University of Arkansas Rich Mountain
CRIM1033 – Criminal Procedures
Fall 2023 Online

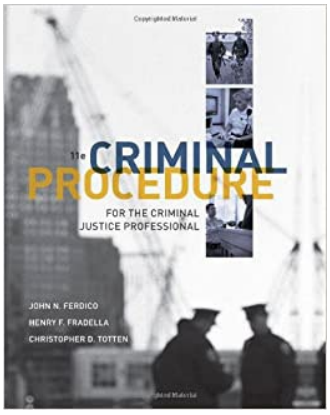
Class Time and Location: Online
Instructor: Justin McLemore M.S.
Office Location: Remote
Office Hours: M-F 10:00 A.M. – 12:00 P.M.
Cell phone: 580-453-1669 (if urgent, however, I prefer that my students contact me through email)
Email: jmclemore@uarichmountain.edu
Prerequisite: N/A

Course Description: CRIM1033 3 CR. (3 LEC.) Criminal Procedures.

This course covers police work including arrests, search and seizure, and other criminal procedures affected by laws and regulations in Arkansas and the United States; including, but not limited to, a survey of criminal procedures involving laws of arrest, search and seizure, the criminal trial process, collection and processing of evidence, and the use of evidence at criminal trial, as well as the exclusionary rule, and the Miranda Warning. (Offered on demand)

Resources:

Criminal Procedure for the Criminal Justice Professional; 11th edition, Ferdico, Fradella, & Totten (2013). Publisher: Wadsworth, Cengaga Learning ISBN: 978-1-111-83558-3 (hardback).



Program Outcomes: Criminal Procedures

This program instructs and prepares students to the expectations of the criminal justice proceedings involving laws of arrest, search and seizure, the criminal trial process, collection and processing of evidence, and the use of evidence at criminal trial, as well as the exclusionary rule, and the Miranda Warning.

Program Outcomes:
After participating in the learning environment offered through this program and successfully completing the required courses the successful student will be able to:

- Demonstrate an understanding of the criminal justice curriculum and the criminal justice process.
- Understand the intricacies of the laws in relation to each facet of arrest, search and seizure, and criminal trial process, respectfully.
- Understand the complex process of the criminal justice system.
- Understand the principles and philosophy of criminal law and rules associated with evidence collection and the use of that evidence within a court of law during a criminal trial.
- Demonstrate the acquisition of knowledge concerning the exclusionary rule and the Miranda Warning by means of discerning the differences between the two with an emphasis on when and how they apply during the criminal procedure process.

Rationale: Criminal Procedures is a specialized portion of the criminal justice system with the scope of examination of the rules and regulations that U.S. authorities must abide by, established and mandated by the U.S. Constitution, and how those rules and regulations effect the U.S. citizen with an emphasis on said citizen's rights. This course will explore any and all relevant applications of these rules and regulations with an emphasis on their practicality throughout the due process portion of the criminal justice system.

Course Objectives: Upon successful completion of Criminal Procedures, the student should be able to do the following:

- Explain the history of the U.S. Constitution
- Demonstrate knowledge of rights granted by the constitution and the Bill of Rights
- Demonstrate knowledge of the structure of the U.S. Court System
- Demonstrate knowledge of criminal proceedings
- Explain motions to suppress evidence
- Explain privacy, probable cause, and reasonableness
- Demonstrate knowledge of grounds for search warrants
- Explain the executing of search warrants
- Explain electronic surveillance and electronic information searches
- Demonstrate knowledge of administrative search warrants
- Explain special needs searches
- Explain arrests
- Demonstrate knowledge of searches incident to arrest and protective sweeps
- Explain stops and frisks
- Explain voluntariness of consent
- Demonstrate knowledge of the scope of a consent search and who is allowed to give consent
- Explain plain view and its requirements
- Explain the Carroll Doctrine
- Demonstrate knowledge of impoundment and inventory
- Explain open fields
- Explain abandoned property
- Demonstrate knowledge of Interrogations, Admissions, and Confessions
- Identify and Explain Pretrial Visual Identification Procedures
- Explain the process of Criminal Trials, Appeals, and Postconviction Remedies

Topical Outline/Course Schedule:

This class will have assignments every week, except for Spring Break; however, it is highly encouraged that you utilize your time during Spring Break to work on your Mid-term Research Paper Assignment. There will be readings, discussion boards, writing assignments, and tests throughout the duration of the course. This course will contain a Mid-term Research Paper Assignment (1500 word minimum of body) and a Final Exam. Students are expected to strictly adhere to the course schedule. The instructor reserves the right to change, augment, or alter the course schedule at any time. If the instructor chooses to do so, an announcement will be made on blackboard.

