COURSE NUMBER: CJ303  
COURSE NAME: Constitutional Law  
Spring 2016, Session II, Rainsville, Business Education, Rm. 102  
Dates: 2/17, 24, 3/2, 9, 16  
5:30-9:30

INSTRUCTOR’S NAME: Dr. Dara Patterson

CONTACT INFORMATION: dpatterson@hawks.huntingdon.edu

COURSE DESCRIPTION: This course provides an analysis of the U.S. Constitution as it relates to law enforcement and corrections. Specifically, the course examines the First, Fourth, Fifth, Sixth, and Eighth Amendments to the U.S. Constitution and the protections they afford for individual rights and liberties.

PREREQUISITE: CJ100 (or equivalent)


COURSE LEARNING OUTCOMES:

• Identify and discuss the basic concepts and doctrines of the U.S. Constitution.
• Describe the Amendments in the Bill of Rights most frequently encountered by law enforcement personnel and their practical application in criminal investigations. Those Amendments are the First, Second, Fourth, Fifth, Sixth, and Eighth as they relate to freedoms of speech, press, and assembly; the right to bear arms; seizure of persons and property; wiretapping/eavesdropping; interrogations and self-incrimination; double jeopardy; rights of the accused; humane punishment; civil rights; ethical considerations.
• Apply ethical standards associated with constitutional issues to the decision-making process in the criminal justice system.

COURSE ASSIGNMENTS & GRADING CRITERIA:

Exams: Five quizzes. Each quiz is worth 100 points, for a total possible of 500 points from quizzes. Each quiz covers the subject matter of its respective class session and is not cumulative. Each quiz will also include one discussion question which may be answered at your option. Discussion answers will be evaluated, and points earned will be “bonus” points for the respective quiz. The purpose of the quiz is to make certain that you have read the text. Questions appearing on the quiz may not necessarily be taken from the presentation and discussion of the material during the class.
Writing Assignments: There will be a writing assignment due for each class. Each writing assignment will be worth 25 points, for a total possible of 125 points from writing assignments. The subject matter of each writing assignment will be taken from the material covered in the text for that class period. The purpose of the writing assignments is to assess your critical thinking skills and ability to apply what you have learned in the text to a real-life situation. Wherever you see instructions to use the Internet and do a search, please do the following: a) go to the Library's web site, and use our online catalogue (Countess OneSearch); and b) go into the Library’s databases. If you do not find what you are seeking there, you may search the Internet at large, but do not use Google; use Google Scholar for your searches.

Quiz scores will be averaged and will be equivalent to 50 percent of your overall grade for the course. Written assignments will be equivalent to 40 percent of your overall grade for the course.

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<thead>
<tr>
<th>Grading Elements</th>
<th>Percentage:</th>
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<td>Weekly Assignments</td>
<td>40%</td>
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<td>Quizzes</td>
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<tr>
<td>Participation</td>
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GRADE POINT EQUIVALENTS - Describe the point range for each letter grade.
A = 90-100
B = 80-89
C = 70-79
D = 60-69
F = 59-below

ATTENDANCE POLICY:

Absences and Tardiness – All students are required to attend the first session. Those who do not attend the first session will be automatically dropped from the course. Students with more than one absence will receive an "F" for the course. Since this class meets only five times, missing a single class meeting is equivalent to missing three weeks of a regular term. If you cannot attend a class you must let the instructor know via email as soon as possible. In case of absences you are responsible for obtaining all handouts and assignments. Tardiness may result in a deduction in your class participation grade. Excessive tardiness may count as an absence.

Participation – Participation is not the same as attendance. Participation requires students to come to class prepared to actively participate, which makes the classroom experience more meaningful. However, participation is not just speaking out in class. The contributions made by the student should be related to the course content and meaningful to the class discussion.

Late Assignments – Late assignments are NOT accepted unless under extreme emergency situations.
Accommodation of Special Needs - Huntingdon College makes every reasonable accommodation for disabilities that have been processed and approved through our Disability Services Committee in accord with the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. In order to request disability-related services at Huntingdon College, students must self-identify to the Disabilities Intake Coordinator, Camilla Irvin, and provide appropriate and up-to-date documentation to verify their disability or special needs. After the accommodations have been approved by the Disability Services Committee, the 504 Coordinator, Dr. Lisa Olenik Dorman, will notify your professor(s) of the committee’s decision. If you have any questions regarding reasonable accommodation or need to request disability-related services, please contact Disability Services at (334) 833-4577 or e-mail at disabilityservices@huntingdon.edu.

