

Spring 2024
PSCI 4230.001, the Constitution and the Rights of Criminal Defendants
M/W 3:30 pm - 4:50 pm, SAGE 356

Instructor: Eddie L. Meaders, J.D., M.A.

Office: WH 141
Political Science Department Office: Wooten Hall 125
Political Science Department Phone: (940) 565 - 2276
E-mail: meaders@unt.edu

***Note to Students:** Due to FERPA regulations, I cannot send academic information to non-UNT email addresses. **Please contact me via your UNT email address only.**

Office Hours:

Walk In, WH 141
Monday 1:00 pm - 3:00 pm
Wednesday 1:00 pm - 3:00 pm

Zoom Tuesdays
1:00 pm - 3:00 pm
<https://unt.zoom.us/j/82677646606>

Feel free to drop by. I would like to know who my students are. No appointment is needed during office hours. If the posted hours are not good, let me know and we will set something else up.

Course Overview: This course provides an in-depth examination of the constitutional rights and liberties enjoyed by defendants in the criminal justice process. Our focus will be upon of the limitation of governmental power in the context of criminal investigations and the Fourth, Fifth, and Sixth Amendments to the U.S. Constitution. We will have to save defendant's rights in a criminal trial for another time. Specifically, we will explore the U.S. Supreme Court's interpretation of constitutional guarantees as that interpretation has developed through the evolution of case law. While we will necessarily focus a fair amount of attention on what the law is, we will also pay considerable attention to how the law has changed; why the law is the way it is (both the Court's stated rationale for its decisions and the political and social pressures that may have played a role in the Court's decision making); and what the law ought to be.

The course requires a significant amount of reading, and it is dense. Do not take this class if you do not care about reading. If you know you are not good at time management, this is not the class for you. As an upper division course, I expect that you will devote between 6-8 hours per week outside of class reading, studying, and preparing

briefs about the subject matter for class discussions. **Make no mistake: this is not an easy course!** If you survive with a B or better grade, you should most definitely consider graduate studies or law school. If you are interested in the legal profession, this course has a small taste for what it is like.

Finally, this class will require critical thinking and writing skills; while I will help you develop those skills, you need to be willing to put in serious effort. If you are looking for a class in which material will be spoon-fed to you or in which you can skate by with little work, look elsewhere.

Course Objectives: By the end of the semester, you should be able to.

- Define and explain Incorporation of the Bill of Rights
- Define and explain the Exclusionary Rule
- Define and explain the constitutional standards for a valid search
- Define and explain probable cause, the need for warrants, and why there are warrantless searches.
- Explain the diminishing role of probable cause
- Define and explain remedies for 4th Amendment violations
- Define and explain the meaning and role of the 5th amendment I police interrogations
- Define and explain the role of defense counsel in the criminal process

Required Text: Mizrahi, Dressler, and Thomas (2018). *The Law of Criminal Investigations*. West Academic Publishing, St. Paul, MN.

Class Procedure: This class will be conducted in a lecture/discussion format. Students are encouraged to actively participate in class discussions.

READ AND PREPARE FOR CLASS! Your views, opinions, and questions are valued no matter how insignificant or controversial you may feel them to be. Warm bodies only fill up space and are not excited unless they say something.

Attendance: **ATTEND CLASS!** I am taking roll for each class. Why pay for all this tuition if you are not going to come to class? Three (3) unexcused absences will result in a lower professionalism score. You will have assigned seats for your attendance purposes.

Assessment components:

- **Exams (75%).** There are two in-class exams (midterm & final) divided between multiple guess, short identifications, and essays. The final is not comprehensive but focuses only on topics covered in class since the mid-term. If you cannot attend class on the day of the exam, please notify the instructor in advance. If you miss an exam, please contact the instructor with 48 hours of the scheduled exam date and time to arrange for

makeup. Failure to do so will result in a failing grade (0) for the exam. The UNT Testing Center will be providing in class laptops for both exams.

- **Briefs (15%).** You will prepare case briefs for all assigned cases. Case briefs are short summaries of cases designed to highlight the most important information about a case that has been decided by the Court. Dr. Kimi King (2007) provides a great explanation of the purpose of a brief:

Briefs synthesize cases into basic points so you can quickly access information. Briefing requires you to study the essential facts and reasoning from the court's opinion and succinctly express them in your own words. This helps you develop a critical facet of legal reasoning and the ability to put complex matters into simple form. Use the court's terminology only if it helps you understand the case or there is a specific standard, test, or rule the court is articulating. Try to use your own language as if you were explaining it to a friend and avoid legalese. This enhances your understanding of the case. Remember, it is not a typing exercise but an exercise in critical thinking!

