an individual has demonstrated mastery of a significant body of knowledge and skills of substantive value to society. Any type of dishonesty in securing those credentials therefore invites serious sanctions, up to and including suspension and expulsion (*cf.* Standards of Conduct in each TSU Bulletin). Examples of dishonesty include actual or attempted cheating, plagiarism*, or knowingly furnishing false information to any university employee.

*Plagiarism is defined as submitting anything for credit in one course that has already been submitted for credit in another course, or copying any part of someone else's intellectual work, published or unpublished, including that of other students, and portraying it as one's own. Proper quoting, using strict APA guidelines is required at all times. All students are required to read the material presented at:

<http://www.hamilton.edu/academic/resource/wc/avoidingplagiarism.html>

AMERICANS WITH DISABILITIES ACT:

Any student who has disabilities that fall within the ADA must inform their instructor(s) at the beginning of the term of any special needs or equipment necessary to accomplish the requirements of their course(s).

REASONABLE MODIFICATIONS with notice may be made to this Syllabus.

Additional Services and Student Support: Students who have or may be dealing with a disability or learning difficulty should speak with the instructor or contact the office of Student Services – TSU Distance Learning Center.

CJ6620 Weekly Assignment Schedule T4, 2004

	<u>Assignment</u>	<u>Due Date (no later than midnight)</u>
Week One 03/15/04 - 03/21/04	Module One OUTLINE (15 points)	March 20

Submit (via e-mail) an in-depth Outline setting out the content of the Essay Answer that you will submit next week addressing the Module One Essay Question (this can be found by way of the ASSIGNMENTS button on the left of the screen). You may use all your notes and books.

Week Two

03/22/04-

03/28/04

Module One ESSAY(25 points)

March 27

Submit a complete Essay Answer to the Module One Essay Question.
You may use all your notes and books in preparing this Essay.

Week Three

03/29/04-

04/04/04

Module Two OUTLINE (15 points)

April 3

Submit a full Outline, addressing the Module Two Essay Question.
Use all notes and books.

Week Four

04/05/04-

04/11/04

Module Two (Mid-term) ESSAY (25 PTS) **April 10 (PROCTORED)**

This will be a PROCTORED Exam Essay addressing the Module Two Essay Question - make sure you have made arrangements for an approved proctor to administer this Essay Exam. You will know what the exam question will be, but you will NOT be allowed to use your notes or books.

Week Five

04/12/04-

04/18/04

Module Three OUTLINE (15 PTS)

April 17

Submit a full Outline addressing the Module Three Essay Question.
Use notes and books

Week Six

04/19/04-

04/25/04

Module Three ESSAY (25 PTS)

April 24

Submit a complete Essay addressing the Module Three Essay Question.

Week Seven

04/26/04

05/02/04

Module Four OUTLINE (15 PTS)

May 1

Submit a full Outline addressing the Module Four Essay Question.
Use your notes/books.

Week Eight

05/03/04

05/09/04 Module Four ESSAY (25 PTS) **May 8**
Submit a complete Essay Answer addressing the Module 4 Essay Question.

Week Nine

05/10/04

05/16/04 - Module Five - No written Assignment, but read and consider the Module Five Essay Question. Prepare to write the Essay for Module Five.

Week Ten

05/17/04

05/23/04 Module Five ESSAY (40 Points) **No later than May 19, 2004**

This Essay serves as a "Final Exam" but is NOT administered by a Proctor.

You may use all your notes and books to prepare this Essay.

CJ-6620 ESSAY ANSWERS

The structure, style and content of your essay answers are vitally important for this course. This Section provides guidance as to how you should construct the answers you submit.

Your essay answers should be arranged in three-parts: introduction, body and conclusion. Your Outline should also follow this pattern. The introduction should capture the reader's attention, announce the purpose of the essay and present the essay's theme. The body sequences the points of the essay in a way that is logical and that flows from one point to the next. The conclusion summarizes the points made in the essay, emphasizes the essay's theme and brings a sense of completion. The most difficult part of preparing a good outline is arranging the material in the body in an effective sequence.

*USE THE ESSAY QUESTION

Before you can write a good essay or a good outline you must do your reading and research. As you read, keep note of important points you will want to make in your essay. First read the essay question carefully. Think about it and keep it before you as you outline and write. Continually ask yourself, "what does this piece of information or this part of my outline contribute to my essay?" If it contributes nothing, take it out; if it makes a contribution, analyze the nature of that contribution and explain it to the reader.

***FORMULATE THE THEME OF YOUR ESSAY.** Rather than throwing disconnected bits of information at the reader, your essay should have an organizing theme. What is the ultimate point you want to make about the subject of the essay? Once you decide upon the theme of essay it will be relatively easy to separate the useful information from that

which should be discarded. What you omit from your outline and essay is as important as what you include.

*FIND A PATTERN. Arrange your most important points in an order that leads the reader systematically and logically to your conclusion. Each of the essay questions will dictate its own pattern; prepare your outline in accordance with this pattern.

*ESSAY ANSWERS should generally be written in the third person; in other words, don't use "you" or "I" in the essay except in those limited circumstances where the essay question asks for your opinion.

Write your essay to an "uneducated" reader. Don't assume that your reader is familiar with the cases you use to illustrate your points. In other words, if you cite a particular case to make a point, you must briefly explain why this case illustrates that point. This does not mean providing great detail about the facts or reasoning of the case. It does mean mentioning the court's holding and why the court held the way it did. Be careful of your sentence structure; don't use compound or excessively long sentences. Don't assume the reader is a lawyer - explain what you mean. Write "transition" sentences when you change topics. Use paragraphs.

The biggest problem with essay answers for this course is that they do not go into sufficient depth. Make sure you address all areas of the topic. Do not provide your opinion about the subject of the question unless you are asked to do so.

Here is what I look for when grading your essay:

I. CONTENT

- *Theme - clear, concise, consistent throughout essay
- *Introduction - clear, prepares reader for what is to come
- *Scope - adequate coverage of essay question
- *Key Points - properly selected, relevant
- *Research - evident, comprehensive
- *Reasoning - sound, logical, supported (by cases)
- *Closure - unifying, consistent with essay theme.

II. CONSTRUCTION

- *Organization - clear, consistent, appropriate to essay question
- *Tone - sufficiently formal
- *Paragraphing - one thought per paragraph
- *Transitions - smooth, effective, linkage clear
- *Grammar - correct
- *Sentence Structure - correct