

PS 307: Introduction to Criminal Law in the United States
North Carolina State University
Department of Political Science
Fall 2024

Course Time: Monday – Thursday 10:15-11:30

Course Location: 129 Winston Hall

Instructor: Professor Elizabeth Lane (she/her/hers)

Office: 229 Caldwell Hall

E-mail: elane3@ncsu.edu - Please include "PS 307:" in the Subject line.

Student Hours: 11:30-12:30 M & 9:15-10:15 W

PURPOSE

This course is designed to examine the development of individual liberties and protections provided by the Constitution of the United States as interpreted by the U.S. Supreme Court. Specifically, we will focus on how the Supreme Court defines, establishes, and interprets provisions enumerated in the Bill of Rights and ensuing amendments, and how this process has developed over time. Students should leave this class with a fundamental understanding of the Constitution, how the Supreme Court operates in a common law system, and critical knowledge of the Court's decisions that have defined and shaped the history of the United States. This course is not about the mere recitation of facts or personal opinions. While there will be opportunities for discussion, students should be able to support their views with well-reasoned legal justifications. The writing, analytical thinking, and general topic of this course provides excellent preparation for future legal and government work/studies and aims to make you a more informed citizen.

OBJECTIVES AND LEARNING OUTCOMES

1. Develop a substantive understanding of historical and modern developments in the constitutional law of civil rights and civil liberties.
2. Understand how societal and political factors interact with the law. Particularly, understand how these factors influence Supreme Court justices, and their interpretation of the constitution and decision making on these issues.
3. Develop the ability to read, understand, and interpret U.S. Supreme Court decisions, and effectively summarize their decisions.
4. Apply your understanding gained from course readings and lectures to current and hypothetical legal issues to arrive at a well-reasoned decision that you can clearly articulate with sufficient legal justification.
5. Appreciate different decisions and viewpoints of constitutional interpretation. Be able to explain and apply these different views in your coursework, regardless of which side of the debate you prefer.
6. Enhance your oral and written communications skills through classroom discussion and written assignments.

CLASS FORMAT

This class will meet in-person. I will do my best to remember to record lectures for those of you that are unable to make it to class due to illness, but due to technical difficulties encountered throughout the semester (or operator error) I will not guarantee that 100% of the lectures will be recorded and posted online. That being said, I will post lecture slides on the course Moodle site following each lecture.

Student Hours

If you have a question about course material, constitutional law, or you just want to chat about the Supreme Court or anything else, my student hours (aka office hours) will be on Mondays 11:30-12:30 and Wednesdays 9:15-10:15 in 229 Caldwell Hall. Please let me know at the beginning or end of class if you plan on dropping in. If this time is inconvenient for you, or you need to meet via Zoom, please email me to arrange an alternative time/venue. After making arrangements, Zoom office hours will be held using the Zoom information below:

<https://ncsu.zoom.us/j/94724251270?pwd=9x9exUjMD2sq38QxFGyvkwBJdrsMOQ.1>

Meeting ID: 947 2425 1270

Passcode: conlaw

Dial Meeting: 1-305-224-1968
Passcode for Dial Meeting: 41922

Time Requirements

Please keep in mind the University's definition of work required for each credit hour: "not less than one hour (50 minutes) of lecture/classroom or direct faculty instruction and a minimum of two hours out-of-class student work across 15 weeks for one semester." Given that this is a three credit-hour course, students are expected to devote a total of nine hours of work each week: three hours in the classroom and an additional six hours of course related work outside of the classroom.

COURSE MATERIALS

Required Text

- Epstein, Lee and Kevin T. McGuire and Thomas G. Walker. (2021). *Constitutional Law for a Changing America: Rights Liberties, and Justices*. Eleventh Edition. Washington D.C.: CQ Press. ISBN-13: 978-1544391250.

I will refer to this text on the syllabus as EM&W. Although previous editions exist, I will be teaching out of the eleventh edition. This means that all assignments, group discussions, and exams will be from the content in this edition. Many of the cases you will read this semester are from the online repository for your book, so if you want to save money and use an earlier edition you may do so, **but you are choosing to do so at your own risk.**

Optional Text

I will also use other books to supplement your understanding of the legal system and how the cases you read and brief on relate to the existing law and procedures. You are not required to purchase these books, but if you are interested I primarily supplement from the following two books. The first is referred to in the syllabus as B&B and the second as S&W:

- Bloom, Robert M., and Mark S. Brodin. *Examples & Explanations for Criminal Procedure: The Constitution and the Police*. Wolters Kluwer, 2019.
- Singer, Richard G., and Kenneth Williams. *Examples & Explanations for Criminal Procedure II: From Bail to Jail*. Wolters Kluwer, 2018.

