

## **ONLINE COURSE SYLLABUS**

Course Name and Number: CJ 424 – Criminal Procedure (Online), Spring 2013

Course dates: 4/1/2013 – 6/10/2013

Instructor Name: Joseph J. Przyuski, JD

Instructor Nickname: Mr. P.

Instructor Biography: Mr. P. is a part-time adjunct professor in the Criminology and Criminal Justice Department at Chaminade University. He received a Bachelor of Arts degree from the University of Colorado at Boulder and a Juris Doctorate degree from California Western School of Law in San Diego. Mr. P. is a licensed member of the California State Bar, the Hawaii State Bar, and the Commonwealth of the Northern Mariana Islands (CNMI) Bar.

Prior to moving to Honolulu, Mr. P. worked as a law clerk for the Presiding Judge Robert C. Naraja of the CNMI Superior Court, as a Special Prosecutor for Government Corruption for the CNMI Office of the Attorney General, and as Legal Counsel to the CNMI Office of the Public Auditor. Mr. P. has also taught criminal justice courses for Northern Marianas College and for the Police Academy of the Northern Marianas Islands Police Department. Mr. P. currently does contract legal work in Honolulu and Saipan.

Course Website address: <http://chaminade.college.com>

### **INSTRUCTOR CONTACT INFORMATION**

Day time telephone: 808-744-8281 (No evening calls please, unless an emergency)

Email Address: [joseph.przyuski@adjunct.chaminade.edu](mailto:joseph.przyuski@adjunct.chaminade.edu) (primary) / [jjprzyuski@gmail.com](mailto:jjprzyuski@gmail.com) (personal)

(Chaminade policy prefers all communication with instructors via CUH e-mail or this address is checked several times each week. If students need to contact me more quickly, my personal email address is checked more frequently). (Please check my email address spelling before hitting "send". Some students claimed they have sent their assignments to my CUH e-mail address, but I found out later they miss-spelled my email address, usually my last name).

I will make it a point to be as available as possible during this course. I will be checking my email at least once per day to respond to questions or concerns by students and will be constantly updating the materials on the course website. I will, from time to time, be traveling for work or be predisposed during certain hours due to other work commitments. I will do my best to inform students of when I will be in transit or busy. It is my personal goal and policy to answer all questions or emails within twenty-four (24) hours.

## **COURSE DESCRIPTION**

This course is designed to provide an understanding of criminal procedure in the United States, including statutory and common law, court procedure, defenses, and the interaction between society, the courts and the U. S. Constitution.

## **PROGRAM LEARNING OUTCOMES**

- 1) CJ 424 provides practical knowledge regarding the inherent complexities and day-to-day operations of the American criminal justice system
- 2) CJ 424 facilitates the learning about basic rights guaranteed to each individual by both state and federal constitutions and laws.
- 3) CJ 424 provides practical knowledge to allow students to provide service to the community and to prepare for careers in criminal justice.

## **STUDENT LEARNING OUTCOMES**

Upon completion of the Course, the student will demonstrate understanding of the following:

- 1) The history and development of the United States Constitution.
- 2) The Bill of Rights provisions that apply to criminal cases.
- 3) The import and impact of politics on judicial decision-making.,
- 4) The impact that race and ethnicity can have on police investigations.
- 5) The various stages of a criminal case and the constitutional rights apply to them.
- 6) Legal concepts relevant to criminal cases.
- 7) The appellate court process.
- 8) The role that discretion plays in the criminal justice system.

## **TEXTBOOK/RESOURCES**

Samaha, Joel, *Criminal Procedure*, (8th edition, 2012). ISBN-10: 0-495-91335-9. While earlier editions of this title have somewhat similar content, the page numbers and some content will be different. Students who attempt to use an older version are put on notice that they will be responsible for the information contained within this official version.

Recommended supplement: any legal dictionary, which will provide students access to learning the legal terms discussed in the text. Searchable online legal resources are available at [findlaw.com](http://findlaw.com), [nolo.com](http://nolo.com), and [dictionary.law.com](http://dictionary.law.com). While online legal resources are free and easy to access, sometimes an in print dictionary is preferable for ease of access.

