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## **COURSE SYLLABUS**

**CJ 2323-01W: Legal Aspects of Law Enforcement**

**Spring 2023**

**Instructor:** Heath Oakley  
**Office Location:** Virtual  
**Office Hours:** Monday – Friday 4PM-6PM  
**Office Phone:** 903) 654-9036  
**Office Fax:** N/A  
**Email Address:** [heath.oakley@tamuc.edu](mailto:heath.oakley@tamuc.edu)  
**Class Location:** On-line

**Preferred Form of Communication:** Email  
**Communication Response Time:** Refer to the Interaction with Instructor Statement

## **COURSE INFORMATION**

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

**Textbook(s) Required:**

Samaha, J. (2018). *Criminal Procedure*. (10<sup>th</sup> ed.). Boston, MA: Cengage Learning.

**Required Reading(s) and Activities:**

No additional textbook required for this course.

**Supplement Reading(s):**

Supplemental readings may be added to clarify discussion material. As the supplemental readings or alternative readings are needed or utilized, the instructor will provide links to the material. The links may be URL or pdf. file attachments, which is contingent on the source of the material.

### **Course Description**

This course covers police authority, responsibilities, and constitutional constraints. Topics include laws of arrest, search and seizure, and police liability.

### **Course Goals**

The pedagogical approach of this course is designed to stimulate critical thinking by students.

### **Student Learning Outcomes**

At the conclusion of this course, students will be able to:

- 1.) Distinguish between the due process and crime control perspectives including the impact on criminal procedure;
- 2.) Examine what can be done when constitutional rights are violated including civil, criminal, and non-judicial remedies;
- 3.) Examine how the Fourth, Fifth, and Sixth Amendments protect individual rights;
- 4.) Analyze criminal procedure prior to trial describing the roles of prosecutors, grand juries, and defense attorneys; and
- 5.) Analyze criminal procedure from first contact to appeals.

Note: The student learning outcomes (SLOs) will be reviewed and refined, as needed, to reflect the materials presented.

## **COURSE REQUIREMENTS**

### **Instructional / Methods / Activities Assessments**

This course will provide a variety of activities and assessments to assist you in achieving the outcomes and objectives for this course. Each week the student will work toward achieving these outcomes through the assigned tasks.

A core competency of this course is critical thinking. There are numerous texts and articles that articulate and define critical thinking that students can locate and review to improve in this area. Critical thinking requires students to think through situations, facts, and issues with an open mind and in an objective way to analyze and evaluate information in an informed manner. Critical thinkers consider all points of view and

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carefully consider other's perspectives. Qualities of a critical thinker (and of arguments that embody critical thinking) include:

- Certainty is not always necessary for a critical thinker; possibility and probability should always be a consideration - in other words, just because the book tells you it is true, doesn't mean that there may not be another solution or possibility to consider. The way that facts relate to one another - and not just fact alone - should be used to determine truth.
- Critical thinkers are not only independent thinkers; they are also fair-minded in that they are willing to consider all points of view, and they are careful to take every aspect of an argument into consideration - your way of thinking may not necessarily be the only way or the right way of thinking. Consider other perspectives.
- Consider evidence (facts), source (from what source did your evidence come from), and motivations (what might be the underlying motivation behind these facts) - in other words, gather information from credible sources and evaluate the sources/factual information in the context of what you have been asked to discuss/evaluate.

As defined by the National Council for Excellence in Critical Thinking, critical thinking is:

"The intellectually disciplined process of actively and skillfully conceptualizing, applying, analyzing, synthesizing, and/or evaluating information gathered from, or generated by observation, experience, reflection, reasoning, or communication, as a guide to belief and action. In its exemplary form, it is based on universal intellectual values that transcend subject matter divisions: clarity, accuracy, precision, consistency, relevance, sound evidence, good reasons, depth, breadth, and fairness."

Scriven, M. & Paul, R. Presented at the 8th Annual International Conference on Critical Thinking and Education Reform, Summer 1987.

CJ 2323-01W will have the **following requirements**:

### **Online assignment(s):**

Please review the course calendar and note that this course will contain six (6) discussion forums, eight (8) assignments, a midterm exam, and a final exam. Students are expected to read the assigned readings, complete the assigned tasks, and complete the issued exams.

### **Student Responsibilities**

#### *Internet Access*

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An Internet connection is necessary to participate in discussions and assignments, to access readings and supplemental materials, to upload coursework, and to receive feedback from your professor. View the requirements as outlined in Technology Requirements for more information.

Course participation is expected. I do not plan to build attendance into the class requirements at this point, and hope no need will arise to do so.