COURSE REQUIREMENTS & GRADING

Your course grade will be graded on a points system (points earned divided by points possible). The points will consist of briefing-discussion memos, journals, four quizzes, two exams, and a pre- and post-test. A summary of the points breakdown is as follows:

Assignment	Points	Percentage
Con Law Pre- and Post-Tests	100	10%
Attendance & Participation Quizzes	150	15%
Quizzes	350	35%
Briefing-Discussion Memos	250	25%
Final Exam	150	15%
Total	1,000	100%

Pre- & Post-Tests (100 points)

These multiple-choice, true and false, and short answer tests will be **graded for completion only**. Your grade is not based on how many questions you get right or wrong. They will be used to gauge your knowledge of the Supreme Court and criminal law prior to taking the class and evaluate how much you learn/retain by the end of the semester. After the due date and time, I will go through and change all grades to 100% for those who made a full faith effort to complete the tests. The pre- and post-tests are **due at 11:59 pm EST** on the due date listed in the course schedule section of the syllabus.

Attendance & Participation Quizzes (150 points)

Coming to class is important. The course material is difficult to learn on your own and class time provides an opportunity to ask questions and engage with the material. It also gives me an opportunity to see how well you are picking up on the material and understanding it. I encourage engagement in the active learning process, and **I require that you come to class**. I will post a link or QR code for students who are present in class. Sometimes these will include questions related to class content to ensure you are coming to class prepared to participate. Other times, you will simply get credit for attending class that day and staying for the **entire class period**. You should complete the attendance at the beginning of class. There will be a deduction in points for coming to class unprepared or waiting until after lecture to answer the questions.

I will drop your **five** lowest attendance and participation scores. That means you can completely miss five classes throughout the semester. **I will not accept excused absences**. If you must work, go to the doctor or another appointment, etc. during class time it will not be excused, but will count as one of your five absences. You are an adult and prioritize what is most important. If you choose to do something else during our class meeting that is your decision to make. Sometimes you may have to miss class due to an illness, or another reason. These will also fall under your five excused absences. That is why you have them. I will only make exceptions to this policy in the following extreme circumstances: (1) performance of military duty; (2) legal obligation to appear at or participate in a judicial or administrative proceeding, including jury duty; (3) any medical condition related to pregnancy or childbirth; (4) a disability, as defined by the Americans with Disabilities Act and as documented by the student with the Student Disability Resource Center, which prevents students from attending class; (5) observance of a religious practice, holiday, or holy day; (6) participation in an authorized University activity; and (7) death or severe illness of an immediate/dependent family member.

If something happens during the semester that will result in extended absences, **please contact me AS SOON AS POSSIBLE**. Oftentimes these circumstances are outside of your control. **I want every student to succeed this semester**. We will talk and create a plan to keep you on-track. We cannot create a plan, however, if I am unaware that you are dealing with something outside of class. Please do not wait until the last few weeks of class when it is simply too late.

Quizzes (350 points)

Over the course of the semester, you will take six quizzes on Moodle. These quizzes will not be cumulative. The first quiz will cover material from the first four class meetings, Quiz 2 will cover the next four meetings, etc. Each subsequent quiz will cover material examined since the last quiz. Quizzes will take place approximately every two weeks/four class meetings.

Quizzes will always open Fridays at 9:00 am Raleigh time and will be due on Sundays at 11:59 pm Raleigh time. This means you can take a quiz anytime during that open period. You will have a set amount of time specified on Moodle to complete each quiz. Once you start the quiz, you have to finish it (i.e., you cannot start, walk away for two hours, and then come back to finish it), so please make sure you give yourself uninterrupted time to take it. Because this is done online, all quizzes will be open book and open note. I expect that you will do them on your own, without the assistance of others.

Because we will be taking these quizzes so frequently, absolutely **no late quiz submissions will be accepted**. Exceptions will be made in extreme circumstances including: (1) performance of military duty; (2) legal obligation to appear at or participate in a judicial or administrative proceeding, including jury duty; (3) any medical condition related to pregnancy or childbirth; (4) a disability, as defined by the Americans with Disabilities Act and as documented by the student with the Student Disability Resource Center, which prevents students from attending class; (5) observance of a religious practice, holiday, or holy day; (6) participation in an authorized University activity; (7) death or severe illness of an immediate/dependent family member; (8) illness or injury that is too severe or contagious for the student to attend class or complete work; and (9) university closure for weather-related or other emergencies.

