

Criminal Procedure
CJUS 4200.900
Spring 2024

Welcome to the online section of CJUS 4200, Criminal Procedure. I look forward to having you in this class.

PLEASE NOTE: THIS COURSE IS 100% ONLINE AND DOES NOT HAVE ANY SCHEDULED CLASS MEETINGS.

Professor Contact Information

- Eric J. Fritsch, Ph.D.
- Office: Chilton Hall, Room 265
- Office phone: 940-565-4954
- Email contact: fritsch@unt.edu
- Office hours: By appointment

Teaching Assistant Contact Information

- Tyra Gardiner
- Email contact: tyragardiner@my.unt.edu

*****For questions or other concerns regarding this course, please email Ms. Tyra Gardiner *first*. She will determine if she can address the question/concern or if she should send it to me for response. Also, please carefully read the syllabus as it can answer many questions.**

Online Class Considerations

This class is completely online. For those of you who have not taken an online class before, these classes require your personal discipline and motivation to keep up with the pace of the class materials. For example, module materials will be released each week on Mondays at 8:00 am. Each module will have a quiz and some will have a discussion board as well that are due by the end of the week on Sundays at 11:59 pm. Students will typically have several days in the course schedule (e.g., from Monday at 8:00 am until Sunday at 11:59 pm) to identify time to complete the exams, quizzes and discussion boards.

Because students have an extended period of time to complete exams, quizzes and discussion boards, *there will generally be no make-up exams or quizzes and late discussion boards will generally not be accepted. A zero will be awarded for any work that is submitted late or not turned*

in at all during the scheduled time period. Students with absences that are authorized pursuant to university policy 06.039 Student Attendance and Authorized Absences **and** that impact the timeliness of their work (for example, by covering the entire time period during which an exam, quiz or discussion board could be done), should contact me and provide documentation *prior to any due date* in order for such absence to receive any consideration for a make-up exam/quiz or late discussion board submission.

Individual technical or technological difficulties in completing coursework in a timely manner (e.g., computer crashes or viruses or interrupted internet connections) do not constitute a basis to request a make-up exam or quiz, the submission of a late discussion board, or receive a time extension. To avoid such issues, I encourage you to *not wait* until the final available hours or minutes to complete assigned coursework and/or complete your discussion boards/quizzes/exams in a UNT computer lab. It is further recommended that you submit assigned work through a supported web browser on a computer or laptop rather than an iPad or other electronic device and that you avoid using wireless internet connections.

Because the class is online, you will, of course, need to use a personal computer that is compatible with the UNT online course system or use one of the computers available in the campus computer labs. This is important for submitting your coursework in a timely manner and is especially important for your quizzes and exams. Because your quizzes and exams are timed, you want to avoid any computer glitches that may impact your work.

Because communication in this course will occur online, you will need to make sure that you keep up with the class communications. I will primarily use the *Inbox* function, and occasionally the *Announcements* page, to communicate with the class as a whole. You should check these areas frequently. These communications will also be sent to your *UNT email address if you have notifications in Canvas set up in this manner.* If you do not routinely check your UNT email address, make sure to forward your UNT email to your preferred email address so that you can stay up-to-date with class announcements and information.

Finally, online classes also require some basic technological skills to access course materials and complete assigned coursework. UNT has a variety of resources to assist you with the technological aspects of navigating this and other online classes. *One of the most important of these resources is the help desk. It can be reached by email at helpdesk@unt.edu and via phone at 940-565-2324. Personnel at the help desk can assist you with issues concerning access to UNT's online system and other technological issues.*

Course Description

Undergraduate Catalog Course Description: This course examines the constitutional and statutory bases and judicial interpretations of the procedures governing the administration of criminal justice.

The course material is divided into chapters and modules. The order in which we will cover the chapters and modules is provided in the Course Schedule later in this syllabus. *Online modules that accompany each chapter will highlight and supplement the assigned text readings.* All learning modules will have an accompanying quiz while some learning modules will also have a discussion board.

