COURSE DESCRIPTION
In this course, emphasis is placed on the constitutional authority to apply the process of enforcement of the law. Attention is given to admissibility of evidence used to convict. Through case study and procedural matters affecting the criminal justice system such as arrest, search and seizure, warrants, admissions, stop and frisk, and identification, pretrial proceedings, conviction, and after conviction processes are examined. Prerequisites: ENG100 and RDG100 or placement. Three credits.

REQUIRED TEXT and COURSE INFORMATION

Supplemental readings and illustrative materials will be handed out in class. Class handouts are one per student; please introduce yourself to a fellow classmate who will get your handout in case of absence (otherwise you will need to come to my office to get the handout). Routinely backup all your computer work, failure to do so is at your own peril - late penalties apply. I strongly recommend reading the outline, main points, summary, and key terms before reading each chapter. Take time to get to know your textbook to include the appendices (especially amendments), glossary, and indexes. These are useful tools that help facilitate your learning experience.

INSTRUCTIONAL OBJECTIVES
Upon successful completion of the course the student should be able to:

• critically analyze how to provide the government with power to enforce law without invading privacy
• list and explain systematic decision points that result in individual deprivations of liberty and privacy
• identify constitutional rules and corresponding cases related to: stop and arrest, frisk and searches, interrogations and confessions, identifications, pretrial proceedings, trial, pleas, sentencing, and appeals
• applying general principles of law to the facts of specific cases
• identifying remedies for constitutional violations to include habeas corpus articulating a point of view and supplying facts to support

These objectives meet selected Mount Wachusett Community College’s General Education Outcomes and Criminal Justice Program Competencies.

TEACHING PROCEDURES
This course will be conducted in a lecture and discussion format. Lectures highlight and explain selected concepts and may supplement text material. Students are expected to attend all classes, actively prepare for class, take notes in class, and participate. Students are expected to remain in the classroom, pay attention, participate, and show respect to all persons within the classroom. Learning aids include a “recap” at the beginning of each class - a great opportunity to ask questions!

OFFICE HOURS:
Tuesday: 1:45-2:45; Wednesday: 3:15-4:15; Thursday: 1:45-2:45. *Monday: Just before class and just after class (10:30-11:00 & 3:00-3:30) is the best time to reach me in my office. Many other times are available by appointment: JUST ASK! Office hours are first come first serve. *Please make an appointment on Mondays.
(Office hours above are at time of printing; changes may be made and will be announced in class).
**ATTENDANCE**
You are either present or absent; there is no such thing as an excused absence. Three absences are tolerable in a three credit course and are intended for illness or emergency (it is not necessary to email me for these three absences). **After six absences you may be dropped from the course regardless of your grade average.** Any combination of three lates and/or leaving early equals one absence. If you come in late it is your responsibility to see me at the end of THAT class to get prorated credit for attendance; if you do not then the absence stands! It is the instructor’s right to lower grades or issue failing grades to students who do not attend class regularly (review policy in the college catalog/student handbook). It is not necessary to email me for the occasional one class absence.

**BASIS AND PROCEDURE FOR STUDENT GRADING**

<table>
<thead>
<tr>
<th>Component</th>
<th>Percentage</th>
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</thead>
<tbody>
<tr>
<td>Exams and Quizzes</td>
<td>30%</td>
</tr>
<tr>
<td>Homework/Cases</td>
<td>30%</td>
</tr>
<tr>
<td>Final Examination</td>
<td>30%</td>
</tr>
<tr>
<td>Attendance/Participation</td>
<td>10%</td>
</tr>
</tbody>
</table>

**COURSE INFORMATION**

**Exams and Quizzes:**
There are two quizzes and two tests = four assessments. I will drop the ONE lowest score of the four assessments but there are NO MAKE-UPS so if you miss one quiz or test it is a zero and you MUST take the other three as scheduled. If you miss two assessments you MUST meet with me to discuss your continuation in the course. If you do not then I may drop you from the course. Only in an EXTREME situation (a documented catastrophic event) will you be allowed to make up an assessment or case assignment. I DO NOT chase after adult college students to complete work. It is your responsibility to meet your obligations. The end of the semester is NO TIME to ask me about making up missed work.