## **CLASS ASSIGNMENTS/GRADING**

Each week we will cover a chapter of the text. Each week include assigned reading, required postings to discussion questions, a required current events assignment, and a required content quiz. Additionally there will be a final examination administered during the examination period date as established by

Chaminade's Adult Evening and Online Program schedule. Each graded criteria is discussed more thoroughly below.

**Weekly Reading.** As mentioned, we will cover one chapter of the text each week. There will be a corresponding weekly reading assignment from the textbook posted on the unit homepage of the course. At times there may be additional reading assignments from sources outside the textbook. Students are expected to complete the readings in a timely manner. No grading criteria are set forth for the reading assignments, however the readings will form the basis of all other graded items and the foundation for learning the course content, thus it is critical that students read and comprehend all assigned content.

**Weekly Discussions.** Each week, I will post one or more discussion topics that address the content of the weekly reading assignment. You are required to post (at least) one response to my discussion topic question for each week and to respond to the posting of (at least) one of your classmates. Original postings must be made no later than 9:00 p.m. Thursday Hawaii Standard Time (HST) of the week in which the discussion topic was posted. Responses to classmate's comments must be made no later than 9:00 p.m. Sunday (HST) of the same week. Weekly postings and comments are worth **five (5) points per week (total)**. Credit for the postings and responses will depend on both the quality and quantity of the content. Postings that say something like "I agree" or "Nice posting" will get no credit because they add no substance to the discussion, whereas postings which provide additional ideas to the discussion topic and invite further thoughts or responses to the discussion will get full credit. Late postings will **not** be accepted for **any credit**.

**Weekly Quizzes.** Each week, for each content unit, I will create a short multiple choice quiz covering the material assigned for the week. Quizzes must be taken and answers submitted online. Each quiz may be taken only one time. Please read each question carefully and choose the best answer. Each quiz will be open book, and will be timed according to the individual quiz instructions each week. Quiz grades will be generated by the online course and will be available automatically by the eCollege system for instant feedback after taking the quiz. Weekly quizzes are worth **ten (10) points per week**. Weekly quizzes must be taken no later than midnight HST on the Sunday of each week in which the quiz is administered. These quizzes **are not** cumulative but may rely on certain background content covered earlier in this course. Quizzes will focus on materials covered in the specified sections.

Note: Missed quizzes cannot be made up and course work will not be accepted unless turned in on the prescribed day unless the absence is for a documented emergency, documented medical reasons, documented mandatory service to the University, documented mandatory military obligations, or other acceptable reason as deemed by the instructor. The instructor must approve any make-up examination. Delay in contacting the instructor after a missed quiz is reason to deny a make-up.

**Weekly Current Events Article Review.** Each week, for each content unit, students are required to locate a current events article from a newspaper, magazine, or journal, which is relevant to the content unit covered in that week. Students must submit the current events article (a .pdf, word file, or a

**WORKING** link) in the eCollege drop box along with a statement addressing specific questions/inquiries posted on the assignment page (online).

The weekly current article review assignments are worth **ten (10) points per week**. Please make sure you answer the specific questions thoroughly to demonstrate that you have grasped the key concepts from the chapter reading. NOTE: Your article review must be submitted using "Dropbox" in eCollege no later than midnight Sunday (HST) of the week in which the topic is covered. Late submission will not be accepted unless prior approval is obtained from me.

**Final Examination.** At the conclusion of the course, there will be a final examination administered during the final examination date as established by Chaminade's Adult Education Online Program. Your final exam is **cumulative** and will include materials covered in the course. Items on the exam may come from the text, supplemental reading materials, discussion questions, or other means used throughout the course. Exams may consist of questions in multiple choices, short answer, and essay formats. Weekly quizzes will be an extremely useful review tool for practice final exam test questions. The Final Examination will be worth **one hundred (100) points**. This is equivalent to just over 30% of your semester grade.

Arranging your testing location and Test Proctor for the final examination **is the responsibility of the students**.

