

**STATE UNIVERSITY OF NEW YORK
COLLEGE OF TECHNOLOGY
CANTON, NEW YORK**



COURSE OUTLINE

JUST 315 – Constitutional Law for Criminal Justice Professionals

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**SCHOOL OF SCIENCE, HEALTH, AND CRIMINAL JUSTICE
CRIMINAL JUSTICE DEPARTMENT
SPRING 2020**

JUST 315 – CONSTITUTIONAL LAW FOR CRIMINAL JUSTICE PROFESSIONALS

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:** 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: JUST 101 or LEST 101 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:

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

K. **TEXTS:** Kanovitz J.R., Ingram J.L., & Devine, C.J. (2018). *Constitutional Law For Criminal Justice* (15th ed.). Routledge.

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