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# AJ-111: CRIMINAL PROCEDURES

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**Effective Term**

Fall 2025

**BOT Approval Date**

01/16/2025

**Discipline**

AJ - Administration of Justice

**Course Number**

111

**Course Title**

Criminal Procedures

**Short Title**

Criminal Procedures

**Credit Status (CB 04)**

D - Credit - Degree applicable

**Units****Lecture Units**

3.00

**Total Units**

3.00

**Hours****Lecture Contact Hours**

48-54

**Out of Class Hours Lecture**

96-108

**Total Contact Hours**

48 - 54

**Total Out of Class Hours**

96 - 108

**Total Student Learning Hours**

144 - 162

**Distance Education**

Yes

**Distance Education****Distance Education Type**

Both Fully Online and Hybrid Online

**Fully Online Delivery Requirements:**

- a. Students must be notified via the college schedule of classes and the syllabus for the class if proctored tests are required for this course
- b. Any planned face-to-face meetings, such as an orientation or study session, must be optional

c. The MSJC curriculum committee requires the use of accessible, asynchronous discussion as a component of every fully online course

Are you using publisher content?

No

### Regular Substantive Interaction

Instructor-to-student, student-to-student, and student-to-content contact shall be distributed in a manner that will ensure regular substantive interaction (RSI) is maintained not only weekly but also for the duration of the course. Instructor interactions should be equivalent in time, quality and consistency to the engagement students would receive in a face-to-face course—for example, through announcements, discussion participation, personalized feedback, video messages, or other instructional communications. Instructors are expected to be responsive to student inquiries within a 24-72 hour time frame excluding holidays. RSI will be maintained through a variety of methods:

- Orientation - Students must be oriented to the online and face-to-face portions at the start of the course.
- Announcements - Announcements using the course management system must be posted at least weekly to keep students current on course events, due dates, materials, etc.
- Discussion Forums - Content-related discussion forums within the designated CMS will include appropriate instructor participation and will be initiated and maintained, with timely feedback provided. Instructors are required to monitor the discussions and related activities to provide guidance and direction. Open-ended discussion boards may be used to further learning and interaction.
- MSJC Communication – Instructor will use MSJC-administered communication tools (such as email or the designated CMS communication tools) to regularly communicate with and provide ease of access to students.
- Timely Feedback - Timely feedback on student work will be provided by the instructor, which may include comments and/or rubrics, within the Grades area of the designated CMS.
- Scheduled Meetings – Hybrid and synchronous courses will meet at regularly scheduled times.

ADA Compliance - All course interactions and content must be designed with accessibility in mind and meet ADA requirements.

### C-ID (Admin Only)

C-ID AJ 122

### Catalog Description

This course examines criminal procedure from arrest to the final adjudication of a criminal case. The principles of constitutional, federal, state and civil laws are examined as they apply to law enforcement. The course also focuses on the procedural aspects of the court system including the arraignment, preliminary hearing, jury selection, trial, jury instructions, acquittal or finding of guilt and sentencing. Other procedural topics such as direct and cross examination are analyzed.

### Requisites

#### Recommended Preparation

Recommended Preparation (note that students can enroll in the class even if they haven't take the recommended course)

ENGL-C1000.

### Codes

#### TOP Code (CB 03)

2105.00\* - \*Administration of Justice

#### CIP Code

43.0104 - Criminal Justice/Safety Studies.

#### Repeatability Code

No

#### Grading Option

Letter grade OR P/NP

### GE Information

#### Check GE Types Requested

AA/AS B2 - Social & Behavioral Sciences

## Learning Objectives

### Learning Objectives

#### Learning Objective

1. Analyze and evaluate the historical development of the American Criminal Justice System from inception to the present.
2. Scrutinize and assess the process of criminal procedure from the arrest, incarceration and trial, to the final disposition of the case.
3. Compare and contrast the various criminal justice participants involved in the criminal procedures process including law enforcement, prosecutors, defense attorneys, judges, courts, probation, parole and corrections.
4. Examine and validate the specific role and importance of each agency involved in the criminal procedures process.
5. Categorize the overall structure of the American Criminal Justice System and consider how the various participants contribute to the ethical application of law in the criminal justice process.
6. Consider and value the influence of the Constitution on the American Criminal Justice System and the Constitution's application to the criminal justice process.
7. Formulate and document the influence and impact that the Criminal Justice process might have on law enforcement and the community members they serve.
8. Analyze and evaluate ethical issues within criminal procedure to include issues of race, culture, gender, and inequality.

## Learning Outcome Information

### Course Learning Outcomes

#### Learning Outcome

1. Students will be able to demonstrate an understanding of the process by which a criminal case progresses through the court system.
2. Students will be able to compare and contrast the different court systems, state trial court, appellate court, state supreme court, U.S. District Court, U.S. Court of Appeal, and the U.S. Supreme Court.
3. Students will be able to research and document the structure, functions, roles and responsibilities of the United States Supreme Court.
4. Students will be able to apply ethical decision making in the application of laws.
5. Students will be able to understand and define the differences between consensual encounters, reasonable suspicion, probable cause, and proof beyond a reasonable doubt.
6. Students will be able to examine the Constitutional Amendments known as the Bill of Rights and assess the impact each might have on criminal procedure.
7. Students will be able to demonstrate an understanding of landmark case decisions and the impact these decisions have on criminal procedure and related processes.

