



## **CJ 431.01W Criminal Justice, Law and Courts COURSE SYLLABUS: Fall 2022**

**8/29/2022 through 12/16/2022**

### **INSTRUCTOR INFORMATION**

**Instructor:** Elvira White-Lewis, JD/PhD, Associate Professor Emeritus

**Office Hours:** Virtually via Zoom and by appointment

**University Email Address:** elvira.white-lewis@tamuc.edu

**Preferred Form of Communication:** Email

**Communication Response Time:** Emails are answered within 24 hours M-F during business hours (9-5) Monday-Friday

**Class time:** Virtually

### **COURSE INFORMATION**

#### **Materials – Textbooks, Readings, Supplementary Readings:**

**Textbook Required:** Newbauer, David and Fradella, Henry R. (2019). *America's courts and the criminal justice system*. Wadsworth-Cengage Learning. 13<sup>th</sup> ed. ISBN:978-337-55789-4

Books should be available in the University bookstore or you may choose to purchase/rent online to save money.

Recommended Readings:

[https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson\\_police\\_department\\_report.pdf](https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson_police_department_report.pdf)

<https://www.justice.gov/opa/pr/justice-department-announces-findings-investigation-baltimore-police-department>

<https://www.justice.gov/opa/file/883366/download>

### **Course Description**

This course is designed to assist you in obtaining a basic understanding of the process of courts and criminal procedure. Criminal procedure is the “how” of the criminal justice system. It is the body of rules that guide the conduct of criminal justice officials from the point of contact between a police officer and a suspect to the time at which a convicted offender is sentenced by a judge or jury. The course will include a discussion of the constitutional rules and case law as they apply to the rights of suspects and defendants.

## Student Learning Outcomes

1. Identify the major actors in the U.S. criminal court system and differentiate their roles and responsibilities.
2. Describe the structure of the U.S. criminal court system and its foundation in criminal law.
3. Discuss the key issues relating to the Fourth, Fifth, Sixth, Eighth and Fourteenth Amendment as they apply to criminal procedure.
4. Identify the impact of criminal law and procedure on U.S. criminal court practices
5. Evaluate racial disparity issues in the U.S. criminal court system.

## COURSE REQUIREMENTS

### Minimal Technical Skills Needed

Using the learning management system, using Microsoft Word and PowerPoint, using presentation.

### Instructional Methods

**CLASS FORMAT:** Every effort will be made to provide the best possible learning experience for students by blending lectures, discussions, and appropriate reading assignments online utilizing Zoom experience via D2L. I will hold **online sessions** as scheduled in the course calendar. We will be discussing many current, interesting, and often controversial subjects. Thus, a mature attitude is assumed of all students. **Do NOTHING that will interfere with anyone else's opportunity to learn in this class. Disruptive Behavior of any kind will not be tolerated.** I will also use multiple class sessions to teach you court procedure such that you are prepared for Mock Trials.

**EXAMINATIONS:** There will be two major examinations worth 100 points each and one quiz worth 100 pts. The exams will include multiple choice, true/false, short answer and essay questions. The exams are scheduled in the course outline. Adjust your schedule now--do not make plans that conflict with exam dates! If you miss one of the exams for an **excused** reason, you will take the make-up exam immediately following the final exam on the same date.

**All exams will be taken via D2L and all exam grades will also be posted on D2L.**

### **COURSE PROJECT: Mock Trial**

Each student will participate in the investigation, research and preparation of a criminal case for trial. This is the experiential portion of this class. Groups will be randomly selected by the professor and each group will be given a hypothetical case to litigate (100 points).

**Discussion Posts:** (2 discussion posts) Student Learning Outcomes #1, #2, #3, and # 4: The student will obtain a basic understanding of important issues in Courts and Criminal Procedure. The student will learn to utilize critical thinking skills. The student will learn how to apply course concepts to 'real life' white collar/issues. The student will be an active and engaged participant in discussion forums by analyzing and evaluating information presented within the textbook, external readings/resources, student research, and class activities.

The discussion forums are related to the chapter readings and other materials. Upon completion or near completion of the assigned readings and activities, you are expected to engage in an **ongoing** discussion/debate with your classmates. Your contributions to the discussion forums will be graded for **quality, timeliness** of your contributions, and a **detailed analysis** linking together theory (readings) to application (activities/'real life' CJ/Courts and Criminal Procedure).

You are required to answer the discussion questions using your textbook/additional materials (if applicable/required) as your primary source(s). Additional source materials are always welcome and should be cited accordingly and are sometimes required in order for you to complete the assignment. Please read the assignment directions carefully.

Your posts should be **A MINIMUM** of 300 words in length. Please keep in mind that **ALL** posts must be substantive and meaningful. Proper grammar and word usage are required. I will take this opportunity to remind you that your discussion posts are formal assignments and will therefore be graded as such.