The quizzes and discussion boards that accompany the learning modules are designed to verify and extend your knowledge and understanding of the class materials. The discussion boards also provide a mechanism to apply such knowledge and understanding.

Course Objectives

Upon successful completion of this course, students will be able to:

- Describe the exclusionary rule and probable cause.
- Analyze court decisions and judicial interpretations involving arrests, searches, and seizures.
- Define the law regarding interrogations and confessions.
- Recognize constitutional rights and defenses during trial.
- Apply contemporary U.S. Supreme Court decisions to fact patterns

Required Text

del Carmen, Rolando V. and Craig Hemmens. *Criminal Procedure: Law and Practice*, 10th ed. Boston: Cengage, 2017.

This text is required for all students enrolled in the class and is the only required text for the course. Reading assignments are noted in the Course Schedule.

How the Course is Organized

This course will take place completely online through Canvas. The course is composed of several modules. Each module contains relevant chapter outlines as well as other supplementary material as needed. *Online materials that accompany each module will highlight and supplement the assigned text readings.*

How Students Should Proceed Each Week for Class Activities

At the beginning of each week, students should refer to the Course Schedule (see below) for the coursework/activities for that week. The textbook chapters and online modules will help you complete the coursework for each week and satisfy all learning objectives.

Course Requirements

There are a total of 400 points that students can earn in this class: 2 exams (100 points each, for a total of 200 points); 12 quizzes (10 points each, for a total of 120 points); 4 discussion boards (20 points each, for a total of 80 points). The grading scale and descriptions of the assessment measures are described below.

Grading Scale

360 – 400 points = A

320 – 359 points = B

280 – 319 points = C

240 – 279 points = D

Below 240 points = F

I do not offer extra credit in this course.

PLEASE NOTE: I DO NOT DEVIATE FROM THE ABOVE GRADING SCALE EVEN IF YOU ARE ONLY ONE POINT AWAY FROM THE NEXT LETTER GRADE.

Exams (200 points total)

There will be 2 online exams (a midterm exam and a final exam) for this class which will be available on the course site when they are released. The exams are designed to assess the knowledge that each of you has individually learned regarding the course materials. Therefore, I expect your exam responses to reflect your own individual and independent knowledge and work, without assistance from any other person. ***You may use your textbook and all course materials***

while completing the exams. The exams themselves should not be copied or duplicated by you or anyone else for any purpose whatsoever. The university rules concerning academic integrity will be strictly enforced.

The exams are included in the related Course Materials, under *Modules*, and should be submitted there.

Each exam will consist of 50 multiple choice questions. Each multiple choice question is worth 2 points. Thus, each exam is worth 100 points. Each exam will cover the assigned text material and the modules in Canvas. Exams are timed (75 minutes), so plan your time efficiently to do your best.

EXAMS COVER MATERIAL FROM THE COURSE TEXTBOOK AND THE MODULES IN CANVAS. IT IS ESSENTIAL THAT YOU READ THE CORRESPONDING CHAPTER MATERIALS AND CANVAS MODULES BEFORE ATTEMPTING TO TAKE AN EXAM.

For the midterm exam, you will have from Monday at 8:00 am until Sunday at 11:59 pm to set aside 75 minutes to take the exam. For the final exam, you will have from Monday at 8:00 am to Thursday at 11:59 pm to set aside 75 minutes to take the exam. The exams will be timed. From the time that you log in to take the exam, you will have up to 75 minutes to complete the exam.

You are allowed only 1 attempt to take each exam. Once you start the exam, you cannot exit (and return to) the exam or pause the exam time.

Students who do not complete any exam during the scheduled time period will receive a zero for the exam. *Exam grades will be available immediately upon completion of each exam.*

Quizzes (120 points total)

There will be 12 online quizzes for this class which will be available on the course site when they are released. The quizzes are designed to assess the knowledge that each of you has individually learned regarding the textbook and course materials. Therefore, I expect your quiz responses to reflect your own individual and independent knowledge and work, *without assistance from* any other person. ***You may use your textbook and all course materials while completing the quizzes.*** The quizzes themselves should not be copied or duplicated by you or anyone else for any purpose whatsoever. The university rules concerning academic integrity will be strictly enforced.