You should come to class each day with a brief for each assigned case. Each brief should include your name and the case name. I will randomly collect three briefs from you during the semester. If called for, briefs must be turned in to Canvas by 5:30 pm on the day I ask for them. **NO CREDIT WILL BE GIVEN FOR LATE BRIEFS!**

- **Professionalism (10%):** I will take into consideration (1) your attendance and promptness for class (yes, I will take attendance); (2) your preparation for class; (3) and your respectful attitude (this includes your attitude and professionalism in class, online and in e-mails).

How will I know if you are prepared? At the beginning of the term, I will randomly generate a class list. I will work through the list. For each case. I expect you to be able to answer questions about the case(s) assigned for that day. If you are unable to answer those questions, it will be noted. If this happens twice, you will be docked 1 point on professionalism. If I go through all the names, I will generate another random list.

Final Exam: The final is scheduled for **Wednesday, May 8th, 2024, from 1:30 pm -3:30 pm, SAGE 356.** It will not be comprehensive! Please do not ask to take the final early.

Grades: The grading scale is:

A range = 89.5-100, B range = 79.5-89.4, C range = 69.5-79.4, D range = 59.5 - 69.4

Your final grade is the culmination of work that you have done over the course of the semester. It is not the product of bargaining for academic mercy at the

end of the term. Moreover, I cannot make an exception for one student without making it for all students, and that is never practical or fair.

Technical Support: Your instructor is NOT wise in terms of technical support. If you experience any kind of technical problem, please contact:

Student Helpdesk: <https://it.unt.edu/helpdesk>

Sage Hall 330
940-565-2324
helpdesk@unt.edu

Spring 2024 Hours:

Monday–Thursday: 8 a.m. - 9 p.m.

Friday: 8 a.m. - 5 p.m.

Saturday–Sunday: 11 a.m. - 3 p.m.

Walk-in Hours:

Monday–Friday: 8 a.m.- 5 p.m.

For additional support, visit [Canvas Technical Help](#)

UNT Academic Integrity Policy: Academic Integrity Standards and Consequences. According to UNT Policy 06.003, Student Academic Integrity, academic dishonesty occurs when students engage in behaviors including, but not limited to cheating, fabrication, facilitating academic dishonesty, forgery, plagiarism, sabotage, and unauthorized use of AI in any assignment or exam. A finding of academic dishonesty may result in a range of academic penalties or sanctions ranging from admonition to expulsion from the University.

Political Science Department Policy on Cheating & Plagiarism: Perish the thought and do not give in to temptation and the easy way! The Political Science Department adheres to and enforces UNT’s policy on academic integrity. Academic Integrity is defined in the UNT Policy on Student Standards for Academic Integrity. Any suspected case of Academic Dishonesty will be managed in accordance with the University Policy and procedures. Possible academic penalties range from a verbal or written admonition to a grade of “F” in the course. Further sanctions may apply to incidents involving major violations. You will find the policy and procedures at: <http://facultysuccess.unt.edu/academic-integrity>. Review the policy!

ADA Policy: UNT makes reasonable academic accommodation for students with disabilities. Students seeking accommodation must first register with the Office of Disability Accommodation (ODA) to verify their eligibility. If a disability is verified, the

ODA will provide a student with an accommodation letter to be delivered to faculty to begin a private discussion regarding one's specific course needs. Students 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 with each faculty member prior to implementation in each class. For additional information see the [ODA website \(https://disability.unt.edu/\)](https://disability.unt.edu/).

Prohibition of Discrimination, Harassment, and Retaliation: The University of North Texas (UNT) prohibits discrimination and harassment because of race, color, national origin, religion, sex, sexual orientation, gender identity, gender expression, age, disability, genetic information, veteran status, or any other characteristic protected under applicable federal or state law in its application and admission processes; educational programs and activities; employment policies, procedures, and processes; and university facilities. The University takes active measures to prevent such conduct and investigates and takes remedial action when appropriate.

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.

Retention of Student Records: Student records pertaining to this course are maintained in a secure location by the instructor of record. All records such as exams, answer sheets (with keys), and written papers submitted during the duration of the course are kept for at least one calendar year after course completion. Course work completed via the Canvas online system, including grading information and comments, is also stored in a safe electronic environment for one year. Students have the right to view their individual record; however, information about student's records will not be divulged to other individuals without proper written consent. Students are encouraged to review the Public Information Policy and the Family Educational Rights and Privacy Act (FERPA) laws and the University's policy. See UNT Policy 10.10, Records Management and Retention for additional information.