Comment Posts: (4 posts)

Student Learning Outcomes #2 and # 4: The student will learn to utilize critical thinking skills. The student will be an active and engaged participant in discussion forums by analyzing and evaluating information presented within the textbook, external readings/resources, student research, and class activities.

Comment posts are responses you make to the 2 discussion posts that you and your classmates have posted during the course. You are to post two (2) substantive peer comments by the deadline per week by at 11PM CST. Comment posts should be a **MINIMUM** of 100 words in length.

Comment posts should be meaningful. Merely agreeing or disagreeing with a classmate will not be looked upon favorably and will result in a loss of points. A meaningful post is one that moves the discussion forward in some substantive way through providing one's perspective, additional information through research, or reframing the discussion in some new way. You are expected to engage in an **ongoing** discussion/debate with your classmates. Your comments will be graded for **quality, timeliness** of your contributions, and **relevance**. Since discussions are indeed as if we were in a live classroom setting talking with each other and since we cannot have conversations with ourselves, late posts and comments are read however, no points will be awarded.

## **Student Responsibilities or Tips for Success in the Course**

**EXPECTATION:** This is a 400-level course and I expect senior and or upper-level work from you. If you feel you are not yet ready to tackle this level of coursework, then I advise you to enroll for this class at a later date. There will be written discussion assignments due throughout the semester. I expect clear writing with adequate style, correct grammar, and (when applicable) proper use of scholarly references. **All** submitted written assignments must be typed in 12 point, Times New Roman font. All assignments are to be submitted via D2L as assigned.

## APA Citation Format Policy

It is very important that you learn how to cite properly. In some ways, citations are more important than the actual text of your paper. Therefore, you should take this task seriously and devote some time to understanding how to cite properly. If you take the time to understand this process up front, it will save you a significant amount of time in the long run (not to mention significant deductions in points).

In the social and behavioral sciences (including Criminal Justice), we use APA (American Psychological Association) format. As a rule of thumb, one cites whenever they are paraphrasing other people's words or when they quote other's words directly. You may choose to access the following websites:

[www.apastyle.org](http://www.apastyle.org)

<http://owl.english.purdue.edu/owl/resource/560/02/>

[www.library.cornell.edu/resrch/citmanage/apa](http://www.library.cornell.edu/resrch/citmanage/apa)

## GRADING/ASSESSMENTS

Final grades in this course will be based on the following scale:

**A = 90%-100%**

**B = 80%-89%**

**C = 70%-79%**

**D = 60%-69%**

**F = 59% or Below**

**GRADES:** Final grades will be based on the three exams (100 points ea. =300 pts.); Mock Trial (100 pts.); and attendance/participation/online discussions (100pts.). The following grading scale will be used to calculate final grades:

Assignment Type	# of Assignments	Point Value	Total Points
Examinations	3	100	300
Mock Trial	1	100	100
Discussions/Comments	5	50	50

Assignment Type	# of Assignments	Point Value	Total Points
Attendance/Participation	10	5	50
		TOTAL	500

Grades earned on each assignment will be added together and will be divided by the total number of points possible in the course. Below is the overall point scale for the course.

**Total points possible for the semester = 500**

A = 90% - 100% (500-450 pts)
B = 80% - 89% (449-400 pts)
C = 70% - 79% (399-350 pts)
D = 60% - 69% (349-300 pts)
F = Below 60% (<299 pts)

You will find your course grades in the grade book located in D2L. This gradebook will keep a 'real-time' accounting of the points you earn on assignments for this class. In this way, you may track your progress in this course throughout the course of the semester.

## TECHNOLOGY REQUIREMENTS

### LMS

All course sections offered by Texas A&M University-Commerce have a corresponding course shell in the myLeo Online Learning Management System (LMS). Below are technical requirements

LMS Requirements:

<https://community.brightspace.com/s/article/Brightspace-Platform-Requirements>

LMS Browser Support:

[https://documentation.brightspace.com/EN/brightspace/requirements/all/browser\\_support.htm](https://documentation.brightspace.com/EN/brightspace/requirements/all/browser_support.htm)

Zoom Virtual Classroom Requirements:

<https://support.zoom.us/hc/en-us/articles/201362023-Zoom-system-requirements-Windows-macOS-Linux>

## ACCESS AND NAVIGATION

You will need your campus-wide ID (CWID) and password to log into the course. If you do not know your CWID or have forgotten your password, contact the Center for IT Excellence (CITE) at 903.468.6000 or [helpdesk@tamuc.edu](mailto:helpdesk@tamuc.edu).