### Program Learning Outcomes

#### Learning Outcome

- Demonstrate the essential qualifications for employment in the criminal justice field to include the mastery of core criminal justice principles and the ability to think critically and to speak and write effectively.
- Demonstrate an understanding of personal and civic responsibility as they apply to the criminal justice system.
- Demonstrate a critical awareness of race, cultural diversity, and inequality as manifested in the criminal justice system both locally and nationally and apply these understandings to both study and practice. This includes identifying transformative forces generating social change on a micro and macro level.
- Demonstrate the knowledge of ethical analysis, research, and practice in applying the law, as well as the ability to reason and think critically in the application of these principles and/or laws within the criminal justice field.
- Demonstrate the competency to apply criminological theory, research methods, and appropriate technology to assess, evaluate, and address both current and future issues in the practice of criminal justice.
- Demonstrate a meaningful understanding of how discretion permeates every phase of the criminal justice system and creates ethical dilemmas for criminal justice professionals.

### Institutional Learning Outcomes

Communication: The student will effectively express and exchange ideas through listening, speaking, reading, writing, visual works, and other modes of interpersonal expression.

**Critical Thinking:** The student will analyze problems, gather and synthesize relevant information, evaluate ideas, information, and evaluate alternative points of view to create, innovate and implement effective solutions.

**Cultural Awareness and Humility:** The student will demonstrate knowledge of and sensitivity toward individuals of diverse ethnicity, age, gender, sexual orientation, and religious affiliations, as well as toward those individuals with diverse abilities and socio-economic classes to respectfully interact with individuals of diverse perspectives, beliefs and values while being mindful of the limitation of their own cultural frameworks.

**Social Awareness:** The student will recognize and analyze the interconnectedness of global, national, and local concerns, analyzing cultural, political, social, and environmental issues from multiple perspectives and appreciate similarities and differences among cultures.

Civic

Personal

and Professional Responsibility

## Content

### Course Lecture Content

#### 1. An Introduction to Criminal Procedure

- a. Criminal Law
- b. Criminal Procedure
  - 1. Practical Usefulness
  - 2. Professional Usefulness
  - 3. Understanding of the Constitution
  - 4. Insight into Judicial Decisions
  - 5. Comprehension of Public Policy
- c. Balancing Security and Rights
- d. Objectives of Criminal Procedure
- e. Criminal Justice Process
  - 1. Investigation
  - 2. Arrest
  - 3. Post-Arrest
  - 4. Post-Arrest Investigation
  - 5. Criminal Charge
  - 6. Pretrial
  - 7. Pretrial Motions
  - 8. Trial
  - 9. Sentencing
  - 10. Appeal
  - 11. Postconviction
- f. Sources of Criminal Law
- g. Federal Judicial Systems
  - 1. District Courts
  - 2. Courts of Appeal
  - 3. U.S. Supreme Court
- h. State Court System
  - 1. Trial (Superior) Courts
  - 2. Courts of Appeal
  - 3. State Supreme Court
  - 4. U.S. Supreme Court
- i. Writ of Certiorari
- j. Bench Trial
- k. Jury Trial
- l. Precedent
  - 1. Star Decisis

- m. Judicial Philosophy
- 2. The Sources of Criminal Procedure
  - a. Sources of Criminal Procedure
    - 1. Bill of Rights
    - 2. The U.S. Constitution
      - a. Habeas Corpus
      - b. Ex Post Facto Laws
      - c. Jury Trials
      - d. Treason
      - e. Fourth Amendment
      - f. Fifth Amendment
      - g. Sixth Amendment
      - h. Eighth Amendment
    - 3. The U.S. Supreme Court
      - a. The Supremacy Clause
      - b. Judicial Review
      - c. Marbury v. Madison
    - 4. State Constitutions and Court Decisions
    - 5. Federal and State Statutes
    - 6. Rules of Criminal Procedure
    - 7. Model Code of Pretrial Procedure
  - b. The Development of Due Process
    - 1. Nationalization
  - c. The Due Process Clause
    - 1. Selective Incorporation
    - 2. Total Incorporation
    - 3. Total Incorporation Plus
  - d. The Fourteenth Amendment
  - e. Equal Protection
  - f. Impact of Supreme Court Decisions
    - 1. Rochin v. California
  - g. Why Criminal Procedure Matters
- 3. Searches and Seizures
  - a. The Historical Background of the Fourth Amendment
  - b. Primary Purpose of Searches and Seizures
    - 1. Instrumentalities of Crime
    - 2. Fruits of the Crime
    - 3. Contraband
    - 4. Evidence of Criminal Activity
    - 5. Incriminating Statements
  - c. Searches
    - 1. Expectation of Privacy
      - a. Katz v. United States
    - 2. Informants
    - 3. Electronic Eavesdropping
    - 4. Plain View
    - 5. Exceptions to Privacy
  - d. Open Fields and Curtilage
  - e. Curtilage and Aerial Surveillance

