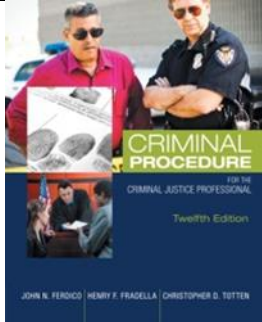




Department of Criminal Justice

Course #:	CRIJ 4312-001
Course Title:	Criminal Procedure
Course CRN:	16667
Term:	Fall 2018 (August 27, 2018 – December 6, 2018)
Course Meetings & Location:	Tuesday, 6:00 pm -8:50 pm, Quinn Building Room #206
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. • Announcements and/or additional readings will be posted on Blackboard
Final Exam	December 11, 2018

Course Description:

Criminal Procedure 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.

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.

Structure/Sequence of the Course:

The structure of this course will be mainly lecture with 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 three exams and a team project that will be presented orally in a point/counter-point format (which will serve as a final exam grade). Students will also receive a grade for their attendance and active participation in each class meeting. Students may not make up exams missed due to absences.

- **Missed Exam:** If a student misses an exam, the student will be required to complete a twenty (20) page paper on the subject matter tested (including a bibliography page). The paper will be due exactly one (1) week after the missed exam or zero credit will be received for that exam/paper. No more than one (1) exam can be missed during the semester and the oral presentation **MUST** be completed for full credit.

Attendance Policy

You will be required to sign in for each class, a portion of your grade will be contingent on your active participation in class discussions. Only those students who attend and participate in class discussions will receive the maximum benefit in receiving the full credits available toward your final grade. Therefore, it is in your best interest to attend all classes. Anyone arriving later than 9:15am will be counted absent for that day. Any more than three (3) absences (excused/unexcused) the entire semester will result in your final grade for the course being decreased by 10 points.

Grading Policy:

Students are graded on a 100 point scale. Exams (written/oral) make up 75% of the final grade. Attendance and active participation in class discussion is worth 25%. Students who wish to earn an A in this class will need to attend all classes, actively participate in class discussions, keep up with reading assignments, take notes, and study for exams.

<u>Assignment</u>	<u>% of Grade</u>	<u>Description</u>
Attendance and ACTIVE participation during class discussion	10%	Attendance will be taken during each class. Anyone arriving later than 6:15am will be counted absent. Any more than three (3) absences (excused/unexcused) the entire semester will result in your final grade for the course being decreased by 10 points. Active participation in class discussions is essential. A constructive exchange of ideas is encouraged so long as it is based on sound reasoning and supported by course materials. Keeping up with reading assignments will be an essential part to be able to contribute to the class discussions in a fruitful manner.
WRITTEN EXAMS	50%	You will have 1 hour to complete Exam 1 & 2
Exam 1		Chapters 1 -3
Exam 2		Chapters 4-8
Court Observation Paper		Must include terminology and concepts covered in course materials.
ORAL EXAM	40%	
Team Oral Presentation		Chapters 9-13 (You will be paired with a partner to present a point/counter-point of a primary legal principle covered in the final chapters of the semester. Each student will be given 15 minutes to present their sides and rebut points made by the opposing side. The student who starts the presentation can reserve five (5) minutes to afford themselves an opportunity to respond to points made by their fellow student in the counter-point presentation.)

Course Schedule: (This is a tentative schedule and subject to change).

Date	Assignments
August 28, 2018	Read Chapter 1 for next class
September 4, 2018	Read Chapter 2
September 11, 2018	Read Chapter 3
September 18, 2018	Read Chapter 4
September 25, 2018	Review
October 2, 2018	Exam 1 (Chpts. 1-4) / Read Chapter 5 for next class
October 9, 2018	Guest Speaker / Read Chapter 5 & 6
October 16, 2018	Read Chapter 7
October 23, 2018	Read Chapter 8
October 30, 2018	Review – Explain Court Observation Assignment
November 6, 2018	Exam 2 (Chpts. 5-8) / Read Chapter 9 for next class
November 12-16, 2018	Court Observations
November 20, 2018	Court Observation Papers DUE /Read Chapter 10
November 27, 2018	Read Chapter 11
December 4, 2018	Read Chapter 12
December 11, 2018	Final/Oral Exam

Succeeding in this Class:

This class will not be difficult for the student who attends class regularly, takes effective notes, follows instructions for all assignments, completes all assignments, and studies for exams. If one must miss class, ask someone else in the class for notes.

Academic Integrity:

See [this link, http://admin.utep.edu/Default.aspx?alias=admin.utep.edu/hoop.](http://admin.utep.edu/Default.aspx?alias=admin.utep.edu/hoop)

“Academic Integrity is a commitment to fundamental values: honesty, trust, fairness, respect, and responsibility. From these values flow principles of behavior that enable academic communities to translate ideals into action. Scholastic Dishonesty: Any student who commits an act of scholastic dishonesty is subject to discipline. Scholastic dishonesty includes, but not limited to cheating, plagiarism, collusion, the submission for credit of any work or materials that are attributable to another person. Cheating is copying from the test paper of another student, communicating with another student during a test, giving or seeking aid from another student during a test, possession and/or use of unauthorized materials during tests (i.e. Crib notes, class notes, books, etc), substituting for another person to take a test, falsifying research data, reports, academic work offered for credit, unauthorized collaboration with another person in

preparing academic assignments. Plagiarism is using someone's work in your assignments without the proper citations or submitting the same paper or assignment from a different course, without direct permission of instructors."

Civility Statement:

Students are expected to participate in class discussion, be courteous to one another, respect other's beliefs and conduct oneself in a mature manner. Some topics discussed in class may be controversial, and as such, no one is to disparage another for their opinion; however, it is perfectly acceptable to disagree with another's opinion. Please be respectful of one another. Cell phones and other electronic items are permitted in class so long as those items do not disturb other students or instruction.

Disability Statement:

If a student has or suspects he has a disability and needs an accommodation, he should contact the Center for Accommodations and Support Services at (915) 747-5148 or at dss@utep.edu or go to Room 106 Union East Building. The student is responsible for presenting to the instructor any accommodation letters and instructions.

Military Statement:

If you are a member of the military with the potential of being called to military service/training during the course of the semester, please contact the instructor as soon as possible to make other arrangements for assignments and exams.

UTEP Drop Policy

In addition, we also recommend as a resource for the students that if your class requires a research paper or any other written assignment, that you provide the Writing Center information (attached in this e-mail). Likewise, the UTEP drop policy is other optional resource that you could include.

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.**

- a) Students who drop a course within the first 2 weeks ***before the "official census date,"*** the course will not appear on the transcript, and doesn't count toward the 6-course drop limit.
- b) 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.
- c) 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.
- d) 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.
- e) 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. If a student withdraws completely from all classes, kindly notify the instructor at adrian.e.gallegos@usdoj.gov. Complete withdrawals from all classes in the same semester do not count against the 6 drop limit.