Reservation criteria for online courses for HI Island students should be set up in your eCollege accounts. For assistance with reservations, please contact the eCollege helpdesk or Donna Yoshimura at [dyoshi@chaminade.edu](mailto:dyoshi@chaminade.edu) or call (808) 735-4755. Furthermore, the school advised me that Schofield and Pearl Harbor fill up very fast, so make the reservation promptly.

Off Island students will need to arrange and submit your test proctor information to Donna Yoshimura at [dyoshi@chaminade.edu](mailto:dyoshi@chaminade.edu) or call (808) 735-4755.

Information needed:

1. Test Proctor's name & title
2. Phone & fax number
3. Email address
4. Physical address of the testing center
5. Date of the exam(s)

## **GRADING PROCEDURES**

Letter grades are given as your final grade for this course. Grades are calculated from the student's weekly postings, weekly quizzes, weekly current event articles, and final examination. The grades are interpreted as follows:

- A - Outstanding scholarship and an unusual degree of intellectual initiative.

B - Superior work done in a consistent and intellectual manner.

C - Average grade indicating a competent grasp of subject matter.

D - Inferior work of the lowest passing grade, not satisfactory for fulfillment of prerequisite course work.

F - Failure to grasp the minimum subject matter; no credit given.

W - Withdrawal before published deadline (see your counselor or academic calendar for details).

I\* - Did not complete a small portion of the work or final examination due to circumstances beyond the student's control. This grade will not be given except under circumstances of extreme hardship (see most recent version of CUH Student Handbook for details).

#### Grading Scale:

A: 90-100% of possible total points

B: 80-89% of possible total points

C: 70-79% of possible total points

D: 60-69% of possible total points

F: 0-59% of possible total points

There are 9 weeks of graded weekly assignments, which totals twenty-five (25) points per week (Discussion Responses – 5 points, Quiz – 10 points, Current Events – 10 points). The weekly assignments total 225 points. The final examination is worth one hundred (100) points. There are three hundred and twenty-five (325) total points available for this course.

#### **HELPFUL HINTS**

**Punctuality/Consistency:** A key to succeed in an online asynchronous learning environment is to keep up with your required tasks and submit your work in a timely manner. Visit our class in eCollege as frequently as possible to learn how to navigate in eCollege and keep abreast of course announcements. Always address technical problems immediately.

**Falling Behind/Getting Ahead:** As indicated in the Class Assignments/Grading section of this syllabus, late assignments will receive little or no credit without prior approval or specific justified excuses, therefore falling behind in this course is not an option if you wish to pass. Additionally, because class discussions will take place on a weekly basis covering the material covered that week, trying to work too far ahead is not advised. I will be restricting access to the weekly quizzes outside of the assigned time frame. If students need to work ahead due to an important event, exceptions allowing students to work ahead will be granted by request only on a case by case basis. Everyone has a mixture of academic,

professional, family, and personal commitments, please manage your time to account for all of these commitments. Be sure to dedicate sufficient time to your academic responsibilities in this course and other courses you are taking.

### **TECHNICAL JARGON**

Hardware Requirements: eCollege is accessible from most PCs and Macintosh computers with a reliable internet connection.

Software Requirements: You are required to submit writing assignments on a word processing software such as Microsoft Word or in a protected file format such as Adobe Acrobat. You are not required to purchase these programs and use other applications; however, I will not grade your work if I cannot open or view them. I have access to Microsoft Word, Word Perfect and Adobe Acrobat. Please ensure you submit assignments that can be opened in one of these file formats. Also, you will need Adobe reader or Microsoft Word to review my feedback and other correspondences.

### **TECHNICAL SUPPORT**

For technical questions: contact the Chaminade eCollege helpdesk at: [helpdesk@chaminade.college.com](mailto:helpdesk@chaminade.college.com), or call toll free at: (866) 647-0654.

For eCollege Account Support: Call 808-739-8327 or email [jnakason@chaminade.edu](mailto:jnakason@chaminade.edu).

