CRIJ 4312, Criminal Procedure (Online), CRN # 27087

Instructor: Nicole Cebak
Email: ncebak@utep.edu
Location: Online
Office Hours: Online video conferencing whether it be blackboard, zoom and/or skype
Cell Phone: 915-216-9698
Term: Spring 2022

Virtual Office Hours:
Contact the instructor at ncebak@utep.edu to arrange an appointment. I can be flexible when it comes to days and times that will work for students. Make use of office hours for assistance, either with the clarification of assignment guidelines or to consult with me about your progress in this course. There are times when email communication is not working; at those times, it is best to set up a virtual meeting. I can also accommodate meetings in person for those who may find that easier or more progressive.

Welcome:
Hello class! Welcome to CRIJ 4312, Criminal Procedure. My name is Nicole Cebak, I will be your instructor for this online class, and I am so excited to meet you all virtually! A little bit about myself, so that you all have an idea of who I am: I originally came down from Calgary, Alberta, Canada all the way to El Paso as I was offered a full-ride scholarship to play for the UTEP Volleyball team. I am a first-generation Canadian, as my whole family is from Slovakia. I speak Slovakian fluently as well, and often visit my grandparents in the summer over there! I received my Bachelor of Arts in Criminal Justice here at UTEP, and soon after, applied to the UTEP Master’s program. I just recently graduated this December 2021 with a Master of Science in Criminology and Criminal Justice. I was offered a position to teach this online class and I also work part-time at the 384th Drug Court as a Data Analyst Intern. I am currently applying to Ph.D. schools to start in the following Fall of 2022 and hope to hear from them soon.

My current research interests are the relationships between the neighbourhood and individual-level immigration and crime and, as well, the area of corrections. My thesis was examining the relationship between immigrants and the code of the street on the neighbourhood level. Moreover, I looked at how this relationship relates to crime and how it differs across immigrant generations. I am also co-authoring with Dr. Alarid for Oxford Bibliographies on Pretrial Diversion, as it is currently under review for publication.
The University of Texas at El Paso  
College of Liberal Arts - Department of Criminal Justice

Overall, now that you know a little about my path, I hope you feel that you can ask me any question as I was literally a student a month ago who understands plenty about what you are currently going through. I also hope that as you read a bit about my biography, you can see that professors in the department are always looking for students to provide numerous opportunities. Without them, I would not be doing the things I’ve aspired to do. Whether you are interested in the work of academics or rather the professional route, I can help in any way and have networks to assist with potential future jobs. Please do not hesitate to ask!

Course Objective:
This course presents an overview of the constitutional rules governing the criminal investigation, detention, prosecution and adjudication of persons in the United States with focus 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.

Learning Objectives: At the end of this course, students should be able to:

a) Describe the U.S. court system and the sources of constitution rights.

b) Demonstrate knowledge about the criminal justice process and the procedures in place to ensure fundamental due process for criminal defendants.

c) Explain the role of the U.S. Supreme Court as the arbiter of the application of the Fourth, Fifth, Sixth, Eighth, and 14th Amendments to the U.S. Constitution.

d) Identify and analyze findings in the scholarly literature

e) Demonstrate mastery of writing, APA formatting, and critical thinking skills.

Textbook:

Additional Information:

Important:
The University of Texas at El Paso
College of Liberal Arts - Department of Criminal Justice

If you encounter technical difficulties beyond your scope of troubleshooting, please contact the UTEP Help Desk at 747-4357 as they are trained specifically in assisting with technological needs of learners. Please do not contact me for this type of assistance. The Help Desk is much better equipped than I am to assist you! Note: In the Center for Instructional Design (CID) website, learners can find the Blackboard Student Orientation. The purpose of this orientation is to help learners navigate a course in Blackboard.

Drop Policy:

The course drop policy is the same as the official policy for the University of Texas at El Paso. The instructor also has discretion in this matter and has the right to drop a learner from the course if the learner has excessive unexcused absences or is continuously late to class. If unforeseen circumstances happen where a drop is necessary, learners are responsible for initiating any course drop. It is the learner’s responsibility to determine how dropping courses may affect financial aid. Learners 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.

