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**CJ 42400 Criminal Procedure (3 credits)**  
**Chaminade University**

**Instructor: Judge George Y. Kimura**

**Telephone: 538-5033 (voice mail)**

**January 11, 1999 to March 24, 1999**

**Winter Evening Programs**

**Time & Place: Saturdays, 0900 to 1310 (9:00 a.m. to 1:10 p. m.)**

**Location: Main Campus - Henry Hall 223**

**Instructor:**

Judge Kimura is a District Court Judge for the State of Hawaii. He received his B.A. and L.L.B. degrees from Tulane University of Louisiana.

**Course Objectives:**

To introduce the student to American criminal procedure. At the conclusion of this course it is expected that & student will be able: 1) to clearly and logically describe and understand criminal procedure, 2) to discuss criminal procedure using technical vocabulary, 3) to be able to cite landmark legal cases and their impact on criminal procedure.

**Course Description:**

Overview of criminal procedure and processes. Roles and relationships of various law enforcement agencies as it relates to criminal procedure.

**Required Textbooks:**

Joel Samaha, *Criminal Procedure* (4<sup>th</sup> edition), West Publishing, 1999

**Note: Handouts will be provided.**

**Conduct of the class:**

- 1) Class will consist of lectures and group discussions.
- 2) Quizzes will focus on textual materials while mid-term and final examinations will include textual as well as lecture material.

**Attendance:**

Attendance is an expected and necessary requirement of this course. It is recognized that there may be times when the student will not be able to attend class but absence from class will impact the student's grade. The student's participation in each class session is considered important to the learning process. Missing class is not an excuse for not being prepared for the next class, completing reading assignments or other projects which were assigned during the missed class.

Chapter quizzes serve 1) to encourage the student to read the assigned material prior to class, and 2) to encourage attendance. Chapter **quizzes** cannot be made up if missed. If you know you will be absent and miss a chapter quiz, you can make arrangements to take the chapter quiz in advance.

Missed examinations cannot be made up unless absence is for medical purposes or other significant reason. The instructor must approve any make-up examination. Delay in contacting the instructor after an examination is reason to deny a make-up examination. Once examinations have been passed back to the class, the examination cannot be made up. Examinations are usually **passed** back the following class period.

**Reading assignments:**

Reading assignments shall be completed prior to class or the **student** will <sup>AM</sup> **be prepared** to **participate** meaningfully in discussions. The student's grade will be adversely impacted by evidence of failure to read assignments prior to class.

**Evaluation:**

- |                      |            |
|----------------------|------------|
| 1) 2 chapter quizzes | 40 points  |
| 2) mid-term exam     | 30 points  |
| 3) final exam        | 30 points  |
| Total points:        | 100 points |

Grades are based on the following points:	100 - 90	A
	<b>89 - 80</b>	B
	79-70	C
	<b>69 - 50</b>	D
	49 & below	F

## Syllabus (subject to change)

week	date		assignment
1	<b>Jan.</b> 16	<b>Introduction — syllabus review</b> ; chapter I — overview of <b>criminal</b>	chapter 1
2	Jan. 23	chapter 2 - the Constitution & criminal procedure	chapter 2
3	Jan. 30	chapter 3 - search & <b>seizure</b> ; quiz	chapter 3
4	Feb. 6	chapter 4 - stop & frisk; chapter 5 - search of persons	chapters 4 & 5
5	Feb. 13	chapter 6 -- searches for evidence; chapter 7 - special needs searches; mid-term exam	chapters 6 & 7
6	Feb. 20	chapter 8 - interrogation & confessions	chapter 8
7	Feb. 27	chapter 9 - <b>ID</b> procedures	chapter 9
8	<b>Mar.</b> 6	chapter 10 - remedies for constitutional violations, quiz	chapter 10
9	Mar. 13	chapter 11 - initiating formal proceedings	chapter 11
10	Mar. 20	chapter 12 - trial to conviction; chapter 13 - post-conviction; review; final <b>examination</b>	chapters 12 & 13