Week of 08-21-23	Getting Started and Introductions
Week of 08-28-23	Module 1 (Chapters 1, 2, and 3 Discussions)
Week of 09-04-23	(Quiz #1 Review and Quiz #1 attempt is timed)
Week of 09-11-23	Module 2 (Chapters 4, 5, and 6 Discussions)
Week of 09-18-23	(Quiz #2 Review and Quiz #2 attempt is timed)
Week of 09-25-23	Module 3 (Chapters 7, 8, and 9 Discussions)
Week of 10-02-23	(Quiz #3 and Quiz #3 attempt is timed)
Week of 10-09-23	Module 4 (Research Paper – Choose/Submit Topic Proposal)
Week of 10-16-23	(Research Paper Assignment – Write/Submit Abstract for Approval)
Week of 10-23-23	Module 5 (Chapters 10, 11, and 12 Discussions)
Week of 10-30-23	(Quiz #4 Review and Quiz #4 attempt is timed)
Week of 11-06-23	Module 6 (Submit Research Papers)
Week of 11-13-23	Module 7 (Chapters 13, 14, and 15 Discussions)
Week of 11-20-23	Thanksgiving Break
Week of 11-27-23	(Quiz #5 Review and Quiz #5 attempt is timed)
Week of 12-04-23	Module 8 (Final Exam Review)
Week of 12-11-23	(Final Exam)

Course Conduct:

This course is conducted through reading material assigned, brief on-line lectures and/or videos, with lengthy homework/writing assignments. You cannot pass the course without doing the homework or writing assignments.

Every assignment is vital to the success of this course.

Discussion posts are worth 10 points for the student's primary post (250 word minimum) and 5 points each for their responses to two of their peers (50 word minimum for each response) for a total of 20 points obtainable for each discussion post.

Tests are worth 100 points each and may contain multiple choice, true or false, fill in the blank, or short essay.

Grammar and punctuation will be of utmost importance concerning each of the assignments and will have a significant impact on each student's grade.

You are encouraged to form study groups to complete your homework. If you are having extreme difficulty, please make an appointment with me to discuss it. Please expect a minimum of nine hours of work per week on this class.

COURSE REQUIREMENTS:

***Timeframe for Participation*:** Our week as an on-line class will be conducted beginning each Monday at 8:00 a.m. and ending each Sunday at 11:59 p.m. The course content will be available at all times. **However, assignments, tests, etc… will only be posted and accepted during the previously outlined dates in your course schedule. This means that the tests will no longer be available after Sunday at 11:59 p.m. for the corresponding week.** I encourage you to take detailed notes as I will allow them to be used for the final exam.

Student participation is critical to the success of this class. To be a successful online learner, you must be highly self-motivated. You will be graded on your responses, timeliness of submitting homework, communication with other students, and meaningful contributions to the discussion boards. The discussion board is where you make the class come alive, so be sure to participate early and often!

Blackboard automatically tracks and records every click, including your name! I can see if and when you logged on, the date and time of day you logged on, and even what you accessed once you logged on. This is one way I can determine whether or not you participated in the assignment.

Getting Started Module: The student is required to record a minimum of two (2) minute length introductory video and upload said video to blackboard. This is so that the class will have a face to a name. The purpose of this video is to make this online format class seem more like an in-person classroom experience. This will give you an opportunity to introduce yourself to your fellow classmates as well as take attendance. The instructor will also participate in the video assignment and the student will need to follow the instructor's example in the creation of their own introductory video. **This will be a graded assignment under the getting started module, but it is also important that you take the time to participate because this will determine whether or not you are allowed to stay in the class.** Students who are reported to the registrar as never attended after the first week in the semester may be automatically withdrawn from the course. If you have any questions regarding this policy, please contact the registrar directly.

Reading assignments: I cannot stress enough the importance of keeping up with the lecture notes, power points, other assigned readings, or instructional videos as they are an integral part of this course.