Note: Personal computer and internet connection problems do not excuse the requirement to complete all course work in a timely and satisfactory manner. Each student needs to have a backup method to deal with these inevitable problems. These methods might include the availability of a

backup PC at home or work, the temporary use of a computer at a friend's home, the local library, office service companies, Starbucks, a TAMUC campus open computer lab, etc. If you know that due to COVID-19 that you are experiencing having adequate equipment issues, you need to inform me ASAP such that I can direct you to the correct and relevant campus resources and do read the below information.

## COMMUNICATION AND SUPPORT

If you have any questions or are having difficulties with the course material, please contact your Instructor.

### Technical Support

If you are having technical difficulty with any part of Brightspace, please contact Brightspace Technical Support at 1-877-325-7778. Other support options can be found here:

<https://community.brightspace.com/support/s/contactsupport>

### Interaction with Instructor Statement

My primary form of communication with the class will be through office appointments through D2L Zoom for a face-to-face experience. Any changes to the syllabus or other important information critical to the class will be disseminated to students in this way via your official University Email address available to me through MyLeo and in course announcements. It will be your responsibility to check your university e-mail as I plan to send you important messages regularly.

Students who e-mail me outside of regular office hours can expect a reply within 24 hours. Students who Email me during holidays or over the weekend should expect a reply by the end of the next regularly scheduled business day.

## COURSE AND UNIVERSITY PROCEDURES/POLICIES

### Course Specific Procedures/Policies

**Discussions:** It is essential to submit all class online discussions to do well in this course. This means that you are expected to show a presence in the online discussions a minimum of two (2) days each week when they are assigned. These synchronous classes will be held twice per week and are **not optional**.

**Class Attendance and Participation via Zoom-** It is important that you prepare for class, attend

classes, participate and take good notes.

**Study guides ARE NOT provided** for any exams. Your study guides are your notes from your reading and class discussions.

**EXTRA CREDIT: Do not ask, there will not be any.** Two types of students usually want to do extra credit work: those who would like to make an even “higher” A; and those who are failing the course. In either case, extra credit makes no sense. Put in the time, energy, and effort on the “regular” work and you will not need any “extra” credit. If I decide to give extra credit for any special reason, (rare), it will be offered to all students.

### **Syllabus Change Policy**

The syllabus is a guide. Circumstances and events, such as student progress and COVID-19 and other contagious viruses, may make it necessary for the instructor to modify the syllabus during the semester. Any changes made to the syllabus will be announced in advance.

## **University Specific Procedures**

### **Student Conduct**

All students enrolled at the University shall follow the tenets of common decency and acceptable behavior conducive to a positive learning environment. The Code of Student Conduct is described in detail in the [Student Guidebook](#).

<http://www.tamuc.edu/Admissions/oneStopShop/undergraduateAdmissions/studentGuidebook.aspx>

Students should also consult the Rules of Netiquette for more information regarding how to interact with students in an online forum: [Netiquette http://www.albion.com/netiquette/corerules.html](http://www.albion.com/netiquette/corerules.html)

### **TAMUC Attendance**

For more information about the attendance policy please visit:

[Attendance,](#)

<https://inside.tamuc.edu/admissions/registrar/generalInformation/attendance.aspx>

### **Academic Integrity**

Students at Texas A&M University-Commerce are expected to maintain high standards of integrity and honesty in all of their scholastic work. For more details and the definition of academic dishonesty see the following procedures:

## **Undergraduate Students Academic Integrity Policy and Form**

[Undergraduate Academic Dishonesty 13.99.99.R0.03](#)

<https://inside.tamuc.edu/aboutus/policiesProceduresStandardsStatements/rulesProcedures/13students/undergraduate/13.99.99.R0.03UndergraduateAcademicDishonesty.pdf>

[Undergraduate Student Academic Dishonesty Form](#)

<https://inside.tamuc.edu/aboutus/policiesProceduresStandardsStatements/rulesProcedures/documents/13.99.99.R0.03UndergraduateStudentAcademicDishonestyForm.pdf>

## **Graduate Students Academic Integrity Policy and Form**

[Graduate Student Academic Dishonesty](#)

<https://inside.tamuc.edu/aboutus/policiesProceduresStandardsStatements/rulesProcedures/13students/graduate/13.99.99.R0.10.pdf>

[Graduate Student Academic Dishonesty Form](#)

<http://www.tamuc.edu/academics/graduateschool/faculty/GraduateStudentAcademicDishonestyFormold.pdf>

## **ADA Statement**

### **Students with Disabilities**

The Americans with Disabilities Act (ADA) is a federal anti-discrimination statute that provides comprehensive civil rights protection for persons with disabilities. Among other things, this legislation requires that all students with disabilities be guaranteed a learning environment that provides for reasonable accommodation of their disabilities. If you have a disability requiring an accommodation, please contact:

### **Office of Student Disability Resources and Services**

Texas A&M University-Commerce

Velma K. Waters Library Rm 162

Phone (903) 886-5150 or (903) 886-5835

Fax (903) 468-8148

Email: [studentdisabilityservices@tamuc.edu](mailto:studentdisabilityservices@tamuc.edu)

Website: <https://www.tamuc.edu/student-disability-services/>

## **Nondiscrimination Notice**

Texas A&M University-Commerce will comply in the classroom, and in online courses, with all federal and state laws prohibiting discrimination and related retaliation on the basis of race, color, religion, sex, national origin, disability, age, genetic information or veteran status. Further, an environment free from discrimination on the basis of sexual orientation, gender identity, or gender expression will be maintained.