Students will be expected to adhere to the course schedule and/ or outline pertaining to due dates. Late work may be accepted with prior approval.

The course is designed so that each week begins on Monday (12:00AM) and ends on Sunday (11:59PM), with the exception of Week 8 (Mid-term) and Week 16 (Final Exam). The course schedule will reflect this design.

Students are expected to have properly formatted papers/assignments. The format standard for this course is the American Psychological Association (APA) style format. To aid in properly formatting written work for this course students can purchase:

American Psychological Association. (2010). *Publication manual of the American Psychological Association* (6th ed.). Washington, DC: American Psychological Association.  
ISBN: 9781433805615\*

...or students can review the online manual locate at:

<https://owl.english.purdue.edu/owl/resource/560/01/>

### **Tips on How to be Successful in this Class:**

When preparing discussions/comments/assignments/papers/presentations, use the following to help you critically think through task. You will be graded (in part) on how well you are able to perform this skill.

- Decide the problem/issue you are trying to solve. Make sure you remain open-minded and objective and be aware of your own biases on the subject and put them aside;
- Develop a hypothesis and/or possible solution to the problem/issue. Brainstorm other possible solutions. Think about the pros and cons of the problem/issue;
- Gather information on the problem/issue that may support or contradict your position;
- Analyze your facts. Don't assume anything. Evaluate the facts objectively;
- Determine a reasonable conclusion based on all of the facts; and
- Make sure of your facts (and the reporting of the facts) are accurate. You may assume a causal relationship but there might be other possible conclusions to be drawn based on other factors. Be sure to evaluate what those might be.

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## Discussion Forums

There will be an “Introduction” discussion that will be a mandatory component for this course. Participation is required in the “Introduction” discussion.

This course will have 5 additional discussion forums that will take place in the virtual classroom (MyLeoOnline, “D2L BrightSpace”).

The discussion topic will be selected and a question will be formulated for you to answer. The question may consist of several parts. Be sure to read the question carefully. Be sure to answer the question entirely and post it to the discussion forum.

To receive full credit for the discussion, you are required to post your initial response (answer the question completely) by the end of the day (11:59PM) on Thursday, then you should reply to 2 other classmate’s post by the end of the day (11:59PM) on Sunday. Think of this as a two-part process:

- Part 1 – Initial response to the question
- Part 2 – Reply to 2 other classmate’s posts

This should be a conversation among students. In other words, during part 2 of this process, you should begin to reply to classmate’s post on Friday. However, you may respond to other classmate’s post sooner. The purpose of the reply is to engage in conversation. Your classmate’s will need time to formulate a response. That being said, if you wait until Sunday to post a reply, then your classmate will not have time to review and respond back. Please understand this process because points may be deducted from your discussion grade.

Your reply to your classmates must add to the discourse. As I said, this is a conversation. The simple reply, “I agree” or “That is a very interesting position” will not be sufficient.

## Assignments

Eight (8) assignments are required for this class:

See course outline (schedule) for further details and/or due dates.

## Exams

This course will have two exams. Week 8 will contain the mid-term exam. Week 16 will contain the Final Exam.

See course outline (schedule) for further details and/or due dates.

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## GRADING

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

900-1000	points = A or 90%-100%
800-899	points = B or 80%-89%
700-799	points = C or 70%-79%
600-699	points = D or 60%-69%
0-599	points = F or 59% or Below

### Assessments

6 discussion forums	40 points each for 240 points (24%)
8 Assignments	45 points each for 360 points (36%)
Midterm	200 points (20%)
Final Exam	200 points (20%)

Remember that the lack of participation may result in the deduction of points from your overall course grade.

## 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)

YouSeeU Virtual Classroom Requirements:

<https://support.youseeu.com/hc/en-us/articles/115007031107-Basic-System-Requirements>

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## 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.

## 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 announcements and email. Any changes in the syllabus or important information critical to this class will be disseminated to students via your official university email address. It is your responsibility to check your university email on a regular basis. Students who email me outside of regular office hours can expect a reply within 24 hours Monday through Friday. 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

#### Syllabus Change Policy

The syllabus is a guide. Circumstances and events, such as student progress, 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.

