

# Loyola University New Orleans

## CRJU-CI05-A51: Introduction To Criminal Justice System Fall 2003

### **I. CONTACT INFORMATION:**

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### **II. COURSE MEETING TIME:**

Thursdays, 6:15 -10:15 PM  
August 21, 28, September 4, 11, 18, 25, October 2, 9

### **III. COURSE DESCRIPTION :**

This course will provide a solid overview of the structure, processes, and problems of the criminal justice system in the United States and, more particularly, in Louisiana. The coverage of all major areas will allow students to focus on the system as a whole or on areas of particular interest. There will be discussions on the roles of police, prosecutors, defense attorneys, judges; a discussion on how bail bonds work; how the trial process is broken down; sentencing; corrections; probation and parole; post conviction relief; and the juvenile justice system.

### **IV. COURSE OBJECTIVES:**

Each student will have a clear understanding of the criminal justice system and its three major components (police, courts, and corrections). Discussions on how the three components of the criminal justice system work in conjunction to serve the public and community, as well as discussions on how the police and courts has evolved over the years. A comprehensive examination of the criminal justice system will conducted with a review of major case law that has helped to define the role of courts and judges in the criminal justice system.

### **V. COURSE TEXT (required):**

Inciardi, James A. (2002). Criminal Justice. 7th Edition. Harcourt College Publishers: Fort Worth, TX

**VI. COURSE REQUIREMENTS:** Students will be graded on the following:

- (1) Research paper
- (2) Mid-term examination
- (3) Final examination
- (4) Class participation

**Grading Scale:**

A = 95-up; B+ = 90-94; B = 85-89; C+ = 80-84; C = 75-79; D+ = 70- 74; D = 64-69;  
F = 63-Below

**Percentage of course requirements to final grade:**

- Research paper = 40%
- Midterm Examination = 25%
- Final Examination = 25%
- Class Participation = 10%

**VII. COURSE OUTLINE/ ASSIGNMENTS:**

**Thursday, August 21,2003**

- Introduction/Overview of Course
- Chapters 7: The Nature and Scope of Police Work
- Chapter 11: Judges, Prosecutors, and Other Performers At The Bar of Justice

**Discussion:**

- How is the public sector involved in the criminal justice system? Does the criminal justice system in America work?
- Crime and Punishment: Does the penal system deter crime?
- Selection of Judges: What constitutes the best method for the selection of judges?

**Thursday, August 28, 2003**

- Chapter 5: The Process of Justice: An Overview
- Chapter 10: The Structure of American Courts
- Chapter 12: The Business of the Courts: From First Appearance Through Trial

**Discussion:**

- What happens to a defendant from arrest to conviction/dismissal?
- First appearance before magistrate

- Bail and/or bond PSBU; ROR; Property/Commercial Surety
- Grand Jury Indictments
- Preliminary Hearing/probable Cause Hearing
- Filing of Indictment/Bill of Information
- Arraignment
- Motion Hearings
  - Discovery
  - Motion for Speedy Trial (Barker v. Wingo, 407 U.S. 514 (1972))
  - Duty to Disclose. Both prosecution and defense have obligations to disclose to the other side before trial the evidence that each intends to use at trial.
  - Defense has a duty to put State on notice of intent to use alibi as defense (alibi-notice statute). Williams v. Florida. 399 U.S. 78 (1970).
  - Prosecutors have a duty to disclose, to the defense, exculpatory evidence that is material to the issues of either guilt or punishment. (Brady v. Maryland, 373 U.S. 83 (1963)).

### **Thursday, September 04, 2003**

- Chapter 12: Continued
- Chapter 18: Juvenile Justice: An Overview

### **Discussion:**

- Trial
  - Voir Dire
  - Challenges for Cause and Peremptory Challenges
  - Number of jurors required for trials
  - 1st and 2nd Class felonies: 12 person juries
  - 3rd Class and jury misdemeanors: 6 person juries
- Opening Statements
- Closing Statements
- PSI (Pre-Sentencing Investigation)
- Sentencing Probation
- Parole
- Corrections/Prisons
- Appeals
- Post Conviction Relief
- What happens to a juvenile from arrest to adjudication of delinquency / dismissal ?

- **Types of cases handled by the juvenile courts/DA' s Office**
- **Criminal Cases/**
- **Adjudications**
- **FNS (Family in Need of Services)**
- **Neglect/CINC (Child in Need of Care Cases) o Confidentiality**

### Thursday. September 11. 2003

- Mid-Term Examination
- Chapter 8: The Law of Arrest, Search, and Seizure: Police And The Constitution

### Discussion:

- **Right to Privacy/Expectation of Privacy**
- *California v. Greenwood*, 486 U.S. 35 (1988). The United States Supreme Court ruled that an individual's trash on the curb is not private/no expectation of privacy in someone's trash sitting out on the curb.
- **Right To Counsel**
- *Miranda v. Arizona*, 384 U.S. 436 (1966). The United States Constitution prohibits the use of all confessions obtained while in custody unless adequate protective devices are use to dispel the coercion inherent in such questioning, (ie. Miranda Warnings.)
- **Search and Seizure**
- **Exclusion~ Rule:** Evidence obtained in violation of the 4th Amendment is inadmissible at trial.
- *Mapp v. Ohio*, 367 U.S. 643 (1961). The Court in Mapp accepted the Exclusionary Rule.
- *United States v. Leon*, 468 U.S. 897 (1984). The Court in Leon established a "good faith" exception to the Exclusionary Rule.