Medical Considerations - If you have a medical condition that may preclude participation in this course or any aspect of this course, the College suggests you consult your physician. The College will work with you based upon physician recommendations to find the best means to address any concerns.

Title IX Statement - Huntingdon faculty are committed to supporting students and upholding the College's non-discrimination policy. Under Title IX, discrimination based upon sex and gender is prohibited. If you experience an incident of sex- or gender-based discrimination, we encourage you to report it. While you may talk to a faculty member, understand that as a "Responsible Employee" of the College the faculty member MUST report to the college's Title IX Coordinator what you share. If you would like to speak with someone who may be able to afford you privacy or confidentiality, there are people who can meet with you. Faculty can help direct you or you may refer to Huntingdon's Sexual Misconduct Policy at http://www.huntingdon.edu/student-life/student-service/misconduct. You do not have to go through the experience alone.

Academic Honesty – Plagiarism is literary theft. Failure to cite the author of any language or of any ideas which are not your own creation is plagiarism. This includes any text you might paraphrase, as well. Anyone is capable of searching the Internet or any printed media; your research paper is intended to broaden your knowledge, stimulate your creativity, and make you think, analyze, and learn. It is not consistent with the College Honor Code, nor with scholarly expectations to submit work which is not the product of your own thinking and research. Severe penalties will result upon the submission of any work found to be plagiarized, including potential failure of the entire course. It is easy and simple to properly cite all sources used in your paper. Take no risks – cite your sources.

Huntingdon College Library: As an EB student you have access to the full-range of electronic resources provided by the Library of Huntingdon College. Your first step upon enrollment at Huntingdon should be to register for a library account. You can do this by going to the Library’s web site at http://library.huntingdon.edu/ and under “EB Services” complete the “Library Card Application” form and submit it. You will receive shortly your personal library account information, which will then allow you to access a variety of resources including databases. Should you ever have a problem accessing the Library’ electronic resources, please contact the
*Among the Library’s electronic resources, you will find a number of databases specific to the area of criminal justice and its allied fields of study. You will also find databases that support your core courses in such fields as English, history, communications, the arts, and the sciences. You may be familiar with the AVL (the Alabama Virtual Library) and have your own AVL card. As a student at Huntingdon College, you no longer need to maintain your own AVL card, if you access the AVL through our web site. Simply click on “Campus & Library” rather than “Home Access” within the AVL. A few other mentions: /Countess/ is the name of the Library’s online catalogue and among its holdings you will find electronic books. If you want to know what full-text electronic journals are available to you through the Library’s databases, you can use the /Serials Solutions/ link on our web site. You can limit your search by discipline (such as “Criminal Justice”). If you use Google for any of your research, we greatly encourage you to use /Google Scholar/ and /Google Books/. These features of Google will direct you to resources appropriate for academic research.*

CLASS SCHEDULE:

Week One – A Foundation for Understanding Constitutional Law

Reading Assignment
Chapter 1: A Historical Overview
Chapter 2: An Overview of the U.S. Legal System
Chapter 3: The U.S. Supreme Court: The Final Word

Writing Assignment #1
If the basic purpose of the U.S. legal system is to ensure fairness in balancing individual and societal rights and needs, is that end best served by an adversarial system in which the person with the best lawyer often comes out on top? Does this system of justice provide equal access to people of different socioeconomic classes? Write your answers to these questions in the form of an essay. Do an Internet search, and use some of the material you gather in writing your essay. Be prepared to present your essay to the class.

Quiz #1 at the end of the session.