If you miss a quiz for one of these reasons, *you must contact me in writing (i.e., email) before the quiz is due and provide documentation of your absence to make alternative arrangements*. Failure to follow these guidelines will result in a grade of "0" for that quiz. I reserve the right to give an alternative essay quiz in place of the standard quiz if the situation necessitates an alternative quiz. Please note that answer keys for quizzes will be released the morning after the quiz closes. Once the answer key is published, you cannot take the quiz in the existing form.

But life sometimes happens, and things slip through the cracks – I will **drop your lowest quiz score**. This means your final quiz grade will be from your five best quizzes. That is, you can miss one quiz without incurring a penalty.

Briefing-Discussion Memos (250 points)

Memos will be graded for completion and **good faith effort**. They do not have to be perfect, but there should be some demonstration of an effort to understand the course material correctly. Each memo will be examined for effort and completion and reduced three points for each missing or incomplete section. **All memos are due prior to the class in which we will discuss the content of the memo.**

- Each student is required to complete **eight** total memos Briefing-Discussion memos for the semester.
 - **Everyone is expected to complete the first assignment, due Monday, September 9, before class begins.** I will provide feedback on this assignment to guide your future work. However, I will not provide feedback if you did not put forth the effort expected of a Briefing-Discussion Memo.
 - In addition to the first memo, each student is required to complete seven additional Briefing-Discussion memos for a semester total of eight.
 - Of the eight total memos, you must complete four **prior** to fall break on Monday, October 14. This means the first memo plus three additional memos of your choice.
 - Of the eight, the final four must be completed after fall break on Monday, October 14, prior to the final exam.
 - If you are unsatisfied with your score on the memos (excluding the first) you may complete more than the required amount within the timeframe. I will simply take the highest three scores pre-midterm and the highest four scores post-midterm.
- The **memos must include the FIRC** of a FIRAC brief **for each case listed** on the syllabus schedule for that day. This component of this assignment is to help you learn how to organize and clarify Supreme Court decisions.
 - Additionally, you must (1) summarize how the cases fit together and (2) share your opinion on whether you think the justices decided the cases correctly. The goal of the discussion portion is to synthesize the case information and share your perspective.
 - More detailed instructions on these assignments can be found on Moodle. We will review how to complete the memos on Wednesday, August 28.
- Memos are due at 10:15 am EST on the day they are listed on the syllabus. That is, they must be completed and submitted before the lecture on that content is held. **All memos must be uploaded as a PDF.** Please see Late Work section of the syllabus if you fail to make this deadline.

Final Exam (150 points)

To evaluate what you learned throughout the semester, there will be a final exam for this class. This final will be cumulative and will consist of a combination of matching, multiple choice, and essay questions. It will look similar to your quizzes, but with more questions and longer essays.

The final for this class will be on Moodle. It will be posted on **Wednesday, December 11, at 8:30 am** and is **due by 11:00 am that day**. The final exam is cumulative. It will likely include questions you have seen this semester on the quizzes along with new questions.

The exam will be taken during the period in which they are scheduled by the University. Per University policy (<https://studentservices.ncsu.edu/calendars/exam-calendar/>), if you have three final exams in 24 hours you are able to reschedule an exam. If one of the exams to be rescheduled is for this class, please let me know via email and follow the Student Services Exam Reschedule tool in MyPack by navigating to the Planning and Enrollment tile.

If you have extreme circumstances such as: (1) performance of military duty; (2) legal obligation to appear at or participate in a judicial or administrative proceeding, including jury duty; (3) any medical condition related to pregnancy or childbirth; (4) a disability, as defined by the Americans with Disabilities Act and as documented by the student with the Student Disability Resource Center, which prevents students from attending class; (5) observance of a religious practice, holiday, or holy day; (6) participation in an authorized University activity; (7) death or severe illness of an immediate/dependent family member; (8) illness or injury that is too severe or contagious for the student to attend class or complete work; and (9) university closure for weather-related or other emergencies, you must provide documentation that allows me to verify your excuse is/was valid. All claims, when possible, must be made at least two weeks prior to when the exam is scheduled. Failure to follow these guidelines will result in a 0 being awarded for the final. I reserve the right to have the makeup exam be of a different format than the exam given during the regular exam period.

COURSE POLICIES AND RESOURCES

Grade Scale

NCSU uses a letter plus minus grading scale. The **final minimum percentage needed** for each grade level is as follows in the tables below. The right table is a continuation of the left and set adjacent instead of below to save space.

Please **do not** email me at the end of the semester asking me to round your final grade. The **ONLY** reason you need to email me is if you think there is an error of some sort. If there is, we will fix it. If you email me asking to change your final grade, to round your final percentage/bump up your final percentage/letter grade, or inquiring about extra credit, I will delete your email and not respond. If you send an email like this it will be clear you did not read the syllabus, or that you think the rules that apply to the rest of the class do not apply to you. Everyone has the semester to earn the same points as any other student. This makes the process fair. Last minute additions, bumps, rounding, is unfair.