The quizzes are included in the related Course Materials, under *Modules*, and should be submitted there.

Each quiz is comprised of 10 multiple-choice questions and is worth 10 points. Quizzes will cover textbook readings and the modules in Canvas. Quizzes are timed (15 minutes), so plan your time efficiently to do your best.

QUIZZES COVER MATERIAL FROM THE COURSE TEXTBOOK AND THE MODULES IN CANVAS. IT IS ESSENTIAL THAT YOU READ THE CORRESPONDING CHAPTER MATERIAL AND CANVAS MODULE BEFORE ATTEMPTING TO TAKE A MODULE QUIZ.

For each quiz, you will have from Monday at 8:00 am until Sunday at 11:59 pm to set aside 15 minutes to take the quiz. The quizzes will be timed. From the time that you log in to take the quiz, you will have up to 15 minutes to complete the quiz.

You are allowed only 1 attempt to take each quiz. Once you start the quiz, you cannot exit (and return to) the quiz or pause the quiz time.

Students who do not complete any quiz during the scheduled time period will receive a zero for the quiz. *Quiz grades will be available immediately upon completion of each quiz.*

Discussion Boards (80 points total)

Four of the modules will have an accompanying discussion board due by the end of time allotted for the module, as reflected in the Course Schedule.

These discussion board assignments are included in the related Course Materials, under *Modules*, and should be submitted there.

Grading rubrics will be utilized for the discussion boards so students can identify how their discussion posts will be graded.

Your discussions will be graded on depth of explanation, utilization of outside sources (if applicable), specific efforts to back up your arguments with logical points and sources, grammar and spelling, and adhering to the assignment requirements. In order to receive full credit you must post an original response and respond to at least 1 other students' post. Note that you will NOT be able to see any other students' posts until you have first posted a thread yourself.

Each discussion submission should be thorough and well-written and *at least three paragraphs in length*. The discussion boards will ask you to provide your own posting *and* respond to the posting of at least 1 other student. Responses to other students should be *at least one paragraph long*.

There will be a total of 4 discussion board assignments. Each will be worth a maximum of 20 points – up to 15 points for your posting and up to 5 points for your response to another student's posting. The discussions boards will close at the time indicated on the Course Schedule.

Students who do not complete any discussion board assignment within the scheduled time period will receive a zero for the discussion board. *Discussion post grades will be available within 7 business days after the applicable discussion post period closes.*

General Class Policies

Communication:

We will use the course site message function for communication purposes (Canvas Inbox). Any email communication with me outside the course site should be done via my unt.edu email address: fritsch@unt.edu. You should use your UNT email account for all email communications with me. My phone number is 940-565-4954. If you leave a voicemail, please clearly identify yourself and leave a return phone number where I can reach you. I will return emails and voicemails within 48 hours during Monday-Friday. If you do not receive a response from me during that period, assume that I did not receive your communication and contact me again. You are, of course, also welcome to communicate with me in person in Chilton Hall 265 by appointment.

If you are having technical or technological issues regarding the course, your first communication should be with the help desk at helpdesk@unt.edu or 940-565-2324. The technicians there have the expertise to help you resolve your issues.

Syllabus Change:

I reserve the right and have the discretion to change this syllabus. While every effort will be made to follow this syllabus as closely as possible, it is sometimes the case that it must be modified. In the case that it needs to be adjusted, I will announce such adjustments to the class. I will make every effort to ensure that any changes to the syllabus benefit the class as a whole. It is the student's responsibility to check announcements/notifications/emails so that any and all changes are documented. Failure to obtain syllabus changes because of failure to check and read announcements/notifications/emails does not constitute a basis for a missed applicable change.

