



## Syllabus

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**Title:** Laws of Arrest, Search and Seizure      **Semester:** Spring 2018  
**Catalog Number:** CJUS-130-01      **Corequisite:** CJUS-105 Intro. To Criminal Justice  
**Credit Hours:** 3      **Contact Hours:** 45  
**Offered:** Monday and Wednesday 12:00PM-1:15PM, Howe Hall 105  
**Professor:** Thomas P. Joyce Jr.      **Phone:** (207) 741-5551  
**Email:** tjoyce@smcme.edu      **Office Hours:** Flexible and by appointment

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### Course Description

This course presents current, prevailing caselaw from State and Federal Courts regarding the rights of the accused and proper police procedure for arrest, search and seizure, interrogation, and the right to assistance of counsel. Students will evaluate various scenarios and determine the appropriate action as defined by the U.S. Constitution and the courts.

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### Course Objectives

Upon the successful completion of this course, the student will be able to:

1. Conduct caselaw and criminal procedure research.
  2. Evaluate case study scenarios and describe the appropriate legal action to be taken as it relates to arrest, search and seizure.
  3. Identify illegal procedure and action taken by police in case study scenarios involving arrest, search and seizure.
  4. Describe the procedure for presenting the Miranda warning to a person in custody.
  5. Describe the procedure for obtaining and executing an arrest and search warrant.
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**Course Topics** (Topics are presented in the order listed. PowerPoint handouts given in advance throughout the semester show the topics covered at each upcoming class meeting.)

Probable Cause  
Arrest  
Entrapment  
Stop and Frisk  
Admissions and Confessions  
Pretrial Identification Procedures  
Exclusionary Rule  
Search Warrants  
Search Incident to Arrest  
Consent Searches  
Plain View Doctrine  
Exigent Circumstances, Vehicle, and Containers

### **Course Requirements**

#### Key to Success!

All students are required to take charge of their own learning. The professor will work with all students to help ensure they successfully complete the course. Students must periodically review and comply with the “Key to Academic Success”.

#### Key to Academic Success!

1. I will attend class regularly and arrive to class on time.
  2. I will treat others with courtesy, respect and how I would like to be treated.
  3. I will bring all required materials to class (i.e. notebooks, workbook, textbook, assignments due)
  4. I will be attentive in class.
  5. I will participate in whole class and group discussions.
  6. I will complete my assignments on time.
  7. I will ask questions when I do not understand the material.
  8. I will take notes in class.
  9. I will study for quizzes and examinations.
  10. I will be honest (avoiding plagiarism, cheating)
  11. I will reflect on how I could make improvements to my learning.
  12. I will seek out my advisor if I am having difficulty with my course(s).
  13. I will recognize this course syllabus as a contract that I must abide by to ensure my academic success.
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### **Work Outside of the Classroom**

All students should be prepared to spend a minimum of two hours on out of class preparation for each hour of classroom instruction.

This preparation will include but not limited to review of lecture notes, completion of reading assignments, studying of course materials and completion of class projects/papers as assigned.

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### **Required Materials**

Textbook: 1. Maine Law Enforcement Officer’s Manual (Current Edition)  
The book is available at the campus bookstore.

- Computer to:
1. Access the course webpage.
  2. Access Maine and Federal law, case law and court webpages
  3. Conduct online research on legal matters related to arrest, search and seizure as assigned.
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## **Grading**

Course Grade:

A 93-100	A- 90-92.9	
B+ 87-89.9	B 83-86.9	B- 80-82.9
C+ 77-79.9	C 73-76.9	C- 70-72.9
D+ 67-69.9	D 63-66.9	F 0-62.99

“I” Grade: A temporary grade of “I” may be given when a student has, *due to extraordinary circumstances*, failed to complete all required course work by the end of the semester. This assumes that the student has made a consistent and persistent effort up to the point the “circumstances” occurred and that most course work has been completed. The remaining work must be completed and a new grade submitted by the mid-point of the semester following receipt of the “I” grade. An “I” grade which is not changed during this period automatically becomes an “F”.

The final grade for this course is based on the following:

### Assignments: Scenarios/Worksheets (25%)

Scenario exercises or worksheets will be given to students at a class meeting along with the due date. Due dates are also listed in the PowerPoint handout. The scenarios and worksheets will also be available on the course web-page. The exercises must be completed and submitted to the professor on the due date. If a student is going to be absent on the day the assignment is due, the student must email the professor the completed assignment before the beginning of class or have another student pass in the completed assignment. Late submissions will not be accepted.

REMEMBER! There may be times that an assignment will be given in class that will be due the next class. Therefore, it is important that you check with a fellow student or the course web-site for current assignments especially if you miss a class. You will be able to download the assignment off the course web-site.

In the event that the class is cancelled, the scheduled exercise will be turned in at the next class meeting.

### Quizzes (25%)

Quizzes will be given throughout the semester. The quiz dates will be given in class and are listed in the PowerPoint handout.