Surprise quizzes may occur in class and count as participation. Prepare by being current on your study and reading. Test and quiz material will be based on reading, assignments, handouts, videos, and/or lecture. Information given in class before the test will focus you to specifics-don’t plan on a written study guide. I will guide you during class on how to effectively manage material in the textbook.

The final exam date for this course will be announced in class. The Final Exam Schedule is always posted around the college and the final exam may not be on the same days that class regularly meets. I will offer you alternative times to take the exam.

The final examination will be, in part, cumulative and include: amendments, main parts of an appellate case, the balance of law concept, the objective basis for main procedural actions (stop, frisk, arrest, searches, trial, and appeals), and *key cases and their rules. [*key cases include but are not limited to: Brown v Mississippi, Chimel v. California, Katz v United States, Miranda v. Arizona, California v Hodari, Neil v. Biggers (Manson v. Brathwaite), Terry v Ohio, Mapp v. Ohio, Tennessee v. Garner, Graham v Connor, and Gideon v. Wainwright].

**NO ELECTRONIC DEVICE SHOULD BE ACCESSED FOR ANY REASON DURING ANY TEST, QUIZ, OR EXAM. A VIOLATION MEANS A FAILING GRADE.** If you leave the classroom during a test, quiz, or exam for any reason there is no returning to that test, quiz, or exam.

**Homework/Cases**
Homework, cases and other classroom activities will consist of case analysis, briefing cases, analyzing issues, and comparison of selected cases. Some light research, short papers, and/or group discussion will be included.

**COURSE INFORMATION**
The Academic Support Center offers help in a variety of academic areas; students are strongly encouraged to use these services. I will suggest test-taking strategies in class when I return and review the tests and also offer study tips throughout the semester. Students are expected to come to class with notebooks and appropriate writing tools. Notes are never taken verbatim (recording of every word). If you do not know HOW to take notes, visit the Academic Support Center for help (for example: criminal justice is never written out in notes; abbreviate “CJ”).
Students should, as a standard practice, use a dictionary to enhance comprehension and use spell-check before submitting work. All work completed outside of the classroom must be proofread; continuous failure to do so may result in a grade reduction.

When you email me, for whatever reason, please put your name, course/section, topic in the subject line. This alerts me that the email is important course business and it is just a good basic business communication practice (college prepares you for the workplace—begin now!). I usually check my email on business days in the late afternoon.

Students should make every effort to be on time for class and avoid leaving the classroom during the class period. Cell phones and other electronic devices should be OFF at all times when in the classroom. If you must use these devices do so in the hallway before and after class.

Always save all work & exams until you get the final course grade.

NO ELECTRONIC DEVICE SHOULD BE ACCESSED FOR ANY REASON DURING ANY TEST OR QUIZ. VIOLATION MEANS A FAILING GRADE. If you leave the classroom during a test, quiz, or exam for any reason there is no returning to that test, quiz, or exam.

Every registered student has a college email account. This account should be checked (and cleaned out) periodically for important messages. In the case of extraordinary circumstances (for example the December 2008 ice storm or a flu pandemic) this account will serve as a primary means of communication as it is connected to the BlackBoard WEB course site. It is STRONGLY recommended if you do not already know, that you learn in the first few days of this semester how to access both email and BlackBoard.

Class time is for the class and not for discussion of personal individual business. As a student you should be aware that you need to schedule your time to accommodate meetings with instructors as well as time to use the library, the academic support center, and conduct your college business. The times just before and just after class are INSUFFICIENT for us to meet. You will need to come to my office on some occasions. In class I will gladly answer questions appropriate to class topic and as time allows. If I do not get to your question, or the question is of a personal nature or beyond the scope of the class, feel free to come to my office to talk. The best time is usually in the afternoon although I will schedule morning appointments as necessary.

There is no “extra credit” work in this course. Work is to be completed and passed in on time. Plagiarism will result in a failing grade for the course.

An Incomplete grade must be by MUTUAL agreement PRIOR to the final exam. Discrepancies about your final course grade should be put in writing submitted to me by registered mail before 30 calendar days from date of the final exam expire. If you stop attending class you have NOT officially withdrawn from the course.