Release of Chapter Materials:

The Chapter Materials for each chapter and related modules will be released on the course site according to the schedule on the Course Schedule. Once released, they will remain available on the course site.

Late Policy:

Because students have an extended period of time to complete exams, quizzes and discussion boards, *there will generally be no make-up exams or quizzes and late discussion boards will generally not be accepted. A zero will be awarded for any work that is submitted late or not turned in at all during the scheduled time period.* Students with absences that are authorized pursuant to university policy 06.039 Student Attendance and Authorized Absences **and** that impact the timeliness of their work (for example, by covering the entire time period during which an exam/quiz or discussion could be done), should contact me and provide documentation *prior to any due date* in order for such absence to receive any consideration for a make-up exam/quiz or late discussion board submission.

Individual technical or technological difficulties in completing an exam/quiz or discussion in a timely manner (e.g., computer crashes or viruses or interrupted internet connections) do not constitute a basis to request a make-up exam/quiz or the submission of a late discussion. To avoid such issues, I encourage you to *not wait* until the final available hours or minutes to complete assigned coursework and/or complete your exams, quizzes and discussions in a UNT computer lab. It is also recommended that you submit assigned work through a supported web browser on a computer or laptop rather than an iPad or other electronic device and that you avoid using wireless internet connections.

Online Etiquette:

This online format provides the opportunity to thoughtfully discuss issues and exchange ideas. Your communication with me and your fellow students in this online format should be appropriate to the course and respectful of the opinions of others. Engaging in disruptive or disrespectful behavior in this online forum may result in your dismissal from this class, as provided in university policy.

Posting of Grades:

Students can access their grades via the *Grades* tab on the course page in Canvas.

Academic Integrity:

The university rules (UNT Policy 06.003) concerning cheating and plagiarism will be strictly enforced. *Your work on exams, quizzes, and discussion boards should be your own individual and independent work. These are not group projects. You should not consult other persons when completing exams or quizzes.*

Policy on Server Unavailability or Other Technical Difficulties:

The University is committed to providing a reliable online course system to all users. However, in the event of any unexpected server or any unusual technical difficulty which prevents students from completing a time sensitive outage assessment activity, the instructor will extend the time windows and provide an appropriate accommodation based on the situation.

SPOT (Student Perceptions of Teaching):

You will have the opportunity to complete the SPOT survey at the end of the semester and share your thoughts about the course. I value the feedback that I receive from the SPOT survey and strongly encourage you to participate by completing the survey in this class and all of your classes.

ADA Statement:

The University of North Texas makes reasonable academic accommodation for students with disabilities. Students seeking accommodation must first register with the Office of Disability Access (ODA) to verify their eligibility. If a disability is verified, the ODA will provide you with an accommodation letter to be delivered to faculty to begin a private discussion regarding your specific needs in a course. You may request accommodations at any time, however, ODA notices of accommodation should be provided as early as possible in the semester to avoid any delay in implementation. Note that students must obtain a new letter of accommodation for every semester and must meet (i.e., electronically, phone, or in person) with each faculty member prior to implementation in each class. For additional information, see the Office of Disability Access website at <http://disability.unt.edu/>. You may also contact them by phone at 940.565.4323.

Intellectual Property Statement:

The material posted online for this course is my personal intellectual property or that of the university. You may not use this material for anything other than class purposes.

Emergency Notification & Procedures:

UNT uses a system called Eagle Alert to quickly notify students with critical information in the event of an emergency (i.e., severe weather, campus closing, and health and public safety emergencies like chemical spills, fires, or violence). In the event of a university closure, please refer to Canvas for contingency plans for covering course materials.

Important Notice for F-1 Students taking Distance Education Courses: see Appendix 1.

Course Schedule

Note: Chapter materials will open on *Mondays* on the course site in Canvas at 8:00 am each week as indicated in the Opening Date column below. Students will have until the following *Sunday* night at 11:59 pm to complete any related exam, quiz or discussion board (**except Final Exam week which has a *Thursday* night at 11:59PM due date**).