Low	Letter	High	Low	Letter	High
97 ≤	A+	≤ 100	77 ≤	C+	≤ 80
93 ≤	A	≤ 97	73 ≤	C	≤ 77
90 ≤	A-	≤ 93	70 ≤	C-	≤ 73
87 ≤	B+	≤ 90	67 ≤	D+	≤ 70
83 ≤	B	≤ 87	63 ≤	D	≤ 67
80 ≤	B-	≤ 83	60 ≤	D-	≤ 63
			0 ≤	F	≤ 60

Grade Questions and Appeals

If you receive a grade and see that it contains an arithmetic error (i.e., I mis-calculated your grade), please inform me of the problem. If you have a question or concern about your performance on any course work, please also contact me. **All** concerns must be stated in writing (paper or email), beginning with a statement that concisely explains why you believe your grade should be altered.

All concerns, whether arithmetic or otherwise, must be raised within one week of that assignment/quiz's release to students. The one-week clock starts when grades are posted on Moodle or paper exams are distributed back to the class regardless of whether you were there to collect it or not. If you do not raise your question within this one-week period, you forfeit your ability to appeal your grade.

Academic Integrity and Honesty

Students are required to comply with the university policy on academic integrity found in the Code of Student Conduct (<https://policies.ncsu.edu/policy/pol-11-35-01/>). Therefore, students are required to uphold the university pledge of honor and exercise honesty in completing any assignment.

Academic misconduct includes four basic categories including cheating, plagiarism, aiding and abetting another to cheat or plagiarize, and/or destruction or removal of academic materials. Generally, academic misconduct can be thought of as any behavior that involves the giving, taking, or presenting of information by a student that unethically or fraudulently aids the student or another on any work which is to be considered in the determination of a grade or the completion of academic requirements or the enhancement of that student's record or academic career.

Of note for this course is plagiarism, which is defined by NCSU Code of Student Conduct as either (a) representing the work of others as his or her own; or (b) submitting written materials without proper attribution or acknowledgment of the source.

Written assignments for this class will be subject to review by plagiarism detection software. Incidents of dishonesty may also be reported to the Department or University, which can result in further disciplinary action. On your briefing-discussion memos I expect this to be in your own words and not the words of Epstein et al. I do not want to see that you can copy from the book. You must demonstrate your own understanding of this material. I understand certain terms like "cruel and unusual punishment" must be used and are unavoidable, but other content must be yours, and yours alone.

Regarding group work, all work must be completed without assistance unless explicit permission for group or partner work is given by the faculty member. This is critical so that I can assess your performance on each assignment. If a group/partner project is assigned, the student may still have individual work to complete. Read the syllabus and assignment directions carefully. You might have a project with group work and a follow up report that is independently written. When in doubt, e-mail the me member or ask during a class session. Seeking clarification is your responsibility as a student. Assuming group/partner work is okay without permission constitutes a violation of the NCSU Code of Student Conduct.

Regarding AI/Machine Learning/Chat GPT, I **strongly discourage** students from using this. That being said, if you do use it, you must give credit/cite this work. **Any work** that is not your own must be cited per the University's Academic Integrity guidelines.

WORD OF WARNING: There are several online resources that summarize the facts of the case, the main issue, and decision. I strongly recommend that you DO NOT VISIT these websites and do not use information from these sources to for coursework. Everything you submit in this class as your own work needs to be your own work. If you take information from these websites without attribution that is plagiarism and a violation of university policies. And since you aren't supposed to be visiting these sources, you should not be citing them to begin with.

If you are ever confused about what is and is not plagiarism, I am happy to discuss it with you, especially if it avoids you accidentally plagiarizing. Additionally, Indiana University has a helpful plagiarism tutorial that I encourage you to look at if you are ever confused in this class or any other: <https://plagiarism.iu.edu/tutorials/task2/index.html>

Students are responsible for reviewing the NC State University PRR's which pertains to their course rights and responsibilities:

- Equal Opportunity, Non-Discrimination Policy: <https://policies.ncsu.edu/policy/pol-04-25-05/>
- Code of Student Conduct: <https://policies.ncsu.edu/policy/pol-11-35-01/>
- Grades and Grade Point Average: <https://policies.ncsu.edu/regulation/reg-02-50-03/>
- Credit Only Courses: <https://policies.ncsu.edu/regulation/reg-02-20-15/>
- Audits: <https://policies.ncsu.edu/regulation/reg-02-20-04/>

Collaboration

A student's grades must represent the extent that the *individual* mastered the course content. You should assume that you are to complete course work individually (without the use of another person or uncited sources) unless otherwise indicated by the instructor. It is your responsibility to seek clarification if you are unclear about what constitutes proper or improper collaboration.