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- f. Public Places and Private Businesses
  - g. Abandoned Property
    - 1. California v. Greenwood
  - h. Technology and the Home
    - 1. Kyllo v. United States
  - i. Technology and Cell-Site Location Information
    - 1. Carpenter v. United States
  - j. Seizure of Persons
    - 1. California v. Hodari
    - 2. Physical Seizure
  - 4. Stop and Frisk
    - a. Reasonable Suspicion
      - 1. The Balancing Test
      - 2. Racial Profiling
      - 3. Issues Relating to Race and Culture
      - 4. The reasonable Suspicion Determination
        - a. Terry v. Ohio
        - b. Illinois v. Wardlow
      - 5. Facts Constituting Reasonable Suspicion
        - a. Criminal Activity
        - b. Time
        - c. Location
        - d. Criminal Record
        - e. Evasion
        - f. Noncooperation
        - g. Nervous Behavior
        - h. Experience
    - b. Informants and Hearsay
    - c. Drug Courier Profiles
    - d. Race and Reasonable Suspicion
      - 1. United States v. Weaver
    - e. The Scope and Duration of a Terry Stop
      - 1. Movement
      - 2. Length of Detention
      - 3. Investigative Techniques
      - 4. Identification
    - f. Automobiles and Terry Stops
    - g. Frisks
      - 1. The Terry Standard
      - 2. Terry Searches of Passengers
      - 3. Terry Searches of Automobiles
    - h. Terry Searches for Illegal Narcotics
  - 5. Probable Cause and Arrests
    - a. Arrests
      - 1. Place
      - 2. Time
      - 3. Documentation
      - 4. Searches
      - 5. Criminal Consequences

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- a. Lawful Authority
    - b. Detention
    - c. Reasonable Person
  - b. Probable Cause
    - 1. Direct Observations
    - 2. Hearsay
    - 3. The Aguilar-Spinelli Test
    - 4. Totality of Circumstances
  - c. Reasonableness and Arrests
  - d. Probable Cause, Warrants, and the Courts
  - e. Arrests and Warrants
    - 1. United States v. Watson
  - f. Arrests in the Home
    - 1. Payton v. New York
  - g. Exigent Circumstances
    - 1. Welch v. Wisconsin
      - a. Hot Pursuit
      - b. Public Safety
      - c. Destruction of Evidence
      - d. Flight
  - i. Exigent Circumstances and Misdemeanors
    - 1. Lange v. California
  - j. Deadly Force and Arrests
    - 1. Tennessee v. Garner
  - k. Non-Deadly Force and Arrests
    - 1. Graham v. Connor
  - l. Misdemeanor Arrests
  - m. Arrests and Citations
6. Search and Seizure of Property
- a. Search Warrants
    - 1. Neutral and Detached Judge
    - 2. Affiant
    - 3. Probable Cause
    - 4. Property to be Seized
    - 5. Particularity Requirement (Description of Location)
    - 6. Evidence to be Seized
  - b. Knock and Announce (Notice)
    - 1. Richards v. Wisconsin
      - a. Violence
      - b. Privacy
      - c. Destruction of Property
  - c. Warrantless Searches
  - d. Searches Incident to Arrest
    - 1. Chimel v. California
  - e. Cell Phone Searches
    - 1. Riley v. California
  - f. Contemporaneous Requirement
  - g. Searches of Immediate Area
  - h. Searches of Automobiles

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1. Arizona v. Gant
    - i. Misdemeanor Searches
    - j. Pretext Arrests and Searches
      1. Whren v. United States
    - k. Consent Searches
      1. Schneckloth v. Bustamonte
    - l. The Scope of a Consent Search
    - m. Withdrawal of Consent
    - n. Third Party Consent
      1. Illinois v. Rodriguez
    - o. Co-occupants
      1. Fernandez v. California
    - p. Probable Cause Searches of Vehicles
      1. California v. Carney
    - q. Probable Cause Searches of Containers in Vehicles
      1. Wyoming v. Houghton
    - r. Other Warrantless Searches
  7. Inspections and Regulatory Searches
    - a. Administrative Inspections
    - b. Special Needs Searches
    - c. International Borders
      1. Roving Patrols
      2. Border Searches
    - d. Motor Vehicle Checkpoints
      1. City of Indianapolis v. Edmund
    - e. Airport Screening
      1. MacWade v. Kelly
    - f. Workplace Drug Testing
    - g. Searches of High Schools
      1. Stafford Unified School District #1 v. Redding
    - h. Probation Searches
    - i. Parole Searches
    - j. Correctional Searches
  8. Interrogations and Confessions
    - a. Interrogations Defined
    - b. False Confessions
      1. Constitutional Issues
      2. Race and Bias
    - c. Due Process
      1. Voluntariness Test
      2. Due Process and State Courts
      3. Fundamental Fairness
      4. Police Methods
      5. Involuntary Confessions
      6. Voluntariness
      7. Criticism of the Tests
      8. Due Process Test Today
    - d. McNabb – Mallory Rule
      1. Escobedo v. Illinois