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## **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).  
<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:  
<https://www.britannica.com/topic/netiquette>

### **TAMUC Attendance**

For more information about the attendance policy please visit the [Attendance](http://www.tamuc.edu/admissions/registrar/generalInformation/attendance.aspx) webpage and [Procedure 13.99.99.R0.01](http://www.tamuc.edu/admissions/registrar/generalInformation/attendance.aspx).  
<http://www.tamuc.edu/admissions/registrar/generalInformation/attendance.aspx>  
<http://www.tamuc.edu/aboutUs/policiesProceduresStandardsStatements/rulesProcedures/13students/academic/13.99.99.R0.01.pdf>

### **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 Academic Dishonesty 13.99.99.R0.03](http://www.tamuc.edu/aboutUs/policiesProceduresStandardsStatements/rulesProcedures/13students/undergraduates/13.99.99.R0.03UndergraduateAcademicDishonesty.pdf)

<http://www.tamuc.edu/aboutUs/policiesProceduresStandardsStatements/rulesProcedures/13students/undergraduates/13.99.99.R0.03UndergraduateAcademicDishonesty.pdf>

[Graduate Student Academic Dishonesty 13.99.99.R0.10](http://www.tamuc.edu/aboutUs/policiesProceduresStandardsStatements/rulesProcedures/13students/graduate/13.99.99.R0.10GraduateStudentAcademicDishonesty.pdf)

<http://www.tamuc.edu/aboutUs/policiesProceduresStandardsStatements/rulesProcedures/13students/graduate/13.99.99.R0.10GraduateStudentAcademicDishonesty.pdf>

### **Students with Disabilities-- ADA Statement**

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:

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

Texas A&M University-Commerce

Gee Library- Room 162

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

Fax (903) 468-8148

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

Website: [Office of Student Disability Resources and Services](#)

<http://www.tamuc.edu/campusLife/campusServices/studentDisabilityResourcesAndServices/>

## **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.

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# **COURSE OUTLINE / CALENDAR**

## **Part 1**

Samaha, J. (2018).  
Read Chapter(s) 1-8

### **Week 1 (January 17 – January 22)**

- Begin Part 1 reading(s)
- Week 1 Discussion 1 - Class introductions.
  - Introduction – discussion forum
    - Due 1/19/23 by 11:59PM
- Syllabus review.
  - Expectations for the class.

### **Week 2 (January 23 – January 29)**

- Week 2 Discussion 2
  - Initial post due by 11:59PM on Thursday, Jan. 26
  - Begin replying to follow classmates
  - Discussion ends on Jan. 29 at 11:59PM

### **Week 3 (January 30 – February 5)**

- Week 3 Assignment 1
  - Due Feb. 5 at 11:59PM

### **Week 4 (February 6 – February 12)**

- Week 4 Assignment 2
  - Due Feb. 12 by 11:59PM

### **Week 5 (February 13 – February 19)**

- Week 5 Discussion 3
  - Initial post due by 11:59PM on Thursday, Feb. 16
  - Begin replying to follow classmates
  - Discussion ends on Feb. 19 at 11:59PM

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### **Week 6 (February 20 – February 26)**

- Week 6 Assignment 3
  - Due Feb. 26 by 11:59PM

### **Week 7 (February 27 – March 5)**

- Week 7 Assignment 4
  - Due March 5 by 11:59PM

### **Week 8 (March 6 – March 12)**

- Mid-term
  - Due by **Noon** on March 10

### **Part 2**

Samaha, J. (2018).  
Read Chapter(s) 9-15

### **Spring Break (March 13 – March 19)**

### **Week 9 (March 20 – March 26)**

- Begin Part 2 reading(s)
- Week 9 Discussion 4
  - Initial post due by 11:59PM on Thursday, March 23
  - Begin replying to follow classmates
  - Discussion ends on March 26 at 11:59PM

### **Week 10 (March 27 – April 2)**

- Week 10 Discussion 5
  - Initial post due by 11:59PM on Thursday, March 30
  - Begin replying to follow classmates
  - Discussion ends on April 2 at 11:59PM

### **Week 11 (April 3 – April 9)**

- Week 11 Assignment 5
  - Due April 9 by 11:59PM

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**Week 12 (April 10 – April 16)**

- Week 12 Assignment 6
  - Due April 16 by 11:59PM

**Week 13 (April 17 – April 23)**

- Week 13 Assignment 7
  - Due April 23 by 11:59PM

**Week 14 (April 24 – April 30)**

- Week 14 Discussion 6
  - Initial post due by 11:59PM on Thursday, April 27
  - Begin replying to follow classmates
  - Discussion ends on April 30 at 11:59PM

**Week 15 (May 1 – May 7)**

- Week 15 Assignment 8
  - Due May 7 by 11:59PM

**Week 16 (May 8 – May 14)**

- Final Exam (Note: Finals week is May 6-12)
  - Due by **Noon** on Friday, May 12