Course Communication

Class announcements will be sent via email on Moodle. If you ever delete one of these emails and want to reference it, you can find it under the Announcements page on Moodle.

I try to start and end each class with a review of where we've been, and announcements of where we are headed with any due dates in the coming weeks (I will become a broken record).

If you need to schedule a meeting outside of office hours, have questions regarding course material, or other topics, please feel free email me. When emailing, please include "PS 307:" as the first part of the subject line. If you do not include this information, I may not see your email. Also, for me to reply, you must also include your first and last name in the text of the email so that I know who I am responding to, and I can properly address you. Some of your names are different from your emails or not clearly apparent from your email address. **If you have questions regarding due dates or reading assignments consult the syllabus or a classmate.** I am not saying this to be rude but (1) I promise you will find your answer sooner, and (2) if everyone emails me about a question that can be answered by the syllabus I will be overwhelmed with emails. Considering I receive these emails anyway, I am sure you can imagine how many student emails I receive each day.

Please email me via Gmail using your NCSU email. During the week I will typically answer emails within 24 hours unless the syllabus states I am out of town for a conference or talk. I do not check email as regularly on the weekend so it will usually take 48 hours.

As mentioned, you will be submitting assignments in person and via Moodle. For assignments submitted on Moodle, you are responsible for giving yourself enough time to do so. If you encounter complications with Moodle, **contact Technology Support first.** You can find their information on the right-hand side of the course Moodle Page in the Student Services block, located below Student and Academic Support. If the issue remains unresolved after contacting them, then you can email me, but you must provide proof of your communication with Moodle first.

It is incredibly helpful if you include a user picture on Moodle. This helps me know whose work I am grading and relate that to who I see in class. If you feel comfortable uploading a picture you can do so by clicking our name on the top right-hand side of Moodle > Profile > and under User details, click "Edit profile." You can then navigate to WolfWare Profile and upload your photo there.

Attendance

I have no attendance policy regarding excused absences. Covid-19 and other circumstances made it much too difficult to keep up with the emails and everything that went along with it. That being said, **coming to class is important.** This material is difficult to learn on your own and you should have an opportunity to ask questions and carryon discussions with your classmates, which will aid your

learning. For the sake of your own success, I **STRONGLY** encourage you to come to class every meeting and be prepared with questions. I am sure it comes as no surprise that students who regularly attended my class do significantly better than their classmates.

Furthermore, because I do not have an attendance policy if you are feeling unwell but not sick enough to go to the doctor, missing class for pre-scheduled doctor's appointments, classes missed because of work/volunteering/interviews, missing class because you got stuck behind a train or could not find parking (although I do sympathize), as well as the days you simply do not want to come to class that is your prerogative. Please do not email me asking to be "excused" for any of these reasons unless it is for reasons discussed in the Other Accommodations section.

Please remember that part of your grade is based on **coming to class prepared**. Because these attendance quizzes will not be given every class, are random, and you get to drop the lowest five grades, these will not be excused. Additionally, please do not email me to ask, "What did I miss?" because all lectures will be recorded and posted on Moodle.

There is also a lot of flexibility with the other assignments throughout the semester. If you will miss the midterm or final exam, you must get an excused absence per the University's absence policy and notify me in advance:

<https://policies.ncsu.edu/regulation/reg-02-20-03-attendance-regulations/>

I hope this does not happen, but if you fall too far behind and feel the need to withdraw, please find information on the University's policy here: <https://studentservices.ncsu.edu/your-classes/withdrawal/process/>

Accessing University Resources

You may access many student resources provided by the University in the Student Services block located on the right-hand side of the course Moodle page below the Meet the Instructor and Activities blocks. These services include: Academic Support, community, health and wellness, basic needs, financial assistance, and other campus resources. To open the block drawer click on the button that looks like an arrowhead on the right side of the main course page. You can close the block drawer by clicking on the X.

Disability Services & Accommodations for Students with Disabilities

In accordance with Section 504 of the Rehabilitation Act, the Americans with Disabilities Act (ADA), and state law, NC State is committed to ensuring that no qualified individual with a disability in the United States shall be excluded from, denied the benefits of, or be subjected to discrimination under any program or activity.