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- e. The Right Against Self-Incrimination
    - 1. Schmerber v. California
    - 2. Miranda v. Arizona
  - f. Miranda and the Constitution
  - g. Custodial Interrogation
  - h. The Public Safety Exception
  - i. The Miranda Warnings
    - 1. Morgan v. Burbine
  - j. Invoking Miranda Rights
  - k. Waiver
    - 1. Voluntary
    - 2. Knowing and intelligently
    - 3. Express and implied Waiver
  - l. Question First and Warn Later
  - m. Following Invocation of Miranda Rights
    - 1. Rhode Island v. Innis
  - n. Sixth Amendment Right to Council
  - 9. Eyewitness and Scientific Identifications
    - a. Eyewitness Identification
    - b. Wrongful Convictions
      - 1. Misidentification
      - 2. Perception
      - 3. Memory
      - 4. The Identification Process
    - c. The Sixth Amendment and Eyewitness Identification
      - 1. Critical Stages of Criminal Prosecution
      - 2. Threat of Suggestive Lineups
      - 3. Role of the Defense Attorney
      - 4. Tainted Lineups
      - 5. Issues With Race and Bias
    - d. The Sixth Amendment and Pre-arraignment Identifications
    - e. The Sixth Amendment and Photographic Displays
    - f. The Due Process Test
      - 1. Suggestiveness
      - 2. Reliability
      - 3. Totality of Circumstances
        - a. Manson v. Brathwaite
    - g. The Requirement of Police Involvement
    - h. Scientific Identification
    - i. DNA Evidence
      - 1. The Admissibility of DNA Evidence
      - 2. DNA Databases
      - 3. Collection of DNA
      - 4. Exonerating the Innocent
    - j. Photographic Evidence
      - 1. Criminal Procedure
  - 10. The Exclusionary Rule and Entrapment
    - a. The Exclusionary Rule
      - 1. The Exclusionary Rule and Federal Courts

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2. The Exclusionary Rule and State Courts
  3. The Extension of the Exclusionary Rule to the State Courts
    - a. Mapp v. Ohio
  - b. Debating the Exclusionary Rule
    1. The Justification for the Exclusionary Rule
    2. Arguments Against the Exclusionary Rule
    3. Alternative Remedies to the Exclusionary Rule
  - c. Invoking the Exclusionary Rule
    1. Standing
  - d. Exceptions to the Exclusionary Rule
    1. Collateral Proceedings
    2. Attenuation
  - e. Good Faith Exception
    1. Herring v. United States
  - f. Independent Source
  - g. Inevitable Discovery
  - h. Impeachment
  - i. Entrapment
    1. The Law of Entrapment
    2. The Subjective Test
    3. The Objective Test
    4. The Due Process Test
  - j. Invoking the Entrapment Defense
    1. Jackson v. United States
11. Civil and Criminal Remedies for Constitutional Violations
    - a. Civil Remedies
    - b. Section 1983 Legal Actions Against Local and State Law Enforcement Officers
      1. Color of State Law
    - c. Violation of the Federal Constitutional and Statutory Rights
    - d. Individual Liability Under Section 1983
    - e. Absolute Immunity
    - f. Qualified Immunity
      1. Kisela v. Hughes
    - g. Immunity of Judges and Prosecutors
    - h. The Affirmative Duty to Protect
    - i. Liability of Local Government Entities Under Section 1983
    - j. Injunctions
    - k. Pattern of Practice of the Deprivation of Constitutional Rights
    - l. State Tort Remedies
    - m. Remedies for Constitutional Violations
    - n. Criminal Prosecutors
      1. State Criminal Prosecutions
      2. Federal Criminal Prosecutions
    - o. Administrative Remedies
      1. Internal Affairs
      2. External Review
  12. The Initiation of the Legal Process, Bail, and the Right to Counsel
    - a. The Process of Discretion to Charge
      1. Probable Cause to Detain

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- 2. First Appearance
    - a. County of Riverside v. McLaughlin
  - b. Pretrial Release
    - 1. United States v. Salerno
  - c. Pretrial Detention
    - 1. Bell v. Wolfish
  - d. Indigency and the Right to Counsel
    - 2. Gideon v. Wainwright
  - e. The Right to Counsel and Critical States of Prosecution
  - f. The meaning of "All Criminal Prosecutions"
    - 1. Scott v. Illinois
  - g. Determining Indigency
  - h. The Right to Select Appointed Counsel
  - i. The Right to Effective Legal Representation
    - 1. Buck v. Davis
  - j. The Right to Self-Representation
13. The Courtroom: The Pretrial and Trial Process
- a. Preliminary Hearing
  - b. Grand Jury
    - 1. Selecting a Grand Jury
    - 2. Duration
    - 3. Grand Jury Indictment
    - 4. Grand Jury Investigations
    - 5. The Future of the Grand Jury
  - c. Arraignment
  - d. Pretrial Motions
    - 1. Double Jeopardy
    - 2. Mistrials
    - 3. Appeals
    - 4. Punishment
    - 5. Same Offense
    - 6. Dual Sovereignty Doctrine
    - 7. Speedy Trial
    - 8. Change of Venue
    - 9. Discovery
    - 10. Motion to Suppress
  - e. Constitutional Right to a Jury Trial
  - f. Twelve Member Jury Requirement
    - 1. Ballew v. Georgia
  - g. Jury Selection
    - 1. Equal Protection Clause
    - 2. Cross Section of the Community
    - 3. Voir Dire
      - a. Lockhart v. McCree
  - h. Peremptory Challenges
  - i. Challenges to Judges
  - j. Public Trial
  - k. The Trial
    - 1. Opening Statements

