COURSE OUTLINE

JUST315 – Constitutional Law for Criminal Justice Professionals

Prepared by: Susan E. Buckley

SCHOOL OF SCIENCE, HEALTH, AND CRIMINAL JUSTICE
CRIMINAL JUSTICE DEPARTMENT
May 2015
A. **TITLE**: Constitutional Law for Criminal Justice Professionals

B. **COURSE NUMBER**: JUST 315

C. **CREDIT HOURS**: 3

D. **WRITING INTENSIVE COURSE**: No

E. **WEEKS PER SEMESTER**: 15 weeks

F. **SEMESTER(S) OFFERED**: Fall and Spring

G. **HOURS OF LECTURE, LABORATORY, RECITATION, TUTORIAL, ACTIVITY**: Three hours lecture per week.

H. **CATALOG DESCRIPTION**: This course is an examination of the U.S. Constitution and how it guides the procedures and practices of the American criminal justice system, with an emphasis on law enforcement issues. Topics include an historical overview of the Constitution, our country’s legal system and the role of the U.S. Supreme Court. Topics also focus on maintaining the balance between individual, state and federal rights, due process, searches and seizures, gun control, obtaining information legally, and rights related to the trial process.

I. **PRE-REQUISITES/CO-COURSES**: Pre-requisite: JUST101 or LEST101 and 45 credit hours completed or permission of the instructor.

J. **STUDENT LEARNING OUTCOMES**: By the end of this course, the student will be able to:

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<tr>
<th>Course Objective</th>
<th>Institutional SLO</th>
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<tr>
<td>a. Defend the primary purpose of the Constitution and how it is achieved.</td>
<td>1. Communication 2. Critical thinking</td>
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<td>b. Discuss the shifting balance between the U.S. criminal justice system and individual liberties.</td>
<td>1. Communication 4. Inter/intrapersonal skills</td>
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<td>c. Compare the role of the U.S. Supreme Court with lower courts regarding the role of judicial review in shaping civil liberties.</td>
<td>2. Critical thinking</td>
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<td>d. Analyze major controversies that have involved the interpretation of the Second Amendment.</td>
<td>2. Critical thinking</td>
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<td>e. Contrast the reasonableness clause and the warrant clause of the Fourth Amendment.</td>
<td>2. Critical thinking</td>
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<td>f. Explain the practical application of rights guaranteed by the Fifth Amendment.</td>
<td>1. Communication 2. Critical thinking 3. Professional competence</td>
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<td>g. Appraise the role of the Sixth Amendment to the adversarial process of the U.S. criminal justice system</td>
<td>2. Critical thinking</td>
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<td>h. Analyze the three basic rights protected by the Eighth Amendment.</td>
<td>2. Critical thinking</td>
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L. REFERENCES: The U.S. Constitution

M. EQUIPMENT: None

N. GRADING METHOD: A-F

O. MEASURING CRITERIA:
   • Quizzes
   • Exams
   • Papers
   • Participation

P. DETAILED COURSE OUTLINE:

I. A Foundation for Understanding Constitutional Law
   A. Historical overview
   B. Overview of the U.S. legal system
   C. U.S. Supreme court
      i. Jurisdiction
      ii. Judicial review

II. Guarantees of the Constitution: Civil Rights and Civil Liberties
   A. Balancing individual, state, and federal rights
      i. Due process
      ii. Discrimination
   B. Basic freedoms of the First Amendment
      i. Freedom of speech
      ii. Freedom of press
      iii. Freedom of religion
      iv. Right to peaceful assembly
   C. The Second Amendment and gun control
      i. Historical perspective
      ii. Current debate
      iii. Law enforcement response

III. The Fourth Amendment: Governing Constitutional Searches and Seizures
   A. Overview
      i. Historical perspective
      ii. Reasonableness and probable cause clauses
      iii. Search warrants
      iv. Arrest warrants
      v. Stop and frisk
      vi. Exceptions
      vii. State law v federal
   B. Constitutional seizures
      i. Stop v arrest
      ii. Lawful arrests
      iii. Pursuit
      iv. Use of force
      v. Citizen’s arrest
   C. Constitutional searches
i. Scope of a search
ii. Search with a warrant
iii. Search without a warrant
iv. Border searches
v. Special needs
vi. Electronic searches

IV. Due Process: The Fifth, Sixth and Eighth Amendments
   A. Fifth Amendment and obtaining information legally
      i. Due process
      ii. Confessions
      iii. Application of Miranda
      iv. Public safety exception
      v. Miranda violations
      vi. Using informants
      vii. Entrapment
      viii. Application in correctional system
      ix. USA Patriot Act

   B. The Sixth Amendment: Right to Counsel and Fair Trial
      i. Scheduling trial
      ii. Jury selection
      iii. Right to counsel
      iv. Juvenile defendants
      v. Application in correctional system

   C. The Eighth Amendment: Bail, Fines and Punishment
      i. Historical perspective
      ii. Bail
      iii. Fines
      iv. Cruel and unusual punishment
      v. Capital punishment
      vi. Application in correctional system

Q. LABORATORY OUTLINE: N/A