Reasonable accommodations will be made for students with verifiable disabilities. If you have already made accommodation arrangements, please inform me of your needs at the beginning of the course and present me with your accommodations form. If you need to request accommodations under the Americans with Disabilities Act, students must register with the Disability Resource Office at Holmes Hall, Suite 304, Campus Box 7509, 919-515-7653. You can fill out an accommodations request form at:

<https://dro.dasa.ncsu.edu/connect-with-the-dro/accommodation-requests/>. For more information on NC State's policy on working with students with disabilities, please see the Academic Accommodations for Students with Disabilities Regulation (REG02.20.01)

Trans-Inclusive Statement

In an effort to affirm and respect the identities of transgender students in the classroom and beyond, please contact me if you wish to be referred to using a name and/or pronouns other than what is listed in the student directory.

Basic Needs Security

Any student who faces challenges securing their food or housing or has other severe adverse experiences and believes this may affect their performance in the course is encouraged to notify the professor if you are comfortable in doing so. Alternatively, you can contact the Division of Academic and Student Affairs to learn more about the Pack Essentials program:

<https://dasa.ncsu.edu/pack-essentials/>

Other Accommodations

I recognize that although all of you are students you have a life outside of the classroom and oftentimes things going on in your personal life can complicate your work as a student. You may experience a range of personal issues that can impede learning, such as strained relationships, increased anxiety, alcohol/drug concerns, feeling down, difficulty concentrating and/or lack of motivation. The Counseling Center at NC State offers confidential mental health services for full-time NC State students, including same-day emergency services. CHASS also has an embedded clinician named Dr. Jenn Archer, who will be hosting a drop-in counseling space every Wednesday from 12-2pm in room 115 of the 1911 Building and seeing clients for individual therapy. Individual appointments with Jenn or questions about other mental health services can be made by visiting the get started page: <https://bit.ly/3qru25Z>. Here

you can book for future appointments, contact the 24-hour hotline for crisis and support, which is available at **919-515-2423** and will connect you with a professional counselor. If you would like to visit the Counseling Center in person for your mental or physical health, you can find it at 2815 Cates Ave., Suite 2401, on the second floor of the Student Health Center.

NC State has other resources like NC State Cares to help during these difficult times. You can reach out to them through by calling 919-515-4405. You can also visit their website at: <https://bit.ly/3Oo4DDw>. If you do not feel comfortable doing this yourself, please let me know. I am happy to submit a form to the Cares team on your behalf to get in touch with you and connect you with different resources and assistance.

A full overview of campus wellness resources can be found on the Wolfpack Wellness website: <https://wellness.ncsu.edu/>

Whatever your issue is, if it is interfering with your class attendance and/or work, please let me know **AS SOON AS POSSIBLE**. As an instructor, it is so frustrating to learn during finals week that a student was struggling with a sick parent, no vehicle, health issues, or whatever the problem may have been that caused them to fall behind during the semester. At that point there is very little I can do because I have due dates that the college and university set for grades. As someone who struggled with a very sick family member during college, I know you may not want to share all your personal information with me. That is ok, you do not have to. I just need to know that something is going on and we can arrange a way to make sure class works for you so you can still perform to the best of your ability.

Writing Center

As you can see from this syllabus, large portions of your grade are based on your writing. Check out NCSU's Undergraduate Writing Center and one-on-one writing tutoring for improving your written work in classes: <https://asc.dasa.ncsu.edu/undergraduate-writing-center/>

Course Evaluations

ClassEval is the end-of-semester survey for students to evaluate instruction of all university classes. The current survey is administered online and includes 12 closed-ended questions and 3 open-ended questions. Deans, department heads, and instructors may add a limited number of their own questions to these 15 common-core questions.

Each semester students' responses are compiled into a ClassEval report for every instructor and class. Instructors use the evaluations to improve instruction and include them in their promotion and tenure dossiers, while department heads use them in annual reviews. The reports are included in instructors' personnel files and are considered confidential.

Online class evaluations will be available for students to complete during the last two weeks of the semester for full semester courses and the last week of shorter sessions. Students will receive an email directing them to a website to complete class evaluations. These become unavailable at 8am on the first day of finals.

ClassEval Website: <https://classeval.ncsu.edu/secure/prod/cesurvey/>

SCHEDULE OF TOPICS, READINGS, AND ASSIGNMENTS

I expect to follow this schedule closely. Although I do not anticipate needing to, I reserve the right to modify the syllabus and course schedule as necessary (e.g., we fall behind, a severe weather event, etc.). All changes (if any) will be announced on Moodle via email. As you work your way through the schedule, please make sure to account for all readings listed for that day so that you are prepared for class. Some days may fall on the bottom of one page and the beginning of another. It is your responsibility to ensure you have read and briefed all the material for each class period.