Discussion board: There will be fifteen (15) discussion boards throughout the course of the semester that will require your participation. Your participation will be tracked and recorded as a grade. In order to obtain the full participation points you will be required to post at least one response to the question (250 word count minimum) **AND** two peer responses (50 word count minimum) to your fellow classmates' comments. **It is extremely important that your comments remain professional and academic at all times.** There will also be a discussion board (thread is located under the Getting Started Module) available for students to communicate with each other or the instructor regarding issues/questions concerning the class. This will NOT be a graded discussion board.

Written assignment (critical thinking): The student will be required to compose, construct, and do their

due diligence regarding their collection of citational sources for their Mid-term Research Paper assignment. The Mid-term Research Paper Assignment (1500 word minimum of body) is a large amount of your overall grade in this course and requires you to do your own research concerning a relevant topic of your choice within the scope of the course. **I expect you to apply critical thinking to this assignment and not copy information directly from your text, the internet, or from your cited sources.**

Tests: There will be five (5) tests throughout the semester during this course. Material for the tests will come from the text, class lecture notes/power points, and discussion board topics. The tests will be a combination of multiple choice, true-false and short essay. Each test will be worth 100 points.

Final Exam: There will be a Final Exam during the last week of the semester. The student is expected to produce and keep excellent notes during the duration of the course as these notes will be allowed during the Final Exam; however, no other materials will be permitted. Respondus Lockdown browser may be utilized at the sole discretion of the instructor.

Approximate Time Required for Individual Activities: This course will be conducted using a variety of instructional methods and learning activities, including but not limited to, discussion boards, homework, exams, written activities, and online activities. Approximately 20-30 hours per week will be required for successful completion of course requirements. Read, read, and re-read directions and information carefully before emailing or calling for help. You will find most of your questions answered in the course syllabus or on the discussion board.

Expectations for Communications: Check the course website every day, at least five days a week.

Email Address – You are required to use your UARM student email address when using Blackboard. In addition, you are required to REGULARLY check your UARM student email account. All email correspondence will be sent to your UARM student email address. Refer to the Blackboard login page for details about your UARM student email address. **Be sure to include your name <u>AND</u> name of course you are inquiring about, in the body or subject line of every email you send to me.**

Activity and Other Assignment Expectations: The due dates for all assignments are listed on the Assignment Schedule, posted under Course Information. All components of the weekly assignments (written assignments, discussion board posts, etc.) must be submitted by 11:59 p.m. (midnight) on the due date. The instructor does not accept late submissions of any kind.

UARM Credit Hour Calculator: For every course credit hour, you should expect to spend at least three clock hours per week of concentrated attention on course-related work, including but not limited to time attending class, as well as out-of-class time spent reading, reviewing, organizing notes, preparing for upcoming quizzes/exams, problem solving, developing, and completing homework, and other activities that enhance learning. For a three-hour course, a typical student should expect to spend at least nine hours per week dedicated to the course. This includes the time spent in class.

<u>Course Requirements/Evaluation</u>:

Grading scale:

The student will earn a letter grade based on their point accumulation on the required tasks of the course, compared against the total possible points for the required tasks. Grades will be assigned using percentages as follows:

<u>Requirements</u>

Getting Started Module	10 points
Tests (5 at 100 pts. each)	500 points
Discussions (20 pts. each)	300 points
Research Paper	140 points
Final Exam	150 points
Total Points Possible	1100 points

A = 801-1100
B = 601-800
C = 401-600
D =201-400
F = 0-200

Extra Credit Policy:

The instructor typically does not award bonus points or issue bonus assignments; however, the instructor reserves the right to award bonus point or bonus assignments and allot bonus points at the instructor's discretion. If any bonus assignments are presented, they will be available to the entire class as a whole and not on an individual basis. As stated previously, extra credit is not generally given by this instructor and should not be expected.

Class Procedures/Student Requirements:

The course is designed into a weekly module format. Each module contains all required work to be completed for the week including relevant reading assignments. Students are expected to complete and participate in weekly discussion boards that will count toward attendance. Each student is required to respond to at least two other student's discussion post for full credit.