Week & Opening Date	Readings, Assignments, Quizzes, Exams	Due Dates & Times
<u>Week 1</u> Tuesday January 16 at 8AM	<ul style="list-style-type: none"> • Read <i>Start Here</i> Module in Canvas • Read <i>Read First: Important Course Information</i> Module in Canvas • Read <i>Syllabus</i> in Canvas 	
<u>Week 2</u> Monday January 22 at 8AM	<ul style="list-style-type: none"> • Read <i>Chapter 1: The Court System, Sources of Rights, and Fundamental Principles</i> in textbook • Read Chapter 1 Module in Canvas • Complete Quiz for Chapter 1 in Canvas 	Quiz for Chapter 1 due by Sunday, January 28 at 11:59PM
<u>Week 3</u> Monday January 29 at 8AM	<ul style="list-style-type: none"> • Read <i>Chapter 2: Overview of the Criminal Justice Process</i> in textbook • Read Chapter 2 Module in Canvas • Complete Quiz for Chapter 2 in Canvas 	Quiz for Chapter 2 due by Sunday, February 4 at 11:59PM
<u>Week 4</u> Monday February 5 at 8AM	<ul style="list-style-type: none"> • Read <i>Chapter 3: Probable Cause and Reasonable Suspicion</i> in textbook • Read Chapter 3 Module in Canvas • Complete Quiz for Chapter 3 in Canvas • Complete Discussion 1 in Canvas 	Quiz for Chapter 3 and Discussion 1 due by Sunday, February 11 at 11:59PM
<u>Week 5</u> Monday February 12 at 8AM	<ul style="list-style-type: none"> • Read <i>Chapter 4: The Exclusionary Rule</i> in textbook • Read Chapter 4 Module in Canvas • Complete Quiz for Chapter 4 in Canvas 	Quiz for Chapter 4 due by Sunday, February 18 at 11:59PM

<u>Week 6</u> Monday February 19 at 8AM	<ul style="list-style-type: none"> • Read <i>Chapter 5: Stop and Frisk and Stationhouse Detention</i> in textbook • Read Chapter 5 Module in Canvas • Complete Quiz for Chapter 5 in Canvas 	Quiz for Chapter 5 due by Sunday, February 25 at 11:59PM
<u>Week 7</u> Monday February 26 at 8AM	<ul style="list-style-type: none"> • Read <i>Chapter 6: Arrests and Use of Force</i> in textbook • Read Chapter 6 Module in Canvas • Complete Quiz for Chapter 6 in Canvas 	Quiz for Chapter 6 due by Sunday, March 3 at 11:59PM
<u>Week 8</u> Monday March 4 at 8AM	<u>Midterm Exam</u> (covering chapters 1-6)	<u>Midterm Exam</u> due by Sunday March 10 at 11:59PM
<u>Monday March 11 – Friday March 15 – SPRING BREAK</u>		
<u>Week 9</u> Monday March 18 at 8AM	<ul style="list-style-type: none"> • Read <i>Chapter 7: Searches and Seizures of Things</i> in textbook • Read Chapter 7 Module in Canvas • Complete Quiz for Chapter 7 in Canvas • Complete Discussion 2 in Canvas 	Quiz for Chapter 7 and Discussion 2 due by Sunday, March 24 at 11:59PM
<u>Week 10</u> Monday March 25 at 8AM	<ul style="list-style-type: none"> • Read <i>Chapter 8: Motor Vehicle Stops, Searches, and Inventories</i> in textbook • Read Chapter 8 Module in Canvas • Complete Quiz for Chapter 8 in Canvas 	Quiz for Chapter 8 due by Sunday, March 31 at 11:59PM