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- 2. Presentation of Evidence
  - 3. Confrontation
  - 4. Cross-Examination
  - 5. Hearsay
  - 6. Compulsory Process
  - 7. Burden of Proof
  - 8. Reasonable Doubt
  - 9. Closing Arguments
  - 10. Jury Instructions
  - 11. Jury Deliberations
  - 12. Jury Unanimity
  - l. Jury Nullification
  - m. Guilty Pleas
    - 1. North Carolina v. Alford
  - 14. Sentencing and Appeals
    - a. History of Sentencing
    - b. Criminal Punishment
      - 1. Purpose of Punishment
      - 2. Types of Punishment
      - 3. Race and Disparity
    - c. Approaches to Sentencing
    - d. The Judicial Sentencing Process
    - e. Determinate Sentencing
    - f. In-Determinate Sentencing
    - g. Cruel and Unusual Punishment
      - 1. Methods of Punishment
      - 2. Capital Punishment
      - 3. The Eighth Amendment and Sentences for a Term of Years
      - 4. The Eighth Amendment and Life Imprisonment
      - 5. The Eighth Amendment and Life Imprisonment for Juveniles
        - a. Miller v. Alabama
    - h. Incurrigibility
    - i. Equal Protection
    - j. Criminal Appeals
      - 1. Habeas Corpus
  - 15. Counterterrorism
    - a. History of Terrorism
    - b. Counterterrorism
    - c. USA PATRIOT ACT
    - d. USA FREEDOM ACT
    - e. Electronic Surveillance
      - 1. Pen Register
      - 2. Trap and Trace
      - 3. Email and Voicemail
      - 4. Roving Wiretaps
      - 5. Emergency Electronic Surveillance
    - f. Sneak and Peek Warrants and Searches
    - g. Information and Records
      - 1. National Security Letters

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## 2. Seizure of Business Records

- h. Detention of Noncitizens
- i. Material Witness Warrants
- j. Watch List
- k. State Secrets Doctrine
- l. Drones
- m. Interrogations
- n. Military Commissions and Combat Status Review Tribunals
  - 1. The Supreme Court and Enemy Combatants
  - 2. The Supreme Court and Military Commissions
  - 3. The Supreme Court and Combatant Status Review Tribunals
- o. Habeas Corpus

## Methods of Instruction

### Method

Discussion

### Integration

Discussions will be guided by faculty to examine and evaluate selected topics in the study of criminal procedure. These selected topics will assist students in differentiating not only different laws, but also the unique constitutional, evidential, and procedural elements. For example, students may be asked to explain the constitutional issues relating to the U.S. Supreme Court Case *Tennessee v. Garner* 471 U.S. 1 (1985).

### DE Adaptations for MOI

Discussions will be guided by faculty to examine and evaluate selected topics in criminal procedure. Discussions will be administered through the regular use of the discussions area in the course management system (CMS), or through chat, conversations, or other group features. All online discussions will meet accessibility requirements and instructors will provide feedback weekly through the CMS. Discussions may be accomplished in small or large groups, synchronous or asynchronous, using closed-captioned videos, accessible audio/visual media, journals, articles, or discussion board forums.

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### Method

Lecture

### Integration

Lectures in which criminal procedure course content will be presented to students to illustrate, explain, and reinforce criminal procedure concepts, processes, and related constitutional issues. Course material may be presented in many formats; audio/visual aids, printed materials, PPT, closed captioned video, digital pictures, and/or digital slides. For example, lectures can include an overview of search and seizure, witness identification, probable cause versus reasonable suspicion, and interrogations and confessions.

### DE Adaptations for MOI

Online courses will include lectures on criminal procedure course content. Lectures can be delivered synchronously through video conferencing tools or asynchronously through the course management system (CMS). Presentation materials such as accessible digital slide presentations, closed captioned videos, external links to articles, or other accessible content may be incorporated and made available through the CMS.

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### Method

Papers and Reports

### Integration

Papers/case studies will be assigned to gauge the comprehension of course materials or a specific topic. Case studies serve as written exercises in which students apply judicial concepts related to criminal law and procedure. These case studies will address the student's ability to fully analyze different laws, procedures, and/or U.S. Supreme Court Cases and document the information. For example, students will complete a case study on the *Terry v. Ohio* Case 392 U.S. 1 (1968). This case study will include the issue, finding or holding of the court, related cases, court rationale, and the student's opinion of the impact of the case. Additionally,

document any constitutional concerns to include racial profiling. Case studies will be evaluated based on the following criteria: demonstration of organization and clarity, formatting, accuracy, application to case laws, and the understanding and application of legal concepts.

#### **DE Adaptations for MOI**

Papers/case studies administered in an online format will use the course management system (CMS) functions to facilitate student submissions. Evaluation feedback of case studies will be provided for students in a timely manner using the gradebook, live stream or video conferencing tools, inbox messaging, or other functions available through the CMS. Papers/case studies will be evaluated based on the following criteria: demonstration of organization and clarity, formatting, accuracy, investigative steps, understanding and application of legal concepts, and completeness. All submissions and feedback must meet accessibility guidelines. All instructor/student communication must conform to accessibility and confidentiality guidelines.

