



Western Technical College

## 10504822 Criminal Procedure

### Course Outcome Summary

#### Course Information

<b>Description</b>	This course provides a survey of the criminal justice process from investigation to conviction. It emphasizes sources of law governing each stage of the process and the rights of those accused and decision-making factors related to policing, courts, and corrections.
<b>Career Cluster</b>	Law, Public Safety, Corrections and Security
<b>Instructional Level</b>	Associate Degree Courses
<b>Total Credits</b>	3
<b>Total Hours</b>	54

#### Textbooks

*Criminal Procedures*. 10th Edition. Copyright 2018. Samaha, Joel. Publisher: Cengage Learning. **ISBN-13:** 978-1-305-96900-1. Required.

#### Success Abilities

1. Refine Professionalism: Improve Critical Thinking

#### Program Outcomes

1. Illustrate the interrelationships of the three core components of the criminal justice system

#### Course Competencies

1. **Make connections between the concept of criminal procedure and the Constitution.**

##### Assessment Strategies

- 1.1. Activity

- 1.2. Case Study
- 1.3. Paper
- 1.4. Reflection

#### **Criteria**

*You will know you are successful when*

- 1.1. you summarize the importance of criminal procedure and the Constitution as Americans.
- 1.2. you demonstrate an appreciation of our shared American history of abuse.
- 1.3. you examine tyranny and anarchy and the role of all levels of American government to prevent both.
- 1.4. you articulate the Bill of Rights & the 14th Amendment.
- 1.5. you display the preservation of individual human dignity through compassion and empathy.

#### **Learning Objectives**

- 1.a. Identify means (methods) versus ends (results).
- 1.b. Define due process (individual liberty) and crime control (public safety) as American justice models.
- 1.c. Explore rights related to criminal procedures outlined in the Constitution.
- 1.d. Define compassion & empathy as they relate to our shared human existence.
- 1.e. Differentiate tyranny & anarchy.
- 1.f. Accept the concept of individual human dignity and respect and the need to preserve them.

## **2. Explore legal standards that govern decision making by police, courts, and corrections.**

#### **Assessment Strategies**

- 2.1. Activity
- 2.2. Case Study
- 2.3. Paper
- 2.4. Reflection

#### **Criteria**

*You will know you are successful when*

- 2.1. you describe the importance of rule of law.
- 2.2. you define due process.
- 2.3. you demonstrate reasonableness, rationality, and objectivity as hallmarks of true professionals.

#### **Learning Objectives**

- 2.a. Cite the sources of law, i.e. Constitution, Statutes, Administrative Code, Case Law.
- 2.b. Enumerate the importance due process and crime control in a free society.
- 2.c. Review balancing of due process & crime control along with the tactics the government uses to accomplish both.
- 2.d. Contrast the warrior versus the guardian mindsets.

## **3. Examine investigative detentions.**

#### **Assessment Strategies**

- 3.1. Activity
- 3.2. Case Study
- 3.3. Paper
- 3.4. Reflection

#### **Criteria**

*You will know you are successful when*

- 3.1. you articulate potential levels of governmental intrusion.
- 3.2. you explain the requisite legal justification for the specific level of intrusion into the daily lives of citizens (Mere Suspicion, Reasonable Suspicion, and Probable Cause) as mandated by the Fourth Amendment.
- 3.3. you summarize the legal concepts needed to justify actions.
- 3.4. you illustrate Privacy Doctrine from trespass to reasonable expectation.
- 3.5. you summarize the implications of Terry v. Ohio.

#### **Learning Objectives**

- 3.a. Explain Reasonable suspicion.
- 3.b. Differentiate stop & frisk.
- 3.c. Illustrate the requirements of the Fourth Amendment on use of force.

3.d. Define seizure.

#### **4. Examine seizure of persons.**

##### **Assessment Strategies**

- 4.1. Activity
- 4.2. Case Study
- 4.3. Paper
- 4.4. Reflection

##### **Criteria**

*You will know you are successful when*

- 4.1. you summarize what "seizure of person" means.
- 4.2. you relate reasonable suspicion and probable cause.
- 4.3. you distinguish actual and constructive arrest.