Academic Integrity:

Academic dishonesty is prohibited and is considered a violation of the UTEP Handbook of Operating Procedures (HOOP). It includes, but is not limited to, cheating, plagiarism, and collusion. Cheating may involve copying from or providing information to another learner, possessing unauthorized materials during a test, or falsifying research data on laboratory reports. Plagiarism occurs when someone intentionally or knowingly represents the words or ideas of another as one's own. Collusion involves collaborating with another person to commit any academically dishonest act. Any act of academic dishonesty attempted by a UTEP learner is unacceptable and will not be tolerated. All suspected violations of academic integrity at The University of Texas at El Paso must be reported to the Office of Student Conduct and Conflict Resolution (OSCCR) for possible disciplinary action. To learn more HOOP: Student Conduct and Discipline. The Professor takes cases of alleged academic dishonesty seriously. For learners who are found to have engaged in any form of academic dishonesty, sanctions may include a failing grade on the assignment or exam in question, a failing grade in the course, suspension, or dismissal from the University. Violations will be referred to the Dean of Students Office for possible disciplinary action. For learners who are found to have engaged in any form of academic dishonesty, sanctions may include a failing grade on the assignment or examination in question, a failing grade in the course, suspension, or dismissal from the University.

Diversity Statement:

We all come to the table with differing upbrings, experiences, and viewpoints, which means that we have so much to learn from one another! To get the most out of this opportunity, it is important that we do not shy away from our differences, rather we utilize them through respect and seeking to understand. This way, everybody comes away with new perspectives on the issues and respects different values or beliefs. This class will touch on subjects that can cause controversial discussions through cases, and it is important that you know, I respect your viewpoints from whatever political stance you may take for an argument as an example. As we reflect and engage in this class, each of us must demonstrate through our words and behavior that those with whom we disagree are not malevolent and those with whom we agree are not always right. Just enjoy the class and have fun. Engage and have important discussions and this semester should end great!

Learning Resources:
The University of Texas at El Paso
College of Liberal Arts - Department of Criminal Justice

- **UTEP Library**: Access a wide range of resources including online, full-text access to thousands of journals and eBooks and reference service and librarian assistance for enrolled learners.
- **Help Desk**: Learners experiencing technological challenges (email, Blackboard, software, etc.) can submit a ticket to the UTEP Helpdesk for assistance. Contact the Helpdesk via phone, email, chat, website, or in-person if on campus.
- **University Writing Center (UWC)**: Submit papers here for assistance with writing style and formatting, ask a tutor for help and explore other writing resources.
- **Military Student Success Center**: UTEP welcomes military-affiliated learners to its degree programs, and the Military Student Success Center and its dedicated staff (many of whom are veterans and learners themselves) are here to help personnel in any branch of service to reach their educational goals.
- **RefWorks**: A bibliographic citation tool; check out the RefWorks tutorial and Fact Sheet and Quick-Start Guide.

**Disability Statement**:

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

**Online BlackBoard Requirement**:

We will be using Blackboard during the semester. Make certain you become familiar with the program. Outside textbook reading assignments will be placed on Blackboard. You can access Blackboard from any campus computer or from your home. Please consult the UTEP system or see me if you need instructions on how to use Blackboard. Each learner is required to have a working email address.