PART I: INTRODUCTION & INCORPORATION

Monday, August 19: Course Introduction

- Syllabus
- Introduction to Criminal Rights
 - B&B Ch. 1 pgs. 1-7*
- Appeals
 - S&W Ch. 13 pgs. 364-370, 382-384*

Wednesday, August 21: Introduction to the U.S. Supreme Court

- SCOTUS
 - EM&W Ch. 1 pgs. 11-44

Friday, August 23

⇒ PRE-TEST DUE AT 11:59 PM

Monday, August 26: Judicial Opinions

- Opinion Writing
 - Maltzman, Spriggs, and Wahlbeck (2000) – *Crafting Law on the Supreme Court: The Collegial Game**
- Reading Opinions
 - Kerr – How to Read a Legal Opinion: A Guide for New Law Students*

Wednesday, August 28: Understanding Opinions and Judicial Review

- FIRAC Introduction*
- Judicial Review
 - EM&W Ch. 2 pgs. 45-54
 - *Marbury v. Madison*

Sunday, September 1

⇒ QUIZ 1 DUE AT 11:59 PM

Monday, September 2

NO CLASS – LABOR DAY

Wednesday, September 4

NO CLASS – AMERICAN POLITICAL SCIENCE ASSOCIATION ANNUAL MEETING

Monday, September 9: Incorporation of the Bill of Rights

- Background on Application of the Bill of Rights to the States
 - Cherminsky Ch. 6 pgs. 537-554*
- Initial Attempts and Fundamental Rights Analysis
 - EM&W Ch. 3 pgs. 67-68, 70-76, 78-87
 - *Hurtado v. California*
 - *Duncan v. Louisiana*

⇒ FIRST BRIEFING MEMO DUE AT 10:15 AM

PART II: THE FOURTH AMENDMENT

Wednesday, September 11: Introduction to Criminal Rights

- Introduction to the Fourth Amendment
 - B&B Ch. 1 pgs. 22-31*

Monday, September 16: Non-Physical Searches Part 1

- Non-Physical Searches
 - EM&W Ch. 11 pgs. 397-411 & Moodle
 - *Katz v. United States*
 - *California v. Ciraolo**

Wednesday, September 18: Non-Physical Searches Part 2

- Electronic Surveillance & Searches of Computers
 - B&B Ch. 11 pgs. 361-366*
- The Use of Technology
 - Moodle
 - *United States v. Jones**
- Searches of Cellular Phones
 - EM&W Ch. 11 pgs. 414-418 & Moodle
 - *Carpenter v. United States**

Sunday, September 22

⇒ QUIZ 2 DUE AT 11:59 PM

Monday, September 23: Searches of the Home Part 1

- Probable Cause
 - B&B Ch. 3 pgs. 45-51*
- Search Warrants & Plain View
 - B&B Ch. 5 pgs. 121-128*
- Home Searches
 - EM&W Ch. 11 pgs. 418-422 & Moodle
 - *Chimel v. California**
 - *Illinois v. Gates*

Wednesday, September 25: Searches of the Home Part 2

- Plain View
 - B&B Ch. 6 pgs. 184-186*
- Home Exceptions
 - EM&W Ch. 11 pgs. 410-414 & Moodle
 - *Georgia v. Randolph**
 - *Florida v. Jardines*

Monday, September 30: Searches of Automobiles

- Exceptions that Require Probable Cause
 - B&B Ch. 6 pgs. 154-158, 164-167*
- Searches of Automobiles
 - Moodle
 - *Carroll v. United States**
 - *California v. Acevedo**
 - *Arizona v. Gant**

Wednesday, October 2: Stop and Frisk

- Reasonable Suspicion & Plain Feel
 - B&B Ch. 4 pgs. 70-80*
- Stop and Frisk
 - EM&W Ch. 11 pgs. 422-426 & Moodle
 - *Terry v. Ohio*
 - *Illinois v. Wardlow**
 - *Minnesota v. Dickerson**

Sunday, October 6

⇒ QUIZ 3 DUE AT 11:59 PM

Monday, October 7

NO CLASS U of SC CONFERENCE

Wednesday, October 9: Searches in the Administrative State

⇒ LAST OPPORTUNITY FOR PRE-FALL BREAK MEMOS

- Administrative Searches
 - B&B Ch. 4 pgs. 103-109*
- Work and School
 - EM&W Ch. 11 pgs. 426-434 & Moodle
 - *National Treasury Employees Union v. Von Raab**
 - *Board of Education No. 92 of Pottawatomie City v. Earls**
 - *Safford Unified School District No. 1 v. Redding*