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#### **Method**

Visiting Lecturers

#### **Integration**

Visiting lecturers (current or former practitioners) may speak and/or offer a presentation on a topic covered in the criminal procedure course content. Guest speakers in the field of law enforcement, criminal courts, corrections, coroner's office, criminology, forensics, or other content specialists may offer presentations face-to-face, though the course management system (CMS), or other accessible video conferencing tools/platforms. Examples of presentation topics include arrest procedures, witness identification, race/bias, and inequity relating to interview and interrogations.

#### **DE Adaptations for MOI**

Visiting lecturers may speak and/or offer presentations on various topics covered in the criminal procedure course content. Examples may include arrest procedures, witness identification, and/or race, bias, and inequity relating to interview and interrogations. Lectures may be conducted through accessible video conferencing platforms or through an pre-recorded presentation that can be uploaded and made available by using accessible tools to students in the CMS. Faculty can facilitate a debriefing discussion through the video conferencing platform's chat feature or through a discussion board function in the CMS.

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### **Methods of Evaluation**

#### **Method**

Exams/Tests

#### **Integration**

Exams and/or tests will formatively cover the major content of the criminal procedure content. A combination of multiple choice, true/false, or short answer questions may be included. Exams/test will be evaluated based on a demonstration of identification, understanding, and application of various components related to criminal law, procedure, and the application of each. These topics include the role of investigators, case laws that impact search and seizure, and race/gender as it relates to eyewitness identification or wrongful convictions, or issues related to DNA evidence.

#### **DE Adaptations for MOE**

Exams and/or tests administered fully online will be administered, graded, and evaluated through the CMS. Exams/tests will be evaluated based on the demonstration of identification, understanding, and application of major topics as described in the course content. Exams/tests will be multiple choice, true-false, fill in the blank, or short answer questions. Exams/tests will be graded (or evaluated if short answer questions) based on accuracy and completeness. Feedback for multiple choice, true-false, and fill in the blank will be immediate using the online grading system (grade book). Feedback for short answer questions will be within one week via the grade book, chat, or other accessible conferencing tools.

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#### **Method**

Group Projects

#### **Integration**

Students will be required to participate in a group project. This project will examine a U.S. Supreme Court case (ruling) which had a major impact on criminal procedure to evaluate the student's understanding of the course material. The research will include the student's analysis of the ruling and its impact on a criminal procedure and court process to include their ability to identify ethical

issues resulting from the case. Example case: *Mincey v. Arizona* 437 U.S. 385 (1978). The project will be submitted for instructor review and grading and will be evaluated on content, accuracy, thoroughness, and completeness.

#### **DE Adaptations for MOE**

Group projects will be assigned and submitted through the course management system (CMS). Students can communicate with peers and the instructor through discussion boards, chat, or other conferencing tools. The student will be evaluated on their writing skills as well as their adherence to the APA/MLA format in their completed research assignments. Students may also be required to present their results through the creation of PPT slide presentation, written report, video, or live video conference and the presentations may be made available to the entire class (with student approval) through the CMS. Research projects will be submitted via the CMS to allow for feedback and grading by the instructor. Feedback will be provided within two weeks of the due date, via comments within the assignments area along with a corresponding rubric.

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#### **Method**

Homework

#### **Integration**

Homework in the form of selected essay questions at the end of each textbook chapter to appraise comprehension of the course material. Example question: what are the differences between *modus operandi* (MO), motive, and signature, and why are these important to your criminal investigation? Another example question: explain the differences between *actus reus* and *mens rea*, and how does this fit into criminal intent? Homework will be evaluated on accuracy and completeness.

#### **DE Adaptations for MOE**

Students will complete homework assignments in the form of short essay questions found at the end of each chapter in the textbook. Assignments will be posted in the assignment area of the CMS. Students will be evaluated on their ability to research and assess the topic and their successful application of the course material in the responses. Questions will be posted in the assignments or discussions areas in the CMS. Students will upload completed assignments via the CMS for instructor review and grading. Feedback will be provided within one week through the grade book, chat, or other accessible conferencing tools in the CMS.

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#### **Method**

Research Projects

#### **Integration**

The class will be required to complete a research project examining a U.S. Supreme Court case (ruling) regarding search and seizure to evaluate the student's understanding of the course material. The research will include the student's analysis of the ruling and its impact on a criminal investigation and court process to include their ability to identify ethical issues resulting from the case. Example case: *Miranda v. Arizona* 384 U.S. 436 (1966). The project will be submitted for instructor review and grading and will be evaluated on content, accuracy, thoroughness, and completeness.

#### **DE Adaptations for MOE**

Research projects will be assigned and submitted through the course management system (CMS). Students can communicate with peers and the instructor through discussion boards, chat, or other conferencing tools. The student will be evaluated on their writing skills as well as their adherence to the APA/MLA format in their completed research assignments. Students may also be required to present their results through the creation of PPT slide presentation, written report, video, or live video conference and the presentations may be made available to the entire class (with student approval) through the CMS. Research projects will be submitted via the CMS to allow for feedback and grading by the instructor. Feedback will be provided within two weeks of the due date, via comments within the assignments area along with a corresponding rubric.