### **Campus Concealed Carry Statement**

Texas Senate Bill - 11 (Government Code 411.2031, et al.) authorizes the carrying of a concealed handgun in Texas A&M University-Commerce buildings only by persons who have been issued and are in possession of a Texas License to Carry a Handgun. Qualified law enforcement officers or those who are otherwise authorized to carry a concealed handgun in the State of Texas are also permitted to do so. Pursuant to Penal Code (PC) 46.035 and A&M-Commerce Rule 34.06.02.R1, license holders may not carry a concealed handgun in restricted locations.

For a list of locations, please refer to the [Carrying Concealed Handguns On Campus](#) document and/or consult your event organizer.

Web url:

<http://www.tamuc.edu/aboutUs/policiesProceduresStandardsStatements/rulesProcedures/34SafetyOfEmployeesAndStudents/34.06.02.R1.pdf>

Pursuant to PC 46.035, the open carrying of handguns is prohibited on all A&M-Commerce campuses. Report violations to the University Police Department at 903-886-5868 or 9-1-1.

### **A&M-Commerce Supports Students' Mental Health Counseling Center Services**

The Counseling Center at A&M-Commerce, located in the Halladay Building, Room 203, offers counseling services, educational programming, and connection to community resources for students. Students have 24/7 access to the Counseling Center's crisis assessment services by calling 903-886-5145. For more information regarding Counseling Center events and confidential services, please visit [www.tamuc.edu/counsel](http://www.tamuc.edu/counsel)

### **COURSE OUTLINE / CALENDAR**

Important dates are listed below:

<b>Week</b>	<b>Topic</b>	<b>Assignment</b>
1 August 29 <sup>th</sup> first class day via Zoom@12:30PM	Course Review Syllabus Law, Crime, Courts and Controversy	Read Chapter 1 <b>Online Introduction Discussion-Due 9/2 by 11:00 PM CST</b>

<b>Week</b>	<b>Topic</b>	<b>Assignment</b>
2 September 6 <sup>th</sup> and 8 <sup>th</sup> Zoom @ 12:30PM	Federal Courts	Read Chapter 2 Discussion 1 Due **
3 September 6 <sup>th</sup> and 8 <sup>th</sup> Zoom @ 12:30PM	State Courts & Juvenile Courts	Read Chapters 3 & 4
4 September 13 and 15 Zoom	The Dynamics of Courthouse Justice	Read Chapter 5 <b>Quiz #1</b>
5 September 20 and 22 Zoom	Prosecutors	Read Chapter 6 Discussion 2 Due **
6 September 27 and 29 Zoom	Defense Attorneys	Read Chapter 7
7 October 4 and 6 Zoom	Judges	Read Chapter 8 <b>Midterm Exam</b>
8 October 11 and October 13 Zoom	Defendants, Victims, and Witnesses	Read Chapter 9
9 October 18 and 20 Zoom	From Arrest and Bail Through Arraignment	Read Chapters 10 Discussion 3 Due **
10 October 25 and 27 Zoom	Disclosing and Suppressing Evidence	Read Chapter 11
11 November 1 and 3 Zoom	Negotiated Justice and the Plea of Guilty	Read Chapter 12 Discussion 4 Due**
12 November 8 and 10 Zoom	Trials and Juries  Sentencing	Read Chapter 13  Read Chapter 14
13 <b>November 15 and 17</b>  14 November 22 Zoom  <b>15 November 24-25th</b>	<b>Mock Trial (Tradition Room) Student Center @12:30PM</b>  Appellate and Habeas Corpus Review  <b>Thanksgiving Holiday</b>	Read Chapter 15
16 December 6 and 8 Zoom	<b>Catch up all prior readings and discussions and exam review</b>	Last class day 12/8  Discussion 5 Due

<b>Week</b>	<b>Topic</b>	<b>Assignment</b>
December 12- December 16	FINAL EXAM WEEK	Per University Schedule

\*\* Discussions and comments due by 11:00PM CST on Thursday of the designated week.

**\*\*\*Final Exam: Cumulative**

Make-up exams immediately following final exam via D2L (Brightspace)

