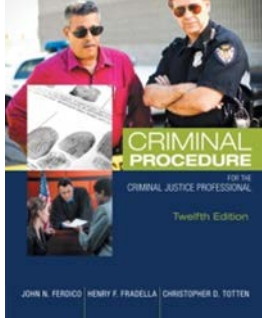




Department of Criminal Justice

Course #:	CRIJ 4312
Course Title:	Criminal Procedure
Course CRN:	25684
Term:	Spring 2020 (March 23, 2020 – May 9, 2020)
Course Meetings & Location:	Online - Blackboard
Instructor:	Adrián E. Gallegos
Contact Information:	Cell number (915) 471-9866 (*fastest response is by text) UTEP Email Address: Aegallegos3@utep.edu Other Email Address: adrian.e.gallegos@usdoj.gov
Office Hours	By appointment
Text(s) and Materials:	 <ul style="list-style-type: none"> • Criminal Procedure for the Criminal Justice Professional, Ferdico, J., et. al. (ISBN: 978-1-305-26148-8) • Announcements and/or additional readings will be posted on Blackboard

Information about the Instructor: Adrián E. Gallegos was licensed to practice law in 2003 after receiving his Juris Doctorate Degree from the University of Denver College of Law. Other degrees earned include a Master of Science Degree in International Relations from Troy State University (2000) and a Bachelor of Science degree in Criminal Justice from the University of Texas at El Paso (1996). Mr. Gallegos has worked for twelve (12) years as an Assistant U.S. Attorney with the U.S. Attorney’s Office in El Paso, TX, and also as Senior Counsel for the Department of Justice Office of Legal Policy in Washington, D.C. From 2003-05, Mr. Gallegos served as a Judicial Law Clerk for Senior U.S. District Judge David Briones. Prior to attending law school, Mr. Gallegos served as a Special

Agent for the U.S. Air Force Office of Special Investigations.

COMMUNICATION WITH INSTRUCTOR:

Should you have any questions or concerns throughout the course, please do not hesitate to call, visit or email me. I am available via phone 9 a.m. to 5 p.m. (MST) Monday through Friday.

Students will receive feedback in various ways, through the discussion forum, the grade book for exams and a grading rubric for the term paper and discussions. You may E-mail me using the Mail Box in Blackboard, or the virtual instructor's office in the Discussions forum. I will respond to all student communication to me within 24-48 hours. You may contact me via phone as well.

- **NOTE: Contacting me via email at: Aegallegos3@utep.edu is the easiest way to communicate a question to me.** Please identify yourself as a UTEP student in the "Subject" line.

Course Objectives:

This Criminal Procedure course provides an overview of the rules and procedures that govern the American criminal court system and its participants. This course provides an overview of the constitutional rules governing the criminal investigation, detention, prosecution and adjudication of persons in the United States. It focuses on the Fourth, Fifth, and Sixth Amendments to the United States Constitution and the Supreme Court decisions that have interpreted the meaning of these amendments. Topics to be discussed include searches, seizures, interrogations, identification procedures, right to counsel, and remedies for constitutional violations.

Academic Requirements:

All the course content will be delivered via the UTEP Blackboard course management system. You can view all materials related to this course on Blackboard (except the textbook). You can also send e-mails to your fellow classmates or to me.

Structure/Sequence of the Course: The structure of this course will require that you keep on top of your weekly assignments and outside reading. Students will study the framework of criminal justice, search warrants, arrests, stops, and frisks, exceptions to the warrant requirement, interrogations, identifications, trials, and post-conviction remedies.

Assessment:

Students will be assessed throughout the semester using a variety of methods. Students will have WEEKLY discussion questions, two (2) exams, and a research paper. The Research Paper will serve as a Final Exam for the course.

What you need to do immediately:

On Week 1, you need to navigate through the system and get familiar with it. Technical problems need to be handled by the DE office and tech support.

- 1) Look for the learning modules – you will only see Module 1.
- 2) Get your books, you will start using it right away.
- 3) In the discussions forum, introduce yourself and begin meeting others in the class.
- 4) You will have a discussion question due Saturday of week 1.