Academic Dishonesty: Academic Dishonesty includes but is not limited to the following:

1. Cheating – copying from another student's test paper; using any unauthorized assistance in taking quizzes, tests, or examinations; possession during a test of materials that are not authorized by the person giving the test (such as class notes or specifically designed "crib notes"; dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out assignments; the acquisition, without permission, of tests or other academic material belonging to a member of the UA Rich Mountain faculty or staff.

2. Plagiarism – Offering the work of another, whether published or not, as one's own without proper acknowledgement (citations of the authors and their respective sources of the cited material); the use of another student's work wholly or in part without proper recognition or documentation; the use of another student's work as one's own; or the purchase, use or provision of an already prepared paper.

3. A.I. – The use of an Artificial Intelligence program or website (such as Chatgpt) for any assignment in this course will result in disqualification and **IMMEDIATE DISMISSAL** from this course and/or other courses that this instructor teaches.

4. Aiding and abetting another person in committing any form of academic dishonesty.

5. Providing material or information to another person which allows for these materials or information to be used improperly.

6. Posting or selling course materials.

7. Making, possessing, or using any falsified college documents or records; altering any college document or record, including identification cards.

8. Knowingly providing false information to college officials, including disciplinary hearing bodies.

9. Passing insufficient funds checks or fraudulent money orders in payment of any financial obligations to the College.

10. Falsely claiming to represent the College or a registered student organization of the College.

Academic dishonesty is an academic offense and a behavioral violation and as such, will be reported to the Vice Chancellor for Student Affairs Office. The Vice Chancellor for Student Affairs Office provides information on the academic due process in instances of academic dishonesty. The student may also face the behavioral process as well.

Academic Dishonesty will not be tolerated in any of my courses. A student found violating or committing Academic Dishonesty will, at the very least, receive an automatic F for the assignment in question. Upon discovery of an instance of Academic Dishonesty, the instructor will review all previous work submissions by the violator to ensure that no more Academic Dishonesty violations exist prior to the initial discovered violation. The student in violation of Academic Dishonesty, in addition to receiving an F on the assignment in question, will be reported to the Vice Chancellor for Student Affairs Office for any further warranted disciplinary sanctions. **A second offense of Academic Dishonesty within my course will result in an immediate dismissal from my course were the Academic Dishonesty occurred.**

Disability Policy: It is the policy of UARM to accommodate students with disabilities, pursuant to state and federal law. Any student with a disability who needs accommodations should contact the Vice Chancellor for Student Affairs Office, 394-7622 ext.1400.

Title IX and Discrimination Policy: UA Rich Mountain adheres to a policy that enables all individuals, regardless of race, color, gender, national origin, age, religion, sexual orientation, veteran's status, or disability, to work and study in an environment unfettered by discriminatory behavior or acts. Harassment of an individual or group will not be condoned, and any person (student, faculty, or staff member) who violates this policy will be subject to disciplinary action.

Harassment that is considered discriminatory includes actions or conduct (verbal, graphic, gestural, or written) directed against any person or group with the intent to demean or create a hostile or threatening environment. It is not the intent of this policy to infringe upon or limit educational, scholarly, or artistic expression. Any person who believes he or she has been discriminated against should contact the Title IX Coordinator to obtain assistance and information concerning the filing of a complaint.

Arkansas Clean Air Act: In compliance with the Arkansas Clean Air Act, UARM is a smoke and tobacco free facility. Students and guests are to refrain from the use of all tobacco products while on campus.

Student Misconduct: Students committing misconduct are subject to disciplinary sanction(s) and or restrictions. Misconduct or prohibited behavior includes, but is not limited to endangerment, harassment, disruption, sexual misconduct, dishonesty, illegal drugs and/or alcohol, fire or safety issues, gambling, property violations, computer violations or other violations as listed in detail in the UARM catalog.

Face Mask Policy: Students are encouraged but not required to wear face masks in class and public spaces.

Attendance Policy: It is the student's responsibility to immediately contact the instructor if they will not be present for class. A student who is displaying symptoms of illness must email: contact.tracing@uarichmountain.edu to determine next steps for an excused absence related to COVID or flu. Contacting an instructor **DOES NOT** start this process or guarantee an excused absence.

Food and Drink: Food and drinks, including water are not allowed in the classroom at any time.

UA Rich Mountain Mission: The University of Arkansas Rich Mountain provides transformative education to all learners.