### **WEEKLY READING SCHEDULE**

Note: We will be covering approximately one textbook chapter each week. We will be “skipping” around the book to cover materials in a manner that focuses on the important sections of the book. Each week there will be the specific pages of reading posted on the course unit page for that week. If no specific pages are posted, assume you are responsible for the entire chapter listed. The content quizzes, discussion questions, and current events articles dropbox are all available on the course unit for each week.

<b>Week beginning:</b>	<b>Reading Assignment:</b>
April 1, 2013	Chapters 1 & 2, pages 3-47 (overview and intro to course)
April 8, 2013	Chapter 3, pages 49-81 (intro to search and seizure)
April 15, 2013	Chapter 4, pages 83-137 (stop and frisk)
April 22, 2013	Chapter 5, pages 139-175 (arrest)
April 29, 2013	Chapter 6, pages 177-227 (searches for evidence)
May 6, 2013	Chapter 7, pages 229-259 (special needs searches)
May 13, 2012	Chapter 8, pages 261-298 (self-incrimination)

May 20, 2013	Chapter 9, pages 301-333 (identification)
May 27, 2013	Chapters 10 & 11, pages 335-387 (remedies for the accused)
June 3, 2013	Final Exam Review/Preparation Week (no new assignments)

## **COURSE GROUND RULES**

### **ACADEMIC HONESTY**

Students are responsible for promoting academic honesty at this university by not participating in or facilitating others' participation in any act of academic dishonesty, and by reporting incidences of academic dishonesty (such as theft of tests, records, and other confidential materials, altering grades, cheating on quizzes or examinations, and/or plagiarism) to their instructors. Questions of academic dishonesty are reviewed first by the instructor, followed by the Director, who supervises the faculty teaching the courses.

### **PLAGIARISM**

Chaminade University policies regarding academic honesty are explicit. The standards as clearly stated in the Academic Catalog will be strictly enforced. There is no excuse for using another's work and turning it in as your own, and absolutely no value in irreparably damaging your reputation and your class grade.

### **OTHER ACADEMIC POLICIES**

Students are expected to be aware of the academic standards set forth in the updated Chaminade General Catalog.

### **LATE ASSIGNMENTS**

Postings/Quizzes/Current Events reviews must be completed on the due date and times specified in the syllabus and on the course unit timelines (HST) using eCollege. Otherwise loss of all credit will occur.

### **GUIDELINES FOR COMMUNICATIONS** (observe course netiquette at all times).

Email:

1. Use the eCollege email system which is built into the course webpage (or other Chaminade email).
2. Always include a subject line.
3. Remember without facial expressions some comments may be taken the wrong way. Be careful in wording your emails.
4. Use standard fonts.
5. Special formatting such as centering, audio messages, tables, html, etc. should be avoided unless necessary to complete an assignment or other communication.

#### Discussion Posting:

1. Review the discussion threads thoroughly before entering the discussion.
2. Try to maintain threads by using the "Reply" button rather starting a new topic.
3. Do not make insulting or inflammatory statements to other members of the discussion group.
4. Be respectful of other's ideas.
5. Be patient and read the comments of others thoroughly before entering your remarks.
6. Be cooperative with group leaders in completing assigned tasks.
7. Be positive and constructive in group discussions.
8. Respond in a thoughtful and timely manner.

#### **LIBRARY USE ENCOURAGED**

Visit your library ([www.chaminade.edu/library](http://www.chaminade.edu/library) for hours, etc.) at a minimum for your current events article review assignments and to access other research resources. Most, if not all, current events article assignments can be done using online research; however students often further their learning experience by availing themselves of in-print materials. If you do not have access to the Chaminade campus library due to geographical constraints, try to use other in print resources accessible to your area.

#### **STUDENTS WITH DISABILITIES**

It is the student's responsibility to self identify with the Director of Personal Counseling in order to receive accommodations. Only those students with appropriate documentation will receive services. Contact the Director of Personal Counseling at (808) 739-4603 or email: [jyasuhar@chaminade.edu](mailto:jyasuhar@chaminade.edu).