Acceptable Student Behavior: Student behavior that interferes with an instructor's ability to conduct a class or other students' opportunity to learn is unacceptable and disruptive and will not be tolerated in any instructional forum at UNT. Students engaging in unacceptable behavior will be directed to leave the classroom and the instructor may refer the student to the Dean of Students to consider whether the student's conduct violated the Code of Student Conduct. The University's expectations for student conduct apply to all instructional forums, including University and electronic classroom, labs, discussion groups, field trips, and other University sponsored events. Visit UNT's [Code of Student Conduct](#)

Rules of Engagement: rules of engagement refer to the way students are expected to interact with each other and with their instructors. Here are a few general guidelines:

- While the freedom to express yourself is a fundamental human right, any communication that utilizes cruel and derogatory language based on race, color, national origin, religion, sex, sexual orientation, gender identity, gender expression, age, disability, genetic information, veteran status, or any other characteristic protected under applicable federal, or state law will not be tolerated.
- Treat your instructor and classmates with respect in any communication online or face-to-face, even when their opinion differs from your own.
- Ask for and use the correct name and pronouns for your instructor and classmates.
- Speak from personal experiences. Use “I” statements to share thoughts and feelings. Try not to speak on behalf of groups or other individual’s experiences.
- Use your critical thinking skills to challenge other people’s ideas, instead of attacking individuals.
- Avoid using all caps while communicating digitally. This may be interpreted as “YELLING!”
- Be cautious when using humor or sarcasm in emails or discussion posts as tone can be difficult to interpret digitally.
- Avoid using “text-talk” unless explicitly permitted by your instructor.

Access to Information - Eagle Connect: Students’ access point for business and academic services at UNT is located at: my.unt.edu. All official communication from the University will be delivered to a student’s Eagle Connect account. For more information, please visit the website that explains Eagle Connect and how to forward e-mail [Eagle Connect](https://it.unt.edu/eagleconnect) (<https://it.unt.edu/eagleconnect>).

Student Evaluation Administration Dates: Student feedback is important and an essential part of participation in this course. The student evaluation of instruction is a requirement for all organized classes at UNT. The survey will be made available during weeks 13, 14 and 15 of the long semesters to provide students with an opportunity to evaluate how this course is taught. Students will receive an email from "UNT SPOT Course Evaluations via IASystem Notification" (no-reply@iasystem.org) with the survey link. Students should look for the email in their UNT email inbox. Simply click on the link and complete the survey. Once students complete the survey, they will receive a confirmation email that the survey has been submitted. For additional information, please visit the [SPOT website](http://spot.unt.edu/) (<http://spot.unt.edu/>) or email spot@unt.edu.

Student Support Services

Mental Health: UNT provides mental health resources to students to help ensure there are numerous outlets to turn to that wholeheartedly care for and are there for students in need, regardless of the nature of an issue or its severity. Listed below are several resources on campus that can support your academic success and mental well-being:

- [Student Health and Wellness Center](https://studentaffairs.unt.edu/student-health-and-wellness-center) (<https://studentaffairs.unt.edu/student-health-and-wellness-center>)
- [Counseling and Testing Services](https://studentaffairs.unt.edu/counseling-and-testing-services) (<https://studentaffairs.unt.edu/counseling-and-testing-services>)
- [UNT Care Team](https://studentaffairs.unt.edu/care) (<https://studentaffairs.unt.edu/care>)
- [UNT Psychiatric Services](https://studentaffairs.unt.edu/student-health-and-wellness-center/services/psychiatry) (<https://studentaffairs.unt.edu/student-health-and-wellness-center/services/psychiatry>)
- [Individual Counseling](https://studentaffairs.unt.edu/counseling-and-testing-services/services/individual-counseling) (<https://studentaffairs.unt.edu/counseling-and-testing-services/services/individual-counseling>)

Survivor Advocacy: UNT is committed to providing a safe learning environment free of all forms of sexual misconduct. Federal laws and UNT policies prohibit discrimination based on sex as well as sexual misconduct. If you or someone you know is experiencing sexual harassment, relationship violence, stalking and/or sexual assault, there are campus resources available to provide support and assistance. The Survivor Advocates can be reached at SurvivorAdvocate@unt.edu or by calling the Dean of Students Office at 940-5652648.

Chosen Names: A chosen name is a name that a person goes by that may or may not match their legal name. If you have a chosen name that is different from your legal name and would like that to be used in class, please let the instructor know. Below is a list of resources for updating your chosen name at UNT.

- [UNT Records](#)
- [UNT ID Card](#)

****UNT euids cannot be changed at this time. The collaborating offices are working on a process to make this option accessible to UNT community members.***

Pronouns: Pronouns (she/her, they/them, he/him) are a public way for people to address you, much like your name, and can be shared with a name when making an introduction, both virtually and in-person. Just as we ask and don't assume someone's name, we should also ask and not assume someone's pronouns.