##### **Learning Objectives**

- 4.a. Examine manner of arrest including use of force and arrest in home.
- 4.b. Outline after arrest actions.
- 4.c. Characterize the Particularity Requirement of the Fourth Amendment.
- 4.d. Define probable cause.
- 4.e. Identify the purpose of an arrest warrant.

#### **5. Distinguish exceptions to warrant requirements.**

##### **Assessment Strategies**

- 5.1. Activity
- 5.2. Case Study
- 5.3. Paper
- 5.4. Reflection

##### **Criteria**

*You will know you are successful when*

- 5.1. you describe the legal interpretation evolution of exceptions to warrant requirement of the Fourth Amendment.
- 5.2. you break down each exception.
- 5.3. you provide an example for each exception.

##### **Learning Objectives**

- 5.a. Analyze court cases of exceptions.
- 5.b. Identify and summarize consent, exigent circumstances, plain view, hot pursuit, SIA, and Carroll.

#### **6. Analyze evidentiary searches.**

##### **Assessment Strategies**

- 6.1. Activity
- 6.2. Case Study
- 6.3. Paper
- 6.4. Reflection

##### **Criteria**

*You will know you are successful when*

- 6.1. you identify the purposes and goals for searching.
- 6.2. you contrast types of searches.

##### **Learning Objectives**

- 6.a. Define search.
- 6.b. Analyze purposes and goals for searching.
- 6.c. Articulate legal reasons for searches.

#### **7. Illustrate privacy expectations and limitations in various situations.**

##### **Assessment Strategies**

- 7.1. Activity
- 7.2. Case Study
- 7.3. Paper
- 7.4. Reflection

**Criteria**

*You will know you are successful when*

- 7.1. you classify Fourth Amendment reasonableness in certain governmental actions.
- 7.2. you correlate privacy rights and legitimate actions.
- 7.3. you summarize privacy rights to specific situations.

**Learning Objectives**

- 7.a. Distinguish each type of action.
- 7.b. Explain reasonableness for each action.
- 7.c. Examine privacy expectations for each situation: abandonment, inventory, Border, airport, & custody-related.

**8. Contrast interviews, interrogations, admissions, confessions, and Miranda.**

**Assessment Strategies**

- 8.1. Activity
- 8.2. Case Study
- 8.3. Paper
- 8.4. Reflection

**Criteria**

*You will know you are successful when*

- 8.1. you compare and contrast interviews and interrogations.
- 8.2. you compare and contrast an admission from a confession.
- 8.3. you summarize the implications of Miranda v. Arizona.

**Learning Objectives**

- 8.a. Define interview and interrogation.
- 8.b. Compare admission and confession.
- 8.c. Demonstrate when Miranda is applicable.
- 8.d. Analyze similarities and differences between interviews and interrogations.

**9. Outline Pre-trial identification procedures.**

**Assessment Strategies**

- 9.1. Activity
- 9.2. Case Study
- 9.3. Paper
- 9.4. Reflection

**Criteria**

*You will know you are successful when*

- 9.1. you illustrate identification procedures.
- 9.2. you articulate legal justification for each type of pre-trial identification procedure.

**Learning Objectives**

- 9.a. Explore pre-trial identification procedures.
- 9.b. Define substantial likelihood of misidentification.
- 9.c. Illustrate memory and power of suggestion.

**10. Classify civil and criminal liability for constitutional violations.**

**Assessment Strategies**

- 10.1. Activity
- 10.2. Case Study
- 10.3. Paper
- 10.4. Reflection

**Criteria**

*You will know you are successful when*

- 10.1. you explain the Exclusionary Rule.
- 10.2. you compare civil and criminal consequences for misconduct.
- 10.3. you summarize the implications of Mapp v. Ohio.
- 10.4. you differentiate 42 USC 1983 from 18 USC 242.

**Learning Objectives**

- 10.a. Demonstrate applicability of Exclusionary Rule.
- 10.b. Compare & Contrast federal and state civil and criminal remedies for violations of rights.