Class CORE Assessments

Course Requirements

Activity or Assignment	Point Value
Discussion Questions (6) <ul style="list-style-type: none"> • NOTE: Only thorough and complete comments will earn full credit. 	120
Exam #1	150
Exam #2	150
Research Paper	80
Total Points	500 Points

Weekly Blackboard Discussion Questions (Full Credit for all Discussions = 100 points)

- o During this course, you will have 6 *Unit discussion questions* (between weeks 2 - 7) to answer in the Blackboard Discussion Board. You will be required to respond *substantively* to the question, and respond *substantively* to two others within the discussion forum as well. This will require a minimum of three substantive posts for each unit discussion (one original post and two response posts per week). Among your three substantive posts, you must post within the forum on at least two days. You will not see other student posts until you have responded first to the discussion question. I encourage

you to post your original response early, and more than just the bare minimum. The instructor will remain active in discussion board. Look out for follow-up questions from instructor.

- Your collaborative group discussions are theoretical in nature and mostly related to the issues to be covered in the textbook. Please note that both quantity and quality are important considerations when it comes to participation, and substantive posts need to move the discussion forward. For example, a message that restates the post to which you respond, or that essentially says, "I agree," does not constitute participation because it does not add anything new of substance to the discussion. Likewise, off-topic posts do not constitute participation because they do not relate to the original discussion. Discussion posts need to have a 'meaty' combination of your insights on the topics and objectives, specific examples from your experience, and support from the course readings or other scholarly sources. Think of substantive like a formula: **Your Insight + Example from your Experience + Support = Substantive**
- Discussion Board Rules: All of your discussion posts must be substantive. Substantive posts provide your educated opinion based on what you have read and when appropriate, personal experiences combined. Non-substantive posts are passing comments, or a repeat of what another student said. Substantive posts bring new information into the discussion allowing for others to respond to you as well. Discussions are to be collaborative where all of you are educating each other on the topic.
- All module discussions will be open for one week (SUN-SAT midnight) with the exception of the first week as the course begins on Tuesday March 23, 2020. Since discussions are used as a gauge of one's participation and attendance, there are no make ups for prior unit's missed discussions. Please do not notify me that you did not know, or were mistaken. Print the syllabus and keep it next to your computer if you need to.

Exam Schedule (Each Exam = 150 points X 2 Exams = 300 points):

Exam # 1 (Chapters 1-4)

Exam #2 (Chapters 5-8)

- There will be two (2) multiple-choice exam each worth 150 points. The exam questions will be drawn directly from your text book. The Module Exams will open on Sunday (Midnight) and closed on Saturday (11:59pm). I will reschedule an exam only if you notify me in advance because of work (military) conflict where you will not have access to the Internet for the entire week (documentation), or if you were hospitalized for the entire week (doctor's note). Plan ahead!

Academic Research Paper (100 points)

- **Students are required to complete one academic research paper. Research paper is worth 100 points. *Students shall conduct specific research on one of the below referenced topics of your choice: There is an abundance of available research in these areas, but make sure your research has focus.***

PICK A TOPIC IN CRIMINAL PROCEDURE THAT YOU BELIEVE IS VITAL TO THE EFFICIENT AND FAIR FUNCTION OF THE CRIMINAL JUSTICE SYSTEM IN THE UNITED STATES.

- Your research paper is due on Saturday May 9, 2020. You must submit your paper by the due date in the Research Paper link in Blackboard as an attached file in Microsoft Word only (doc., docx).