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### **Assignments**

#### **Assignment Type**

Writing

#### **In-class and/or outside of class**

In-class

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Outside of class

**Formative or Summative**

Summative

**Assignment**

It has long been established that a police officer's intent or motivation is irrelevant to the legality of a traffic stop, as long as there is probable cause to believe a traffic violation occurred. This technically gives police officer's broad discretion to stop anyone at any time, even if the stop is a pretext for investigating a more serious offense.

Research the U. S. Supreme Court Case *Whren v. United States* 517 U.S. 806 (1996) and write a three-page research paper on the constitutional issues surrounding this case. Consider the terms "probable cause", "reasonable suspicion", and "pretext stop" and how these fit into the issues. Also, consider the pros and cons of the case and identify any potential racial, gender, age, or cultural profiling issues in your response. The research paper is to be cited and formatted using the APA style guidelines.

**How assignment will be adapted in online format**

This assignment will be assigned, submitted, and graded through the course management system (CMS). Online courses should make the course material, including assignment instructions, supplemental resources and materials, website links, articles, etc., available to students through the CMS. Students will submit the assignment through the assignments area in CMS and will be evaluated on content, accuracy, and completeness. Students will receive instructor feedback through the grade book, messaging, or other conferencing tools within two weeks from the due date. All materials must meet accessibility guidelines.

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**Assignment Type**

Writing

**In-class and/or outside of class**

Outside of class

**Formative or Summative**

Formative

**Assignment**

Exculpatory evidence is important in a criminal case because it may be the difference between a person walking free or spending time in prison. A person should face criminal punishment only if they commit a crime. In previous cases in the United States, innocent people were punished because the prosecution did not share key information that proved the defendant's innocence. As a result, laws have changed to help ensure that the justice system punishes only people who commit a crime. Prosecutors are required to share any exculpatory evidence that may prove a defendant's innocence. This requirement ensures fairness in our criminal justice system.

Write a three-to-five-page research paper on the U.S. Supreme Court Case *Brady v. Maryland* 373 U.S. 83 (1963) outlining the issue and facts of the case, the holding of the Court, the rationale for the Court's decision, and your opinion of the case. As part of this research consider other equally important questions; (1) why does the prosecution have to turn over (exculpatory) evidence in favor of a defendant; (2) what can happen if the prosecutor does not turn over such evidence; (3) what are the ramifications for police officers should they not provide such information; and (4) what are the main components of a Brady violation? The research paper is to be cited and formatted using the APA style guidelines.

**How assignment will be adapted in online format**

This assignment will be assigned, submitted, and graded through the course management system (CMS). Online courses should make the course material, including assignment instructions, supplemental resources and materials, website links, articles, etc., available to students through the CMS. Students will submit the assignment through the assignments area in CMS and will be evaluated on content, accuracy, and completeness. Students will receive instructor feedback through the grade book, messaging, or other conferencing tools within two weeks from the due date. All materials must meet accessibility guidelines.

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**Assignment Type**

Other



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**In-class and/or outside of class**

Outside of class

**Formative or Summative**

Formative

**Assignment**

Assignment: Define the Exclusionary Rule and the Fruit of the Poisonous Tree Doctrine. As part of the discussion, be sure to identify how the Exclusionary Rule and the Fruit of the Poisonous Tree Doctrine are connected. In addition, consider the impact both have on the outcome of criminal cases.

**How assignment will be adapted in online format**

Using the course management system (CMS), students will respond to a discussion board prompt (or question) regarding a specific topic relating to criminal procedure. Students will also respond at minimum two times to other students' posts. Students will submit their posts using the discussions area within the CMS and will receive instructor feedback through the grade book, messaging, or other conferencing tools. Discussions will be evaluated on their content, relevance, and accuracy.

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**Assignment Type**

Reading

**In-class and/or outside of class**

In-class

Outside of class

**Formative or Summative**

Summative

**Assignment**

Read and analyze the portion of the Chapter 13 covering "State and Federal Court Systems" which encompasses: (1) Trial Courts (Superior Courts), (2) Courts of Appeal, (3) State Supreme Courts, (4) U.S. District Courts, (5) U.S. Courts of Appeals, and (6) the U.S. Supreme Court. Then, individually or in small groups, be prepared to analyze and discuss the different roles of each.

**How assignment will be adapted in online format**

The reading assignment and subsequent discussions will be assigned, submitted, and graded through the course management system (CMS). Online courses should make the course material, including assignment instructions, supplemental resources and materials, website links, articles, etc., available to students through the CMS. Students will submit the assignment through the assignments area in CMS and will be evaluated on content, accuracy, and completeness. Students will receive instructor feedback through the grade book, messaging, or other conferencing tools within one week of the due date. All materials must meet accessibility guidelines.

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**Course Materials****Textbooks**

Criminal Procedure Fourth Edition, Matthew Lippman, Sage Publishing (2021), ISBN # 9781544334752.

Criminal Procedure Fifth Edition, Matthew Lippman, Sage Publishing (2023), ISBN # 9781071845646.