COLLEGE INFORMATION

COLLEGE POLICY: Withdrawal from the College

Students who withdraw from the college should do so in person or in writing. Student must obtain a withdrawal form from the student services office in Gardner or from the receptionist at our branch campuses (Leominster, Devens, Burbank). Students who officially withdraw from the college after the ninth (9th) week for full semester courses or the fourth (4th) week for cycle courses will receive a grade of F. Students who do not officially withdraw from the college (fail to complete the withdrawal form) are subject to a grade of F regardless of the level of performance or the time of withdrawal. Financial aid recipients withdrawing from the college may owe a refund of federal funds disbursed based upon the approved federal refund policy. If a student stops attending classes but does not formally withdraw, the student will receive an “F” in any course involved. F’s are averaged into the G.P.A. for all students.

Withdrawal from a course(s)

A student may formally withdraw from a course through the end of the ninth (9th) week of a full semester or fourth (4th) week of a cycle. A grade of “W” will be recorded on the student’s transcript. Students are required to speak to their instructor or assigned advisor before withdrawing from any course. The procedure for course withdrawal includes getting the proper form from the Enrollment Center in Gardner or from the receptionist at our branch campuses (Leominster, Devens, Burbank), bringing the form to their instructor or assigned advisor, and returning the
signed form to the Enrollment Center or branch campus. Please be advised that ceasing to attend a class may result in an instructor initiating the withdrawal from a class prior to the end of the 9th/4th week. Course withdrawals will not be processed after the 9th/4th week of classes. If the student stops attending after the ninth 9th/4th week of class, the student will receive an F grade. F's are averaged into the G.P.A. for all students. Any withdrawal may affect progress toward degree and future eligibility for financial aid. Contact the Record's Office for information on your student records.

** Administrative withdrawals may occur after the 9th/4th week as a result of extenuating circumstances by following the Withdrawal from the College policy.

Final Grades are not mailed to students. Check WebConnect to find your final grades. They are also available from Enrollment Services.

The college uses the following grading system:

<table>
<thead>
<tr>
<th>Letter Grade</th>
<th>Numerical Value Points</th>
<th>Quality Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>93 - 100</td>
<td>4.00</td>
</tr>
<tr>
<td>A-</td>
<td>90 – 92</td>
<td>3.70</td>
</tr>
<tr>
<td>B+</td>
<td>87 - 89</td>
<td>3.30</td>
</tr>
<tr>
<td>B</td>
<td>83 - 86</td>
<td>3.00</td>
</tr>
<tr>
<td>B-</td>
<td>80 – 82</td>
<td>2.70</td>
</tr>
<tr>
<td>C+</td>
<td>77 – 79</td>
<td>2.30</td>
</tr>
<tr>
<td>C</td>
<td>73 – 76</td>
<td>2.00</td>
</tr>
<tr>
<td>C-</td>
<td>70 – 72</td>
<td>1.70</td>
</tr>
<tr>
<td>D+</td>
<td>67 - 69</td>
<td>1.30</td>
</tr>
<tr>
<td>D</td>
<td>63 - 66</td>
<td>1.00</td>
</tr>
<tr>
<td>D-</td>
<td>60 – 62</td>
<td>0.70</td>
</tr>
<tr>
<td>F</td>
<td>0 - 59</td>
<td>0.00</td>
</tr>
</tbody>
</table>

**DISABILITIES STATEMENT**

Students with documented disabilities who believe that they may need accommodations in this class are encouraged to contact the Counselor for Students with Disabilities (978-630-9120) as soon as possible to ensure that such accommodations are implemented in a timely fashion.

Arrangements must be made between the instructor, counselor, and student at least **ONE FULL WEEK PRIOR** to needing a testing accommodation. A student who chooses, and is approved, an alternative site for test taking will be afforded **ONE copy** of the test at **ONE** location (the classroom OR at the alternative site). The test cannot be taken prior to the start of the class test time and must be completed before the day that the test is passed back to the class. The test must be completed in one sitting without leaving the testing room. If the student chooses to take the test with the class, the test time will not extend past the normal class meeting time. The student is responsible for scheduling the alternative site commensurate with the site’s rules. Changes to an accommodation can be accomplished only by a joint meeting with the Disabilities Counselor, the student, and the instructor.