**Grading Summary**:

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participation</td>
<td>10 points x 15 (Explained below in more detail)</td>
</tr>
<tr>
<td>APA Quiz</td>
<td>10 points x 1</td>
</tr>
<tr>
<td>APA Error Sheet</td>
<td>10 points x1</td>
</tr>
<tr>
<td>Discussion Posts</td>
<td>10 points x 6 (8 points for original posts, 2 points for 1 reply)</td>
</tr>
<tr>
<td>Case Studies</td>
<td>10 points x 6</td>
</tr>
<tr>
<td>Final</td>
<td>20 points x 1</td>
</tr>
<tr>
<td><strong>Total Points</strong></td>
<td><strong>310 points</strong></td>
</tr>
</tbody>
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**Grading Scale**:

- **Grade A**: 279 points to 310 points
- **Grade B**: 248 points to 278 points
- **Grade C**: 217 points to 249 points
- **Grade D or below**: 216 points and below

**Assignments**:
For the first week, we will only go over APA formatting. I was a research/teaching assistant for the CRIM department and when I was grading students’ work, I often saw a lot of confusion as to how to appropriately cite and format your papers. While I do not have any papers assigned, we can still utilize APA guidelines in our discussion boards and case studies. It is important we learn APA because if we neglect it, we technically are plagiarising other people’s work – for example, you will back up your arguments from the readings I will assign, some may be from the textbook, and some can be academic articles. It is also important for students to understand how to in-text cite. For example: if you are paraphrasing a line from an article, you do not need to include the page number in your in-text citation, just the author’s last name and year, however, if you are using a direct quote and inserting it into your work, then you need to include the author’s last name, year and the page number. Do not worry I will provide a very basic guideline.

The assignments will be an APA Quiz that will be a form of 10 multiple-choice questions. I will provide you with websites, a PowerPoint, and even a video of myself explaining numerous situations you could run into while writing.

Additionally, I will assign an APA Error Sheet where you will have to address the errors you think you see and correct them with red writing. Should be simple. I will not make it at all difficult, it is just another way to engage your mind in how APA works.

Participation:

Participation will be graded whether you completed the assignments.

Discussion Boards:

You will only be required to do 6 discussion boards! I will be splitting the class from their last names. A-M will be group 1 and N-Z will be group 2.

So, for example, we will start Discussion Boards on Week 3, so it becomes equal weeks for the groups to have 6 discussion boards. Week 3 will start off with Group 1 who has last name A-M. Group 2 with the last names N-Z will be working on the case study. And then it will flip flop for week 4 as Group 2 with last names N-Z will do the discussion board and Group 1 with last names A-M will do the case study. I am doing this so that each week you only must worry about 1 assignment. Online classes can sometimes be difficult in the management of assignments. So here I want to make sure you are learning but not overwhelmed. (If you do not understand this set-up PLEASE email me, so that you do not miss out).

The original response to the question for the discussion boards will be due on Friday at 11:59 pm. And you have until Sunday to reply to your classmates by 11:59 pm.

Requirements for the discussion post:

Will be graded based on your response quality to the given question, as well as your inclusion of APA in-text citations that back up your arguments. Please use complete sentences in English, and proper spelling and grammar. Avoid text message language and keep it to a minimal amount of casual speech. Also, please format your work in paragraphs, nobody likes to read someone's work that is all in one big paragraph, as it becomes extremely hard to understand the goal of your arguments. And this all applies to both the Posts and the Reply. You should integrate various main ideas from the readings, and I will give you scanned copies of each reading. Describe what the concepts or issues can not only mean to yourself but maybe, to a specific group. If you are to agree with someone's post, please elaborate in more detail why their viewpoint may be correct. If you find yourself disagreeing
with someone, respectfully create a new perspective and/or ask questions. Overall, I want you all to be able to critically think for yourselves to the best of your abilities. Some of you may think that this task may not be helpful in your future job, however, I can tell you from my experience, working both in academic and the professional field I am able to critically think on the spot and form arguments because of these exercises. While it may be more effective in person, it's still good for writing skills and practice.

Case Studies:
Will be set up the same way as the discussion boards where again groups 1 and 2 will interchange each week. My expectations are the same as the guidelines, however, a case study is written a little bit differently and you are not required to reply as you will just submit privately via blackboard submission. More instructions will come when I post the assignment.

You have until Sunday at 11:59 pm to complete and submit your case study.

