Legal Aspects of Law Enforcement (CRIJ 2323)

Credit: 3 semester credit hours (3 hours lecture)

Prerequisite/Co-requisite: None

Course Description

Police authority; responsibilities; constitutional constraints; laws of arrest, search, and seizure; police liability.

Required Textbook and Materials

1. *Criminal Procedure* by Rolando V. Del Carmen, 10th edition, Cengage Learning (ISBN: 9781305577367)

Course Objectives

1. Define the goals and objectives of police authority
2. Demonstrate ability to conduct proper criminal case investigations through the laws of arrest, search and seizure developed through court decisions.
3. Acquires knowledge of the "rule of law" through the U.S. Constitution, Bill of Rights and Code of Criminal Procedure.

Course Outline

A. Syllabus
   1. Introduction of Faculty and students
   2. Instructor Resume
   3. Comments

B. The Court System and Sources of Rights an Overview
   1. The Federal Court System
   2. The State Court System
   3. The Constitution
   4. Rule of Law
   5. Case Law/Court Rules

C. Overview of the Criminal Justice Process
   1. The Procedure before Trial
   2. Procedure during Trial
   3. The Procedure after Trial

D. Probable Cause and Reasonable Suspicion
   1. Definitions
   2. Arrest and Search and Seizure
   3. Search Warrant Affidavit

E. The Exclusionary Rule
   1. Historical Development and Purpose of the Rule
   2. Determining what is admissible and not admissible
   3. Exceptions to the Rule
   4. When the rule does not apply

F. Stop and Frisk
   1. Definitions – Two separate acts
   2. Applications in residences/vehicles
   3. Stationhouse Detention

G. Arrests and Use of Force
   1. Arrest Defined
   2. Elements of Arrest
   3. Arrests with and without warrant
   4. What Police can do and cannot do after arrest
   5. Use of Force During an Arrest
   6. Non-deadly versus Deadly Force

H. Searches and Seizures
   1. Definitions

2. Searches with and without a warrant
3. Specific search and seizure issues

I. Motor Vehicle Stops, Searches and Inventories
   1. Vehicle Stops
   2. Vehicle Searches
   3. Vehicle Inventory Stops

J. Plain View, Open Fields, Abandonment and Border Searches
   1. Plain View defined
   2. Issues in Searching and Abandonment

K. Lineups and other means of Pretrial Identification
   1. Lineups
   2. Photograph Identification
   3. Problems with Eyewitness Identification
   4. Other means of identifying suspects

L. Confessions and Admissions
   1. Miranda and its use
   2. The historical case of Miranda
   3. Situations where Miranda is not needed

M. Basic Constitutional Rights of the accused during trial
   1. The right to a jury trial
   2. The right to counsel
   3. The Right to due process
   4. The right against self-incrimination
   5. The right to a fair and impartial trial

N. Sentencing, the death penalty and other forms of punishment
   1. Types of sentences
   2. Probation and revocation proceedings

O. Legal Liabilities of Public Officers
   1. Lawsuits against the police
   2. Civil liability
   3. Consequences of police misconduct

P. Terrorism and Electronic Surveillance
   1. The USA Patriot Act (2001)
   2. The USA Patriot Act (2006)
   3. The Department of Homeland Security
   4. Terrorism and the Police
   5. Legal Issues
   6. Electronic Surveillance

Grade Scale

90 – 100	A
80 – 89	B
70 – 79	C
60 – 69	D
0 – 59	F

Course Evaluation

Final grades will be calculated according to the following criteria:

1. Assignments 60%
2. Tests 30%
3. Participation 10%

Course Policies

1. No food, drinks, or use of tobacco products in class.
2. Computers, telephones, headphones, and any other electronic devices must be turned off while in class or used only with permission of the instructor.
3. Do not bring children to class.
4. If you wish to drop a course, the student is responsible for initiating and completing the drop process. If you stop coming to class and fail to drop the course, you will earn an 'F' in the course.
5. Additional class policies as defined by the individual course instructor.

Technical Requirements **(for courses using Blackboard)**

The latest technical requirements, including hardware, compatible browsers, operating systems, software, Java, etc. can be found online at: https://help.blackboard.com/en-us/Learn/9.1_2014_04/Student/015_Browser_Support/015_Browser_Support_Policy A functional broadband internet connection, such as DSL, cable, or WiFi is necessary to maximize the use of the online technology and resources.

Disabilities Statement

The Americans with Disabilities Act of 1992 and Section 504 of the Rehabilitation Act of 1973 are federal anti-discrimination statutes that provide comprehensive civil rights for persons with disabilities. Among other things, these statutes require that all students with documented disabilities be guaranteed a learning environment that provides for reasonable accommodations for their disabilities. If you believe you have a disability requiring an accommodation, please contact the Special Populations Coordinator at (409) 880-1737 or visit the office in Student Services, Cecil Beeson Building. You may also visit the online resource at http://www.lit.edu/depts/stuserv/special/defaults.aspx

Student Code of Conduct Statement

It is the responsibility of all registered Lamar Institute of Technology students to access, read, understand and abide by all published policies, regulations, and procedures listed in the *LIT Catalog and Student Handbook*. The *LIT Catalog and Student Handbook* may be accessed at www.lit.edu or obtained in print upon request at the Student Services Office. Please note that the online version of the *LIT Catalog and Student Handbook* supersedes all other versions of the same document

Starfish

LIT utilizes an early alert system called Starfish. Throughout the semester, you may receive emails from Starfish regarding your course grades, attendance, or academic performance. Faculty members record student attendance, raise flags and kudos to express concern or give praise, and you can make an appointment with faculty and staff all through the Starfish home page. You can also login to Blackboard or MyLIT and click on the Starfish link to view academic alerts and detailed information. It is the

responsibility of the student to pay attention to these emails and information in Starfish and consider taking the recommended actions. Starfish is used to help you be a successful student at LIT.