You can [add your pronouns to your Canvas account](#) so that they follow your name when posting to discussion boards, submitting assignments, etc.

Below is a list of additional resources regarding pronouns and their usage:

- [What are pronouns and why are they important?](#)
- [How do I use pronouns?](#)
- [How do I share my pronouns?](#)
- [How do I ask for another person's pronouns?](#)
- [How do I correct myself or others when the wrong pronoun is used?](#)

Additional Student Support Services:

- [Registrar](https://registrar.unt.edu/registration) (<https://registrar.unt.edu/registration>)
- [Financial Aid](https://financialaid.unt.edu/) (<https://financialaid.unt.edu/>)

- [Student Legal Services](https://studentaffairs.unt.edu/student-legal-services) (<https://studentaffairs.unt.edu/student-legal-services>)
- [Career Center](https://studentaffairs.unt.edu/career-center) (<https://studentaffairs.unt.edu/career-center>)
- [Counseling and Testing Services](https://studentaffairs.unt.edu/counseling-and-testing-services) (<https://studentaffairs.unt.edu/counseling-and-testing-services>)
- [UNT Food Pantry](https://deanofstudents.unt.edu/resources/food-pantry) (<https://deanofstudents.unt.edu/resources/food-pantry>)

Academic Support Services:

- [Academic Resource Center](https://clear.unt.edu/canvas/student-resources) (<https://clear.unt.edu/canvas/student-resources>)
- [Academic Success Center](https://success.unt.edu/asc) (<https://success.unt.edu/asc>)
- [UNT Libraries](https://library.unt.edu/) (<https://library.unt.edu/>)
- [Writing Lab](http://writingcenter.unt.edu/) (<http://writingcenter.unt.edu/>)

Schedule Changes: I reserve the right to change any of the exam times or assignments by providing you with at least a 48-hour notice of such changes. You are responsible for any changes that may occur during the semester. Any changes will be announced at the beginning of each class and posted in Blackboard.

Tasks at Hand

Week 1 January 17

Chapter 1 read on your own.
Chapter 2, Incorporation of the Bill of Rights
Weeks v. U.S.
Wolf v. Colorado

Week 2 January 22, 24

Chapter 2, the Exclusionary Rule
Mapp v. Ohio

Week 3 January 29, 31

Chapter 3, Passing the Threshold (What is a search?)
Katz v. U.S.
Smith v. Maryland
Kyllo v. U.S.
U.S. v. Jones
Florida v. Jardines

Week 4 February 5, 7

Chapter 4, Probable Cause and Warrants

Illinois v. Gates
Payton v. New York
LoJi Sales, Inc. v. New York
Richards v. Wisconsin

Week 5 February 12, 14

Chapter 5, Warrantless Searches

Warden v. Hayden
Chimel v. California
Arizona v. Gant
Riley v. California

Week 6 February 19, 21

More Chapter 5

California v. Carney
California v. Acevedo
Arizona v. Hicks

Week 7 February 26, 28

Chapter 6, the Diminishing Role of Probable Cause

Schneckloth v. Bustamonte
Illinois v. Rodriguez
Terry v. Ohio

Week 8 March 4, 6

More Chapter 6

Dunaway v. New York
Alabama v. White
Illinois v. Wardlow

Maryland v. Buie
Michigan Department of State Police v. Sitz
City of Indianapolis v. Edmond

Week 9 March 11, 13

Spring Break, No Class!

Week 10 March 18, 20

Chapter 6 Wrap Up

Midterm on the 20th. We will be utilizing the services of the Sage Testing Center via Canvas.

Week 11 March 25, 27

Chapter 7, Remedies for 4th Amendment Violations

Minnesota v. Carter

Mapp v. Ohio

Murray v. U.S.

Wong Sun v. U.S.

Week 12 April 1, 3

Chapter 8, the Fifth Amendment and Police Interrogation

Miranda v. Arizona

Illinois v. Perkins

Berkemer v. McCarty

Rhode Island v. Innis

Week 13 April 8, 10

More Chapter 8

Oregon v. Elstad

Dickerson v. U.S.

Edwards v. Arizona

Massiah v. U. S.

Brewer v. Williams

Week 14 April 15, 17

Chapter 9, the Role of Defense Counsel

Gideon v. Wainwright

Faretta v. California

Strickland v. Washington

Week 15 April 22, 24

Chapter 10, Wrongful Conviction

U.S. v. Wade

Perry v. New Hampshire

Week 16 April 29, May 1

More Chapter 10, or Catching Up

Week 17 **Final Exam, Wednesday, May 8th, 2024, from 1:30 pm -3:30 pm, SAGE 356.** It will not be comprehensive! Please do not ask to take the final early. We will again utilize the Sage Testing Center and Canvas.