*** NOTE: I will not accept the paper otherwise.**

- Considering this is a seven-week online course, I will not accept a late paper. The paper must be submitted electronically through Blackboard. **Do not email it to me.**

Research Paper Guidelines

- Research paper will be typed, double-spaced, “Time New Roman” font, 12-point size, 1-inch margins all around, and page number in the upper right corner header. A title page is required; provide your name, your instructor’s name, the course title, and the date in the center of the first page. The paper will be formatted and written in APA 7th Edition with a title page and reference page. All research and sources will be cited within the body of the paper with the appropriate use of in-text citations. The paper will be no less than 1500 words and have a minimum of 6 academic quality references. The grading rubric for this assignment may be viewed in the Research Paper submission link in Blackboard.
- Websites such as Wikipedia, blogs, and social networking forums (e.g., Facebook) are **not** to be used. Depending on your topic, they may be good places to start. However, there is nothing authoritative about these websites and therefore should not be cited in an academic paper. Information obtained from official websites, such as state/federal governments or government agencies, is acceptable and may be used as sources sparingly. I have provided you with an APA formatted paper shell and a presentation on citing and references in your research paper assignment link. Please review the Research Paper Rubric to see how I will be grading this assignment.

- **NO Extra Credit OFFERED for this course.**

GRADING SCALE:

Points	Letter Grade
450-500	A
400-449	B
350-399	C
300-349	D
0-299	F

The University Writing Center: The University Writing Center is located in Library, Room 227. The University Writing Center offers free synchronous online one-on-one writing assistance for UTEP Connect students. Graduate and undergraduate consultants work with writers on projects for a wide variety of classes and provide assistance during all parts of the writing process, including: prewriting, drafting, revising, and editing. Online assistance is available by appointment through the UWC's website (uwc.utep.edu). Most UWC consultants are bilingual Spanish and English speakers. Consultants will not edit your paper for you, and you are the one ultimately responsible for the work you submit and the grade you earn. Instead, Writing Center consultants will guide you through the writing process and teach you valuable writing skills. They are open M-Th 9:00-5:00 p.m., Fr 9:00-2:00 p.m., and Sundays 12:00 -5:00 p.m. Appointments are recommended well before the deadline, but they will take walk-ins. Visit the UWC's website to learn more about the services they provide, or make an appointment for an online consultation. Online consultations take place during regular business hours (see website) and must be made at least one day in advance.

<http://uwc.utep.edu/>

Academic Honesty

- Students are expected to conduct themselves in blackboard in a manner that does not violate the UTEP Code of Conduct. Acts in violation of the Code of Conduct will not be tolerated.
- Academic dishonesty will not be tolerated. Students should beware of the UTEP Handbook of Operating Procedures. Academic dishonesty may include, but is not limited to cheating on a test, plagiarism, making false statements and collusion.
- "Plagiarism" is defined as the appropriating, buying, receiving as a gift, or obtaining by any means another work and the unacknowledged submission or incorporation of it in one's own written work. This course may utilize third party software that has the ability to automatically detect plagiarism on documents submitted for grading.

- "Collusion" is defined as the unauthorized collaboration with another person in preparing written work for fulfillment of course requirements.
- "Cheating on a test" shall include:
 - a. Copying from another student's test paper.
 - b. Using test materials not authorized by the teacher.
 - c. Collaborating with or seeking aid from another student during a test.
 - d. Knowingly using, buying, selling, stealing, or soliciting, in whole in part, the contents of an unadministered test.
 - e. Bribing another person to obtain an unadministered test.
- Turning in someone else's work as your own constitutes academic dishonesty. A grade of zero (0) will be assigned on any assignment/test found to be obtained under any of the items listed above in numbers 1-5.

Student Accommodations Statements

- In Section 504 of the Vocational Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) of 1990, if a student needs an accommodation then the Center for Accommodations and Support Services (CASS) located at UTEP need to be contacted. If you have a condition, which may affect your ability to perform successfully in this course, you are encouraged to discuss this in confidence with the instructor and/or the director of the Center for Accommodations and Support Services (CASS) <http://sa.utep.edu/cass/> . You may call 915-747-5148 for general information about the American with Disabilities Act (ADA) and the rights that you may have as a UTEP student with a disability.
- Individuals with disabilities have the right to equal access and opportunity. It is the student's responsibility to contact the instructor and the Center for Accommodations and Support Services at The University of Texas at El Paso.