**Class Size Information****Class Size**

40

**Class Size Category**

A - Lecture/discussion 40

## Diversity and Inclusion

### **Explain how diversity and inclusion(e.g., gender, culture/race, sexuality, etc.) is infused into the course.**

The course revision includes additional language and content related to diversity and inclusion within the course materials and in the discussion areas; specifically, as it pertains to race, gender identity, sexual orientation, culture and race. Language has been included in the course to be inclusive of these items through awareness of audience and differences when researching case laws, laws of arrest, issues surrounding search and seizure, issues surrounding interview and interrogations, and courtroom testimony. Recognizing the importance of representing diverse voices, the curriculum emphasizes the inclusion of all applicable perspectives in discussions and research, as outlines in the course materials.

The class involves students of all genders and races and encourages class participation from all students. In this course, students will learn the theoretical approach to judicial due process as well as real-world applications. One of the objectives is to “analyze and evaluate U.S. Supreme Court cases and how they impact criminal procedure”, to include how race or cultural bias impacts due process for underrepresented groups, e.g., minorities, low socioeconomic status, gender, etc. Students will also examine sensitive legal issues and form individual conclusions as to the equity of justice.

### **Describe how assignments, instruction, evaluation, course content, and interactions are contextualized for diverse learners promoting an equitable course.**

This course is structured to ensure equitable access and participation for diverse learners. Students have equal opportunities to all learning resources as well as one on one capabilities via accessible video conferencing platforms with the professor. Discussion boards are designed to facilitate interactions in two formats: student-to-student and student-to-professor, providing all students with equal opportunities for both engagement and support. To accommodate different learning preferences and accessibility needs, various media formats, including accessible video are incorporated into the curriculum. Live accessible video lectures are also supplemented with recorded sessions for students unable to attend live, promoting inclusivity and flexibility. Students will participate in class via discussions in asynchronous discussions using accessible CMS video conferencing platforms. For discussions and other exercises, students can submit in one of two formats: written or via recorded video using Canvas Studio within the CMS. All Power-points will be uploaded on to Canvas for student use. Exams and/ or tests are administered fully online. They will be evaluated through CMS. The format may include multiple choice, short answer, essay, or other formats. Exams/ tests will be evaluated based on the demonstration of identification and understanding of the applications of major topics and described in the course content. This is in alignment with the learning objectives. All exams/ tests must meet accessibility guidelines. Instructor feedback will be provided via CMS, within 2 weeks. The class has been revised with the focus on accessibility. The course has been revised with a focus on accessibility, with the most current texts being used to promote students' academic pursuits. Through instructor-to-student and student-to-student engagement, students are encouraged to reflect on equitable treatment of each other and their communities.

## Interactions

### **Explain how the course will incorporate student-to-student interaction.**

This course (AJ-111) incorporates student-to-student interaction through various collaborative learning methods and activities such as discussions, chapter exercises, case studies, and other related projects. Students will participate in small group discussions to examine and analyze criminal procedure and its application to current events, fostering peer learning and diverse perspectives. Collaborative projects may include case studies where students work together to examine procedural issues within law enforcement and the courts which could ultimately impact different communities, encouraging the sharing of ideas. Online discussion forums will allow students to respond to each other's ideas, promoting critical thinking and respectful dialogue outside the classroom. Peer review sessions will enable students to give and receive feedback on assignments, enhancing their analytical skills and understanding of course material.

### **Explain how the course will incorporate instructor-to-student interaction.**

This course (AJ-111) incorporates instructor-to-student interaction through regular lectures, feedback, and communication channels. The instructor will provide interactive lectures, encouraging questions and discussions to clarify complex concepts in criminal procedure. Student support hours will offer students opportunities for one-on-one discussions with the instructor, addressing individual learning needs and interests (students can also schedule meetings). Timely and constructive feedback on assignments will guide students in their understanding of criminal procedure and the rules that govern how the criminal justice system works. The instructor will facilitate classroom and online discussions, posing thought-provoking questions and engaging with student responses to deepen the learning experience. Regular announcements and check-ins will keep students informed and connected to the course.

### **Explain how the course will incorporate student-to-content interaction.**

Student-to-content interaction will be fostered through a variety of relevant learning materials and activities that require engagement with the course content. Students will read key source documents such as the United States and California Constitutions, landmark U.S. Supreme Court case decisions, and other applicable articles or writings. Interactive assignments, such as analyzing court case decisions, court procedures, and other evidentiary rules, will enable students to apply concepts to real-world situations. Multimedia resources, including videos, podcasts, and online simulations, will provide diverse ways to explore criminal procedure guidelines and issues. Regular quizzes and reflective essays will prompt students to think critically about the material and assess their understanding.

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**Explain how the course will incorporate student-to-self interaction (metacognitive).**

This course (AJ-111) encourages student-to-self interaction by prompting metacognitive activities that help students reflect on their learning processes and personal development. Metacognition involves not only understanding the content but also understanding one's own thinking processes and strategies for learning. Reflective cases will be assigned, where students critically examine their evolving understanding of procedural concepts and their own beliefs about how the legal system works. Self-assessment exercises will enable students to identify their strengths and areas for improvement, setting personal learning goals. Students may be asked to write papers on how both historical and current developments in criminal procedure have influenced their rights and responsibilities as citizens, connecting course content to their personal experiences. Class discussions will often include prompts that encourage students to consider how their identities and backgrounds shape their perspectives on the entire legal process. Ultimately, the goal of this metacognitive approach is to empower students to become more aware of their own learning processes and to develop strategies for effective learning and critical thinking that extend outside of the classroom.

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