Final Exam:
Being a former student, I realized that I never did as well on tests online as the instructor is limited in how to get all the material across to you. So, your final exam will consist of a more fun way to end the semester: You will have to do a voice-over video PowerPoint presentation of yourself describing your case to me (I will assign you all a case). I will provide questions for you to answer and help you guide your way through the case. It will be worth 20 points, I will provide a rubric towards the end.
<table>
<thead>
<tr>
<th>Weeks</th>
<th>Readings</th>
<th>Assignment/Group</th>
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| Week 1: Understanding APA | Please refer to Week 1 Tab  
Watch introduction video  
Watch APA Video | APA Quiz Due January 23rd  
APA Error Sheet Due January 25th |
| Week 2: Chapter 1: The Court System, Sources of Rights, and Fundamental | Please refer to Week 2 Tab | No assignments |
| Week 3: Chapter 2: Criminal Justice Process | Please refer to Week 3 Tab  
Please review powerpoint as well | Discussion Board: Group 1: Last Names from A-M  
Case Study: Group 2: Last Names from N-Z |
| Week 4: Chapter 3: Probable Cause and Reasonable Suspicion | Please refer to Week 4 Tab  
Please review powerpoint as well | Discussion Board: Group 2: Last Names from N-Z  
Case Study: Group 1: Last Names from A-M |
| Week 5: Chapter 4: The Exclusionary Rule | Please refer to Week 5 Tab  
Please review powerpoint as well | Discussion Board: Group 1: Last Names from A-M  
Case Study: Group 2: Last Names from N-Z |
| Week 6: Chapter 5: Stop and Frisk and Stationhouse Detention | Please refer to Week 6 Tab  
Please review powerpoint as well | Discussion Board: Group 2: Last Names from N-Z  
Case Study: Group 1: Last Names from A-M |
| Week 7: Chapter 6: Arrests and Use of Force | Please refer to Week 7 Tab  
Please review powerpoint as well | Discussion Board: Group 1: Last Names from A-M  
Case Study: Group 2: Last Names from N-Z |
| Week 8: Chapter 7: Searches and Seizures of Things | Please refer to Week 8 Tab  
Please review powerpoint as well | Discussion Board: Group 2: Last Names from N-Z  
Case Study: Group 1: Last Names from A-M |
| Week 9: SPRING BREAK!!! No work! | | SPRING BREAK!!! YEEEY! |
| Week 10: Chapter 9: Plain View, Open Fields, Abandonments, and Border | Please refer to Week 10 Tab  
Please review powerpoint as well | Discussion Board: Group 1: Last Names from A-M  
Case Study: Group 2: Last Names from N-Z |
| Week 11: Chapter 10: Lineups and Other Means of Pretrial Identification | Please refer to Week 11 Tab  
Please review powerpoint as well | Discussion Board: Group 2: Last Names from N-Z  
Case Study: Group 1: Last Names from A-M |
| Week 12: Chapter 11: Confessions and Admissions: Miranda v. Arizona | Please refer to Week 12 Tab  
Please review powerpoint as well | Discussion Board: Group 1: Last Names from A-M  
Case Study: Group 2: Last Names from N-Z |
| Week 13: Chapter 12: Basic Constitutional Rights of the Acussed during Trial | Please refer to Week 13 Tab  
Please review powerpoint as well | Discussion Board: Group 2: Last Names from N-Z  
Case Study: Group 1: Last Names from A-M |
| Week 14: Chapter 13: Sentencing, the Death Penalty | Please refer to Week 14 Tab  
Please review powerpoint as well | Discussion Board: Group 1: Last Names from A-M  
Case Study: Group 2: Last Names from N-Z |
| Week 15: Chapter 14: Legal Liabilities of Law Enforcement Officers | Please refer to Week 15 Tab  
Please review powerpoint as well | Discussion Board: Group 2: Last Names from N-Z  
Case Study: Group 1: Last Names from A-M |
| Week 16: Chapter 15: Electronic Surveillance and the War on Terror | Please refer to Week 16 Tab | Final Due TBA Date |