UTEP Drop Policy

- If unforeseen circumstances happen where a drop is necessary, *students* are responsible for initiating any course drop. It is the student's responsibility to determine how dropping courses may affect financial aid. Students are limited to dropping no more than 6 courses over their entire academic career of all courses taken at any public college or University in Texas.

1. Students who drop a course *before the “official census date,”* the course will not appear on the transcript, and doesn’t count toward the 6-course drop limit.
2. Dropping a course *after the official census date, but before the “course drop date”* will generate a “W” in the course—although the drop shows on your transcript, a “W” does not lower your GPA. However, this type of drop counts against your 6 drop limit.
3. If the course is dropped *after the “course drop date”* or if the student just stops coming/taking tests, etc., UTEP requires the instructor to issue an “F” in the course that permanently remains on the transcript. This type of drop counts against the 6 drop limit.
4. UTEP also allows instructors to administratively drop any student because of excessive absences, lack of effort, or disciplinary reasons. In this case, the student will be notified of the course drop through their UTEP email account. A “W” will be issued if the drop occurs before the course drop date, and an “F” will be issued if a student is administratively dropped for disciplinary reasons or after the course drop date. This type of drop counts against the 6 drop limit.
5. If circumstances occur where a student must miss an excessive number of classes and/or is unable to submit multiple assignments (e.g., student medical reasons, medical conditions of a family member, death of a family member, active military service), they should first discuss the possibility of withdrawal from all classes with their academic advisor. Complete withdrawals from all classes in the same semester do not count against the 6 drop limit.

Online/Technical Assistance

- I will be setting up a Mail Box link in Blackboard. You can use this as a primary source of communication with me during the course. If you are having trouble with this course or its material, you should contact me via email to discuss the issues while you work it out with UTEP. I do not work for IT or Distance Learning at UTEP. As a student in this course, you can get help from the following resources:
- As a student in this course, you also have access to support from University Technology Services
 - for Blackboard and computer issues.
 - Blackboard Support: <http://at.utep.edu/bbc/>
 - Technical Support from Technology Support:
 - <http://admin.utep.edu/Default.aspx?tabid=63402> or call 915-747-5257

Please review the next page for Calendar and Assignments

NOTE: Each week starts on Sunday and ends on Saturday. Discussions and exams are open on Sundays (12am) and close on Saturdays (12 midnight).

Mondays/Week	Reading Assignment	Activities
Week 1 MAR 23 MON – MAR 28 SAT	Module 1 <i>Individual Rights under U.S. Constitution</i> Read Chapter 1	Intro Group Discussion
Week 2 MAR 29 – APR 4 (SUN – SAT)	Module 2 <i>Criminal Trial Process</i> Read Chapter2	Group Discussion 1
Week 3 APR 5 – 11 (SUN – SAT)	Module 3 <i>Basic concepts underlying Criminal Procedure and Intro to Search Warrants</i> Read Chapters 3 and 4	Group Discussion 2 Exam 1 (Chpts. 1-4) Due APR 11 by 11:59 p.m
Week 4 APR 12 - 18 (SUN – SAT)	Module 4 <i>Electronic Searches</i> Read Chapter 5	Group Discussion 3

<p>Week 5</p> <p>APR 19 - 25</p> <p>(SUN – SAT)</p>	<p>Module 5</p> <p><i>Administrative Searches and Searches incident to arrest</i></p> <p>Read Chapters 6 and 7</p>	<p>Group Discussion 4</p>
<p>Week 6</p> <p>APR 26 –</p> <p>MAY 2</p> <p>(SUN – SAT)</p>	<p>Module 6</p> <p><i>Rules for Stop and Frisk</i></p> <p>Read Chapter 8</p>	<p>Group Discussion 5</p> <p>Exam 2 (Chpts. 5-8) Due MAY 2 by 11:59 p.m</p>
<p>Week 7</p> <p>MAY 2 – 9</p> <p>(SUN – SAT)</p>	<p>Module 7</p> <p><i>Work on Research Paper</i></p>	<p>Group Discussion 6</p> <p>Research Paper Due MAY 9 by 11:59 p.m</p>