Week Two – The Guarantees of the Constitution: Civil Rights and Civil Liberties

Reading Assignment
Chapter 4: Equal Protection under the Law: Balancing Individual, State, and Federal Rights
Chapter 5: The First Amendment: Basic Freedoms
Chapter 6: The Second Amendment: The Gun Control Controversy
Writing Assignment #2
Officer Weltz is sent to take a report of a domestic assault. When he arrives, the victim Julie Johnson, explains that she and her husband, Jack Johnson, were having an argument over the bills. The husband became upset because he is out of work, and she was mad because he stopped looking for a job. He began drinking a lot of beer, and the argument continued. During a particularly heated exchange, Jack slapped Julie on her cheek. After slapping Julie, Jack left the house. He was still gone when the officer arrived. Officer Weltz could see a red mark on Julie’s cheek, which was slightly swollen. Officer Weltz’s department has started an initiative at prosecuting domestic violence more effectively. Part of this initiative is that the officer is to ask the victim if the abuser/suspect has any guns. If so, the officer is to take them for “safekeeping” in an effort to keep any future abuse from involving the gun. Also, if later convicted of domestic abuse, the abuser would not be able to legally own a firearm because of federal law. Officer Weltz asks Julie if Jack owns any guns. She says that he owns a hunting rifle and a semiautomatic handgun. She shows them to Officer Weltz, who seizes them for safekeeping under his department policy. He brings then to the station where they are inventoried. (1) Does the taking of the guns for safekeeping violate procedural due process? (2) Would the length of time for “safekeeping” matter in making your decision? (3) Do you think anyone can own any gun, or is the government allowed to regulate ownership to some degree? Write your answers to these questions in the form of an essay. Be prepared to present your essay to the class.

Quiz #2 at the end of the session.

Week Three – The Fourth Amendment: Governing Constitutional Searches and Seizures

Reading Assignment
Chapter 7: The Fourth Amendment: An Overview of Constitutional Searches and Seizures
Chapter 8: Conducting Constitutional Seizures
Chapter 9: Conducting Constitutional Searches

Writing Assignment #3
Officer Smith and other officers are on their way to execute a search warrant at a house for illegal drugs at 2 p.m. They are driving marked police cars and are all in police uniforms. The house is a small, one-story house. The search warrant does not allow for a no-knock entry. As the officers arrive, they approach the front of the house and see someone peek out the front window. As they get to the front porch, the officers hear someone shouting, “It’s the police!” Then footsteps are heard running around the inside of the house. Although the search warrant does not provide for a no-knock entry, Officer Smith rushes to the front door and kicks it open without knocking and announcing himself. The front door is damaged. All the officers enter the house and detain the three occupants. Drugs, a scale, and money are found on the kitchen table. The three people are arrested and brought to jail. The arrestees challenge the fact that the search warrant did not allow for a no-knock entry, and the officers ignored that and forced entry with no announcement. The police argue that exigent circumstances existed to dispense with the rule and allowed them to enter as they did. Write an essay, answering the following questions. (1) What facts point to the belief that the occupants might destroy any drugs before police could seize them? (2) What is the level of “proof” required that this possibility exists? (3) Should the need to
secure evidence outweigh someone’s privacy interest in their own home? Be prepared to present your essay to the class.

**Quiz #3 at the end of the session.**

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**Week Four – Due Process: The Fifth, Sixth, and Eighth Amendments**

**Reading Assignment**
Chapter 10: The Fifth Amendment: Obtaining Information Legally
Chapter 11: The Sixth Amendment: Right to Counsel and a Fair Trial
Chapter 12: The Eighth Amendment: Bail, Fines, and Punishment

**Writing Assignment #4**
Billy was in jail awaiting trial after being charged with distributing marijuana. During his time in jail, he asked several inmates if they knew anyone who would “take care” of the witnesses who were to testify against him. These inmates went to prison officials, who in turn notified the police. After hearing this, the police put a paid informant in the cell with Billy. The informant was told not to ask Billy anything about his marijuana dealing, but he was free to inquire all he wanted about Billy wanting someone to “take care” of the witnesses. The informant stayed with Billy for five days in the cell. Billy asked several times if the informant knew anyone he could hire. The informant finally said he did, and Billy went so far as to give the informant names and addresses and have his girlfriend deposit money into the informant’s bank account. Billy was later charged with conspiracy to commit murder and witness tampering based on the informant’s information. Billy moved to have the evidence suppressed claiming violation of his Sixth Amendment right to counsel. The court denied this because the informant asked Billy about these related crimes BEFORE he was charged with them (he had been charged only with distributing marijuana at that point), and the right to counsel had not yet attached. Write an essay, answering the following questions. (1) When did the right to counsel attach in each crime? (2) What effect does the timing of each charge have on whether or not police can question Billy? (3) Think back to Miranda. Does it come into play in this scenario? Be prepared to present your essay to the class.

**Quiz #4 at the end of the session.**

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**Week Five – Coming Full Circle**

**Writing Assignment #5**
Is there a present-day concern that the national government is too powerful? Why do those concerns exist? What are the specific concerns about the power of the national government? Write your answers to these questions in the form of an essay. Do an Internet search, and use
some of the material you gather in writing your essay. Be prepared to present your essay to the class.

Quiz #5 at the end of the session.