Monday, October 14

NO CLASS – FALL BREAK

PART III: THE FIFTH AMENDMENT

Wednesday, October 16: Self-Incrimination Part 1

- Voluntariness Standard
 - B&B Ch. 8 pgs. 249-252*
- *Miranda* & Custody
 - B&B Ch. 9 pgs. 261-266*
- Adequacy of Warnings
 - B&B Ch. 9 pgs. 286-288*
- Self-Incrimination
 - EM&W Ch. 11 pgs. 446-456
 - *Esocbedo v. Illinois*
 - *Miranda v. Arizona*

Monday October 21: Self- Self-Incrimination Part 2

- Interrogation
 - B&B Ch. 9 pgs. 274-277*
- Waiver of *Miranda*
 - B&B Ch. 9 pgs. 291-295, 303-307*
- Requirements for Trial
 - B&B Ch. 9 pg. 328*
- Interrogations and Confessions

- EM&W Ch. 11 pgs. 456-461 & Moodle
 - *Rhode Island v. Innis**
 - *Arizona v. Fulminante**
 - *Missouri v. Seibert*

PART IV: THE SIXTH AMENDMENT

Wednesday October 23: Right to Counsel Part 1

- What Constitutes a Right to Counsel?
 - S&W Ch. 11 pgs. 257-269*
- The *Massiah* Doctrine
 - B&B Ch. 10 pgs. 329-335*
- Right to Counsel
 - EM&W Ch. 12 pgs. 463-473 & Moodle
 - *Powell v. Alabama*
 - *Gideon v. Wainwright*
 - *Indiana v. Edwards**

Sunday, October 27

⇒ QUIZ 4 DUE AT 11:59 PM

Monday, October 28: Right to Counsel Part 2

- Effective Counsel
 - S&W Ch. 11 pgs. 269-285*
- Effective and Appellate Counsel & Self-Representation
 - Moodle
 - *Alabama v. Shelton**
 - *Douglas v. California**
 - *Rompilla v. Beard**

Wednesday, October 30: Pre-Trial Activities – Bail & Plea Bargaining

- Concept of Plea Bargaining
 - S&W Ch. 7 pgs. 129-138, 143-151, 156-157*
- Bail & Plea Bargains
 - Moodle
 - *United States v. Salerno**
 - *Missouri v. Frye**
 - *Bordenkircher v. Hayes**

Monday, November 4: Pre-Trial Activities & Fair Trials – Juries

- Jury Selection
 - S&W Ch. 8 pgs. 167-189*
- Problems with Juries
 - EM&W Ch. 12 pgs. 473-482 & Moodle
 - *Batson v. Kentucky*
 - *Burch v. Louisiana**

Wednesday, November 6: Fair Trials – Press & Public (RL)

- Problems with Juries & Press
 - EM&W Ch. 12 pgs. 482-492
 - *Sheppard v. Maxwell*
 - *Richmond Newspapers v. Virginia*

Sunday, November 10

⇒ QUIZ 5 DUE AT 11:59 PM

Monday, November 11: Fair Trials – Evidence & Witnesses

- Evidence Disclosure (Discovery)
 - S&W Ch. 6 pgs. 83-92*
- Evidence and Witnesses
 - Moodle
 - *Brady v. Maryland**
 - *Davis v. Washington/Harmon v. Indiana**

PART V: THE EIGHTH AMENDMENT

Wednesday, November 13: Sentencing & Double Jeopardy

- Double Jeopardy
 - S&W Ch. 9 pgs. 205-212
- Sentencing
 - S&W Ch. 12 pgs. 309-318, 340-347
- Sentencing and Double Jeopardy
 - Moodle
 - *Blakely v. Washington**
 - *Gall v. United States**
 - *Kansas v. Hendricks**

Monday, November 18: Capital Punishment Part 1

- Sentencing
 - S&W Ch. 12 pgs. 347-350*
- Death Penalty
 - EM&W Ch. 11 pgs. 492-502
 - *Furman v. Georgia**
 - *Gregg v. Georgia*

Wednesday, November 20: Capital Punishment Part 2

- Death Penalty by the Numbers
 - Gross et al. (2014) – *Rate of false conviction of criminal defendants who are sentenced to death**
- Other Death Penalty Considerations
 - EM&W Ch. 11 pgs. 502-514 & Moodle
 - *Lockett v. Ohio**
 - *McKlesky v. Kemp**
 - *Atkins v. Virginia*

Sunday, November 24

⇒ QUIZ 6 DUE AT 11:59 PM

Monday, November 25: Catch-up Day

⇒ POST-TEST DUE AT 11:59 PM

Wednesday, November 27

NO CLASS- THANKSGIVING

Monday, December 2: Final Exam Review

Wednesday, December 4

NO CLASS – READING DAY

Wednesday, December 11: Final Exam

8:30-11:00 am