**CLASS BEHAVIOR AND PARTICIPATION**

College policy requires that you conduct yourself in a mature manner when on campus and within the classroom. **Personal conversation between students during class should be limited.** This type of behavior interferes with other’s ability to listen and is distracting to everyone—especially me. One warning will be issued; the second time you will be asked to leave (this will count as an absence). If the behavior continues you will be asked to meet with the dean before you can return to class. **The result of continued inappropriate behavior is that you will be dropped from the class.** Consult the Student Handbook about the student rights and responsibilities.

Students are expected to treat fellow students and faculty with respect. Prejudiced language is not tolerated. Unlike secondary school, you CHOOSE to come to college and this means you consent to appropriate behavior. Paying tuition and fees affords you no right to behave inappropriately. Consult the Student Handbook about the student rights and responsibilities.

If you cannot see or hear in class, move up front; it is your responsibility to get your needs met. If you have a specific concern or need, see me privately for assistance. **Assigned seating may be used at my discretion.** Sitting, disinterested, in the back of the room seldom helps students succeed! Be active; engage yourself in your education.

Please do not leave trash or spills behind when you leave the classroom. Only water in a plastic screw-top container should be brought into the classroom. **If you must throw out something then save it until the end of class** (if
trash is more important than your education—drop the class). Do not mark up desks, walls, or other state property. It is vandalism. Be watchful of your personal belongings. It is not my job to care for items left behind in the classroom.

If the evacuation alarm occurs, take all belongings with you; move quickly and quietly out of and away from the building—do not assume it is just a drill. **Note the alternative escape routes identified in each classroom.** When the building is reopened, return to the classroom and wait there until the time that class ends—regardless of how long it may take me to get back to the room. I will take attendance when I return.

Sleeping, reading, doing assignments for other classes, writing letters, knitting, wearing headphones, checking cell phones, texting are reasons why you may be asked to leave and conduct your personal business outside of the classroom. Such activities are distracting and they bring the class down! You are in the classroom for the subject content, simply paying tuition or simply attending class does not afford you a right to a passing grade. Course requirements must be completed according to the requirements stated in this syllabus. **Avoid coming and going from the classroom during class unless it is the rare unavoidable emergency.**

**See Your Advisor regularly** to assure that you are completing the required courses in the appropriate semesters according to when the courses you need in order to graduate are offered.

**Educational Philosophy**
I consider students in the college classroom to be responsible adult partners who are interested in their education and in personal growth and development. I see my job as a guide to help students prepare for future study, a career, and/or for intellectual satisfaction. College is different than high school; there is no “game” between instructor and student around getting out of work or skipping classes. The course fulfills educational and professional goals established by the college, department faculty, and advisory board.

I strive to be fair about evaluating work and try to return it promptly. Returned work should be used as a guide to improving future assignments. I respect students’ opinions but offer alternative ideas and facts so that students may build skill and knowledge and think critically. Feel free to disagree, but I cannot entertain long debates during class time. Employers want employees who KNOW and CAN USE what they have learned—not just for one’s personal opinion. Try to be open-minded, mature, realistic, and listen to others’ points of view; I will do the same. Strive to support what you say with reason and fact, not just with feelings and unsubstantiated beliefs.

**Course Topics, Assignments, and Testing Schedule**
This schedule reflects both Mon/Wed & Tues/Thurs dates. Students are responsible for completing all assigned reading as stated above. Dates of tests, lecture, discussion of topics, class activities, and assignments are subject to change. Changes will be announced in advance in class. **ATTEND CLASS REGULARLY TO GET THIS INFORMATION.** Make arrangements with a classmate to get information missed due to absence. Calling a friend is generally faster than waiting for a return email from me. Note that I check my email on business days usually in the late afternoon.