### Thursday. September 18. 2003

- Chapter 8: Continued

### Discussion

- **In Premises**
- Search warrant usually required for in premises arrest/search.

Chimel v. California, 395 U.S. 752 (1969). The Court ruled that there can only be a limited search of the premises incident to an arrest.

Vale v. Louisiana, 399 U.S. 30 (1970). The Court ruled that a warrant is ordinarily necessary to conduct an in-premises search on probable cause.

- **Vehicle Searches**

California v. Carney, 471 U.S. 386 (1985). Authorized probable cause searches of vehicles without a warrant.

New York v. Belton, 453 U.S. 454 (1981). Authorized a broad search of vehicles incident to an arrest of an occupant.

Colorado v. Bertine, 479 U.S. 367 (1987). Authorized warrantless inventory of a lawfully seized vehicle.

California v. Acevedo, 111 S.Ct. 1982 (1991). Personal effects, such as luggage, rank between premises and vehicle search.

- **Stop and Frisk**

Tera v. Ohio, 392 U.S. 1 (1968). On reasonable suspicion (suspicion short of probable cause needed for an arrest), the police may stop a person for investigation. Incident to this stop, the police may take limited steps for their own protection. For example, the officer may conduct a "pat-down" search for weapons and reach into the subject's pocket if any objects are felt and believed to be a weapon.

United States v. Place, 462 U.S. 696 (1983). Expanded the "Terry Rule" to extend authority to seize on reasonable suspicion to personal effects such as luggage.

### Thursday, September 25, 2003

- **Chapter 2: Crime and The Nature of Law .**
- **Chapter 3: Legal and Behavioral Aspects of Law**

### Discussion:

- Overview of Crimes and the elements that make up those crimes
- 1 st Degree murder; 2nd Degree murder; manslaughter; negligent homicide;
- aggravated rape; forcible rape; simple rape; aggravated kidnapping; simple kidnapping; aggravated burglary; simple burglary; aggravated battery; 2nd Degree battery; simple battery; theft (Felony and Misdemeanor) 8
- \*Scenarios/Hypotheticals involving crimes
- Defense of Crimes
- Not Guilty Pleas
- Pleas of Lesser Crimes
- Insanity Defense
- M'Nagthen Rule

- **Entrapment**

*United States v. Russell*. 411 U.S. 423 (1973).

**Thursday, October 02, 2003**

- Chapter 9: Beyond The Limits of the Law: Police Crime, Corruption and Brutality

**Discussion:**

- Police Corruption
- Explanations of Police Corruption
- Police Violence
- Controlling Police Misconduct
- Public Integrity Division
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Review for Final

**Thursday, October 09, 2003**

- **Final Examination**

**Note:** Students are expected to read corresponding text material prior to arriving for class. Chapter assignments are the basis for the lecture and are intended to give the student an introduction to the material to be covered in class. Outside of questions or needed explanations, readings may or may not be discussed during the classroom lecture.

**VIII. CLASSROOM CONDUCT AND PARTICIPATION:**

Class attendance is required; the roster will be read at the beginning and end of each class. Excessive absence will result in grade loss. Class begins promptly at the scheduled start time. Students will not be allowed to audiotape the lectures.

**IX. MIDTERM EXAMINATION:**

The mid-term examination will cover the text and class discussions conducted between August 21, 2003, and September 04, 2003.

**X. FINAL EXAMINATION:**

The Final Examination will cover the text and class discussions conducted between September 11, 2003, and October 02, 2003.

## **XI. RESEARCH PAPER**

A research paper will be required for this class. The ability of students to research an idea or position, and then to produce a document to support their work, is fundamental to collegiate and professional performance. The paper should, ideally, allow the student the opportunity to research a particular aspect of the criminal justice system. The paper should be *typed and double spaced*. The paper must be at least 10 *pages*, not including cover sheet, end notes, and bibliography.

**Students should submit a written research topic (Title) for instructor approval before beginning any work on the paper. The due date of the topic submission is listed in the syllabus.**

There will be at least 10 sources cited in the paper (not merely in the bibliography section). These sources will be academic articles or books, not popular publications such as Newsweek or Time Magazine. While these sources of information may provide information for the paper, they shall not count toward the twenty cited sources necessary for the paper. Students are reminded that the Loyola Library has an excellent staff to help in research techniques.