<u>Week 11</u> Monday April 1 at 8AM	<ul style="list-style-type: none"> • Read <i>Chapter 9: Plain View, Open Fields, Abandonment, and Border Searches</i> in textbook • Read Chapter 9 Module in Canvas • Complete Quiz for Chapter 9 in Canvas • Complete Discussion 3 in Canvas 	Quiz for Chapter 9 and Discussion 3 due by Sunday, April 7 at 11:59PM
<u>Week 12</u> Monday April 8 at 8AM	<ul style="list-style-type: none"> • Read <i>Chapter 10: Lineups and Other Means of Pretrial Identification</i> in textbook • Read Chapter 10 Module in Canvas • Complete Quiz for Chapter 10 in Canvas • Complete Discussion 4 in Canvas 	Quiz for Chapter 10 and Discussion 4 due by Sunday, April 14 at 11:59PM
<u>Week 13</u> Monday April 15 at 8AM	<ul style="list-style-type: none"> • Read <i>Chapter 11: Confessions and Admissions: Miranda v. Arizona</i> in textbook • Read Chapter 11 Module in Canvas • Complete Quiz for Chapter 11 in Canvas 	Quiz for Chapter 11 due by Sunday, April 21 at 11:59PM
<u>Week 14</u> Monday April 22 at 8AM	<ul style="list-style-type: none"> • Read <i>Chapter 12: Basic Constitutional Rights of the Accused during Trial</i> in textbook • Read Chapter 12 Module in Canvas • Complete Quiz for Chapter 12 in Canvas 	Quiz for Chapter 12 due by Sunday, April 28 at 11:59PM
<u>Week 15</u> Monday April 29 at 8AM	<ul style="list-style-type: none"> • Prepare for Final Exam 	
<u>Week 16</u> Monday May 6 at 8AM	<ul style="list-style-type: none"> • <u>Final Exam</u> (covering chapters 7-12) 	<u>Final Exam</u> due by Thursday May 9 at 11:59PM

Appendix 1

Important Notice for F-1 Students taking Distance Education Courses: Federal Regulation

Federal Regulation

To read detailed Immigration and Customs Enforcement regulations for F-1 students taking online courses, please go to the Electronic Code of Federal Regulations website at <http://ecfr.gpoaccess.gov>. The specific portion concerning distance education courses is located at "Title 8 CFR 214.2 Paragraph (f)(6)(i)(G)" and can be found within this document: <http://frwebgate.access.gpo.gov/cgi-bin/get-cfr.cgi?TITLE=8&PART=214&SECTION=2&TYPE=TEXT>

The paragraph reads:

(G) For F–1 students enrolled in classes for credit or classroom hours, no more than the equivalent of one class or three credits per session, term, semester, trimester, or quarter may be counted toward the full course of study requirement if the class is taken on-line or through distance education and does not require the student's physical attendance for classes, examination or other purposes integral to completion of the class. An on-line or distance education course is a course that is offered principally through the use of television, audio, or computer transmission including open broadcast, closed circuit, cable, microwave, or satellite, audio conferencing, or computer conferencing. If the F–1 student's course of study is in a language study program, no on-line or distance education classes may be considered to count toward a student's full course of study requirement.

University of North Texas Compliance

To comply with immigration regulations, an F-1 visa holder within the United States may need to engage in an on-campus experiential component for this course. This component (which must be approved in advance by the instructor) can include activities such as taking an on-campus exam, participating in an on-campus lecture or lab activity, or other on-campus experience integral to the completion of this course.

If such an on-campus activity is required, it is the student's responsibility to do the following:

(1) Submit a written request to the instructor for an on-campus experiential component within one week of the start of the course.

(2) Ensure that the activity on campus takes place and the instructor documents it in writing with a notice sent to the International Student and Scholar Services Office (ISSS). ISSS has a form available that you may use for this purpose.

Because the decision may have serious immigration consequences, if a F-1 student is unsure about their need to participate in an on-campus experiential component for this course, they should contact the UNT International Student and Scholar Services Office (telephone 940-565-2195 or email internationaladvising@unt.edu) to get clarification before the one-week deadline.