<table>
<thead>
<tr>
<th></th>
<th>Class Meetings</th>
<th>Case Method Discussion</th>
<th>introduction to course</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Jan 20-21</td>
<td>Case Method Discussion</td>
<td>introduction to course</td>
</tr>
<tr>
<td>2</td>
<td>Jan 25-28</td>
<td>Chapter 1: Crime Control in a Constitutional Democracy and Chapter 2: Criminal Procedure and the Constitution</td>
<td>complete reading ch 1 &amp; 2 before class</td>
</tr>
<tr>
<td>3</td>
<td>Feb 1-4</td>
<td>Finish Chapter 2: Criminal Procedure and the Constitution and Start Chapter 3: The Definition of Searches and Seizures</td>
<td>complete reading ch 3 before class; rereading ch 2 suggested</td>
</tr>
<tr>
<td></td>
<td>February 3 &amp; 4*</td>
<td>QUIZ I should cover chs 1-2 (part of ch 3) *exact date to be announced in class</td>
<td>exact chapters announced in class; know amendments, balance of law, main parts of an appellate case</td>
</tr>
<tr>
<td>4</td>
<td>Feb 8-11</td>
<td>Finish Chapter 3: The Definition of Searches and Seizures and Start Chapter 4: Stop and Frisk</td>
<td>complete reading ch 4 before class rereading ch 3 suggested</td>
</tr>
<tr>
<td>5</td>
<td>February 15</td>
<td>President’s Day – No Classes</td>
<td></td>
</tr>
<tr>
<td>Week</td>
<td>Course Meetings</td>
<td>Notes</td>
<td></td>
</tr>
<tr>
<td>------</td>
<td>----------------</td>
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<td></td>
</tr>
</tbody>
</table>
| 5 | Class Meetings  
Feb 16-18 | Finish Chapter 4: Stop and Frisk and Start Chapter 5: Seizure of Persons: Arrest  
February 17 & 18* | complete reading ch 5 before class  
rereading ch 4 suggested  
QUIZ II should cover chapters 3-4 (part of ch 5) *exact date to be announced in class  
exact chapters announced in class |
| 6 | Class Meetings  
Feb 22-25 | Conference - No Class Meetings  
complete assignment on cases |
| 7 | Class Meetings  
Mar 1-4 | Finish Chapter 5: Seizure of Persons: Arrest and Start Chapter 6: Searches for Evidence  
complete reading ch 6 before class  
rereading ch 5 suggested |
| 8 | Class Meetings  
Mar 8-11 | Chapter 7: Special-Needs Searches  
complete reading ch 7 before class  
rereading ch 6 suggested |
| 9 | Class Meetings  
Mar 15-19 | Spring Break – No Classes |
| 10 | Class Meetings  
Mar 22-25 | Catch Up: Finish Fourth Amendment and/or Begin Chapter 8: Self-Incrimination  
complete reading ch 8 before class |
| 11 | Class Meetings  
Mar 29-1 | Chapter 8: Self-Incrimination and Start Chapter 9: Identification Procedures  
complete reading ch 9 before class  
rereading ch 8 suggested  
TEST I should cover chs 6-8 (part of ch 9) *exact date to be announced in class  
exact chapters announced in class |
| 12 | Class Meetings  
Apr 5-8 | Finish Chapter 9: Identification Procedures  
rereading ch 9 suggested |
| 13 | Class Meetings  
Apr 12-15 | Chapter 10: Remedies for Constitutional Violations I: The Exclusionary Rule and Entrapment  
complete reading ch 10 before class  
April 19 | Patriot’s Day – No Classes |
| 14 | Class Meetings  
Apr 20-22 | Chapter 11: Remedies for Constitutional Violations II: Other Remedies against Official Misconduct  
complete reading ch 11 before class  
April 21 & 22* | TEST II should cover chs 9-10 (part of ch 11) *exact date to be announced in class  
exact chapters announced in class |
| 15 | Class Meetings  
Apr 26-29 | Chapter 12: Court Proceedings I: Before Trial  
Chapter 13: Court Proceedings II: Trial and Conviction  
complete reading ch 12 & 13 before class |
| 16 | Class Meetings  
May 3-6 | Chapter 14: After Conviction and Chapter 15: Criminal Procedure in Crisis Times  
complete reading ch 14 & 15 on your own  
May 6 | Last Day of Classes |
|  | May 10-13 | FINAL EXAM | date and time to be arranged |
|  | May 20 | GRADUATION |

Continuing in this course past *Drop and Add* signifies acceptance of all policies and rules in this syllabus.