Students should use accepted forms of recognizing the sources of their research (foot notes, end notes, APA, MLA, etc.). It is the student's choice as to the exact writing style that will be used. Students are encouraged to use the resources of the WAC lab and library for assistance. Note: It is strongly encouraged that students use the APA style in writing the research paper.

Papers that are not of original type or computer generated will not be accepted. In particular, **photocopied pages, different typeface style, or paper, inserted pages, etc. will be caused for potential failure of this course.** Students must write original papers to fulfill this course requirement. The recycling of a previously submitted paper is NOT acceptable.

Please staple the research paper in the upper left corner, binding of any kind is not required and specifically should be avoided.

The research paper due date is listed in the syllabus. *Papers not turned in on the due date will be reduced by at least one letter grade. All papers not received will receive the grade of F.* No papers will be accepted after the term of the class. Even if the tardiness of the paper may cause an F grade for this course requirement, students must still write an acceptable paper to avoid failing the entire course.

The following list gives examples of journals that contain articles useful for many topics, There are other criminal justice, history, law, psychology, and sociology journals that also contain relevant articles. Your reference **must** come from journals of this type, or appropriate (subject) text, to receive credit. **Note: Publications such as Police Chief, FBI Bulletin, Time, etc. are not academic journals.**

**American Bar Foundation Research Journal American Sociological Review Crime and Delinquency  
Criminal Justice Policy Review Criminal Justice Review Criminal Law Bulletin Criminology  
International Journal of Criminology and Penology  
Journal of Contemporary Criminal Justice Journal of Crime and Justice  
Journal of Criminal Law and Criminology  
Journal of Research in Crime and Delinquency Judicature  
Justice Quarterly  
Justice System Journal  
Law and Contemporary Problems Law and Human Behavior Law and Social Inquiry  
Law and Policy Quarterly Law and Society Review Social Problems  
Sociological Quarterly**

**Due Dates:**

- **Topic for Research Paper -August 28, 2003**
- **Mid- Term Examination -September 11, 2003**
- **Final Examination- October 9, 2003**
- **Research Paper -October 9,2003**

## APPENDIX

### **CITY COLLEGE STATEMENT ON INTELLECTUAL HONESTY**

Intellectual honesty is simply acknowledging, through documentation, all those sources that the writer has used in preparing any written work. Plagiarism, the obverse of intellectual honesty, is the use of any form of material, whether written or verbal, without formal indebtedness through documentation. The paraphrasing of any work, is plagiarism. Not properly identifying the source of a quotation, even though the quotation is enclosed in quotation marks, is also plagiarism. Not only the exact language of a sentence or phrase, but any material falsely represented as one's own idea, concept, data, graph, or line of argument, constitutes plagiarism. Any material that neither originates with the students nor is common knowledge among educated persons must be formally acknowledged.

It must be remembered that written work stands on its own, not on the intention of the writer. The burden of academic honesty rests with the student, not with the instructor. If students have any doubt what constitutes plagiarism or what is required, they should inquire before the work is submitted. Otherwise, they open themselves to charges of plagiarism.

**The penalties for plagiarism are severe: a student who has found to have plagiarized or to have assisted another student in plagiarizing may be given a failing grade for the course on the first violation; a second offense may result in exclusion or dismissal from the university.**

(Adapted from Standards of Writing Pamphlet of City College, 1971. For the complete details on standards, penalties, and appeals procedure, see "Integrity of Scholarship and Grades" in the Undergraduate Bulletin.)

### CITY COLLEGE ATTENDANCE POLICY

City College Faculty considers interaction with students crucial to the teaching and learning process. To better ensure a quality educational experience, the following policies govern class attendance:

1. If a student misses 20% or more of class meeting time, a full letter grade reduction will normally be applied to the final course grade. Twenty percent of classes amount to three (3) week, one-night-a-week format; six (6) classes, in a semester-long, two-nights classes in a semester long, one-night-week format; one and one-half (I 1/2) classes in an eight-a-week format; or two (2) partial sessions in an intensive weekend format (Friday evening and/or Saturday morning and/or Saturday afternoon).

2. If a student misses the first weekend of an Intensive Weekend class, the student must drop the class. The appropriate drop form, which must be completed by Tuesday following the first class meeting, is available in the City College office.

The foregoing attendance policy statements are minimum standards. Instructors have the right to exceed those standards and establish grade adjustments as warranted.

### **POLICY ON INCOMPLETE GRADES**

**Grades of I (incomplete) change to F automatically if the course is not completed and the grade changed by the sixth week of the subsequent semester, excluding summer terms. The resulting F grade remains as the permanent grade for the course.**

**Note:** The grade of incomplete will not be registered merely because the student did not complete all of the course requirements. If a grade of incomplete is to be recorded, the student and instructor must have previously agreed to the circumstances of this grade, otherwise the delinquent assignments will be counted as zero and impact the final grade accordingly.