

DELAWARE TECHNICAL AND COMMUNITY COLLEGE
COURSE SYLLABUS

Campus: Terry

Department: Criminal Justice

Course Number and Title: CRJ222: Constitutional Law

Instructor Name: Telephone: Email:

Pre-Requisites: ENG121, CRJ102

Co-Requisites: None

Course Hours and Credits: 3 class hours/0 lab hours/3 credits

Course Description:

The Constitution of the United States and the Bill of Rights are examined and interpreted with applications for the Criminal Justice system. The course emphasis is on legal issues dealing primarily with the First, Fourth, Fifth, Sixth, Eighth, Thirteenth and Fourteenth Amendments.

Required Text: Klotter, *Constitutional Law*, Anderson Publishing Co.

Materials:

Method of Instruction: Campus Classroom

Manuals: None

Disclaimer: None

Core Course Performance Objectives:

At the end of this course, the student will be able to:

1. Describe fundamental characteristics of the US Constitution. (PGC 1, 3; CCC 1, 3, 4, 5, 8)
2. Explain the significance of the Bill of Rights. (PGC 1, 3, 6, 9, 12, 13; CCC 1, 2, 4, 5, 8)
3. Describe landmark cases in civil rights. (PGC 1, 3, 6, 9, 12, 13, 15, 16; CCC 1, 2, 4, 5, 8)

Measurable Performance Objectives:

1. Describe fundamental characteristics of the US Constitution.
 - 1.1. Explain the concept of the US Constitution as the "supreme law in the land."

- 1.2. Explain the constitutionality of laws.
- 1.3. Name and explain the functions of the three branches of American government.
- 1.4. Explain the motivation behind the Bill of Rights.
- 1.5. Explain due process.
- 1.6. Explain judicial review.
- 1.7. Explain rule of law.
- 1.8. Explain the structure and function of the U.S. Supreme Court.
- 1.9. Describe the process leading to appointment of Justices.
2. Explain the significance of the Bill of Rights.
 - 2.1. State the First Amendment.
 - 2.2. Define the concepts of speech, speech plus, and symbolic speech.
 - 2.3. Apply the Cohen test of obscenity.
 - 2.4. Differentiate public vs. non-public forum.
 - 2.5. State the Fourth Amendment.
 - 2.6. Explain the authority to stop and detain.
 - 2.7. Explain arrest processes with and without a warrant.
 - 2.8. Define and apply reasonable articulable suspicion (RAS).
 - 2.9. Define and apply probable cause (PC).
 - 2.10. Define reasonable grounds.
 - 2.11. Define and apply the Exclusionary Rule.
 - 2.12. Explain search incidental to arrest.
 - 2.13. Explain the waiver of constitutional rights.
 - 2.14. List and explain principles governing the search of movable vehicles and objects.
 - 2.15. Explain plain view seizure.
 - 2.16. Explain principles governing the search by a private individual.
 - 2.17. Explain the premises protected by the Fourth Amendment.
 - 2.18. Explain principles governing wiretapping and eavesdropping.
 - 2.19. State the Fifth Amendment.
 - 2.20. Explain the free and voluntary rule of confessions.
 - 2.21. Explain the delay in arraignment rule.
 - 2.22. List and explain each part of the Miranda rule.
 - 2.23. Define correlation and derivative evidence.
 - 2.24. Describe the principles governing self-incrimination.
 - 2.25. State the Sixth Amendment.
 - 2.26. Explain the right to counsel.
 - 2.27. Explain privileged communications.
 - 2.28. Explain double jeopardy and when it attaches.
 - 2.29. Explain the consequences of jeopardy for the not-guilty verdict, hung jury, appeal with overturned verdict and a mistrial.
 - 2.30. Explain the prosecution by both State and Federal jurisdictions for the same crime.
 - 2.31. Define collateral estoppel.
 - 2.32. State the Eighth Amendment.
 - 2.33. Debate the pros and cons of the death penalty.
 - 2.34. List the constitutional consequences of felony conviction.
 - 2.35. State the Thirteenth and Fourteenth Amendments.
 - 2.36. Explain Jim Crow laws.

- 2.37. Explain segregation laws.
- 2.38. Describe the Civil Rights Acts of 1966.
- 2.39. Describe the KKK Acts of 1971.
- 2.40. Explain desegregation laws.
- 2.41. List and describe affirmative action cases.
- 3. Describe landmark cases in criminal justice and civil rights.
 - 3.1. Describe and analyze *Chaplinsky v. New Hampshire* (1942).
 - 3.2. Describe and analyze *Cohen v. California* (1971).
 - 3.3. Describe and analyze *United States v. O'Brien* (1968).
 - 3.4. Describe and analyze *Brown v. Mississippi* (1936).
 - 3.5. Describe and analyze *Miranda v. Arizona* (1966).
 - 3.6. Describe and analyze the *Dred Scott* case (1856).
 - 3.7. Describe and analyze the *Slaughter House* cases.
 - 3.8. Describe and analyze *Plessy v. Ferguson* (1896).
 - 3.9. Describe and analyze *Missouri ex rel Gaines*.
 - 3.10. Describe and analyze *Coolidge vs. New Hampshire* (1971).
 - 3.11. Describe and analyze *Weeks v. United States* (1914).
 - 3.12. Describe and analyze *Mapp v. Ohio* (1961).
 - 3.13. Describe and analyze *Aguilar v. Texas* (1964).
 - 3.14. Describe and analyze *United States v. Leon* (1984).
 - 3.15. Describe and analyze *Massachusetts vs. Shepard* (1984).
 - 3.16. Describe and analyze *Carroll vs. United States*.

Evaluation Criteria

The student will demonstrate proficiency on all the Measurable Performance Objectives at least to the 75% level. Grades will be computed using the following scale:

100 – 92	A
91 – 83	B
82 – 75	C
74 – 0	R

The final course grade will be derived from four examinations. The examinations will contain short-answer, definitions and true-false questions.

Examinations (100%)

Exam 1: MPO 1, 2

Exam 2: MPO 2

Exam 3: MPO 2, 3

Exam 4: MPO 3, 4

Dates and schedules for the topic coverage and evaluation measures will be announced in class by the instructor.

Students should refer to the Delaware Tech Student handbook for information on Academic Standing Policy, Academic Honesty Policy, and other policies relevant to their progress.