There will be no make-up quizzes given. The professor drops the lowest quiz grade before calculating the average of the quiz scores.

In the event that the class is cancelled, the scheduled quiz or examination will be given at the next class meeting.

Mid-term examination (25%) March 21<sup>st</sup> (Covers all material to this point in the semester.)  
Only under extraordinary circumstances and at the discretion of the professor will a student be allowed to take a missed examination.

In the event that the class is cancelled, the scheduled quiz or examination will be given at the next class meeting.

Final examination (25%) May 9<sup>th</sup> (The examination covers material from immediately after the mid-term to the end of the semester.)

Only under extraordinary circumstances and at the discretion of the professor will a student be allowed to take a missed examination.

In the event that the class is cancelled, the scheduled quiz or examination will be given at the next class meeting.

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## **Course and College Policies**

### Attendance Policy:

In order to meet the course goals and objectives students must be present in the classroom. Any more than two absences will result in a (3) point deduction per absence from a student's final course grade calculation. All students will sign the class attendance sheet before each class.

Being late to class three times will constitute one absence. Late means arriving once the instructor has begun the class. The closed classroom door is a signal that the class has begun. Students arriving late will enter quietly through the rear door of the classroom. Students leaving while the class is in session will leave quietly through the same rear door.

Deductions will be made beginning January 23<sup>rd</sup> at 5 pm, the end of add/drop week.

A student who misses three classes in a row without notifying the instructor prior to the missed classes or during the period the student is absent will not be permitted to return to the course. Enrollment Services will be notified. It is then up to the student to go to Enrollment Services and formally withdraw from the course to prevent an adverse effect on the student's GPA.

### Computers:

The use of laptop computers for note taking only is permitted. Students will not use the Internet in class unless directed to do so by the professor. Students found to be in violation of this policy will be prohibited from using the computer in class. The professor will periodically check laptop note taking.

### Cell phones:

Cell phones will be turned off or the ringer silenced during class. Any student wishing to use a cell phone must exit the classroom to do so.

### Food and beverages:

Beverages are permitted; eating of food is not permitted.

### Student Code of Conduct:

All students are expected to be aware of and conform to the Student Code of Conduct. The Code can be found in the Student Handbook: The Compass.

### End-of-Course Evaluation

Students complete evaluations for each course attended at SMCC. Evaluations are submitted online and can be accessed through the student portal. Students can access the course evaluations beginning one week before the end of classes. The deadline for submission of evaluations occurs Monday at 5 p.m. following the last day of the class. You will receive an e-mail to your student e-mail account when course evaluations are available.

### ADA Syllabus Statement

Southern Maine Community College is an equal opportunity/affirmative action institution and employer. For more information, please call (207) 741-5798. If you have a disabling condition and wish to request accommodations in order to have reasonable access to the programs and services offered by SMCC, you must register with the Disability Services Coordinator, Sandra Lynham, who can be reached at 741-5923. Further information about services for students with disabilities and the accommodation process is available upon request at this number. Course policies about online testing are modified to suit each individual's accommodations.

### SMCC Pay-for-Print Policy

Each semester students receive a \$20 printing credit. The balance resets at the end of the semester and any remaining credits are removed. The College's pay-for-print system monitors printing on all printers (including those in general access labs, library printers, Tutoring Services, Campus Center Lounge and technology labs). Be sure to log OUT of the system when you have finished your printing, to prevent unauthorized access to your account. Students can check the number of pages they have printed by using the Printing Balance tool available on SMCC computers (located in the lower right corner of the screen, near the clock). Departments with work-study students who need to print documents for the department should contact the Help Desk at 741-5696 to have a special account set up. To find ways to reduce your printing charges, please go to the IT Help tab on My SMCC. If you have questions about the pay-for-printing policy or your printing charges, please contact the Help Desk at 741-5696 or send an e-mail to [helpdesk@smccme.edu](mailto:helpdesk@smccme.edu).

### Refunds

Print jobs are eligible for a refund in the event of mechanical or electronic error on the part of the printer, print server, or software used to submit the job. Jobs are not eligible for a refund in cases where the job was not set up correctly, was submitted multiple times, or the student is not satisfied with the result. To request a refund, please bring the offending print to the IT Department in the basement of the Ross Technology Center. Refunds will be granted in the form of a credit to the student's account.

### Add-Drop Policy

Students who drop a course during the one-week "add/drop" period in the fall and spring semesters and the first three days of summer sessions receive a 100% refund of the tuition and associated fees for that course. Please note any course that meets for less than the traditional semester length, i.e., 15 weeks, has a pro-rated add/drop period. There is no refund for non-attendance.

### Withdrawal Policy

A student may withdraw from a course only during the semester in which s/he is registered for that course. The withdrawal period is the second through twelfth week of the Fall and Spring semesters and the second through ninth week of twelve-week Summer courses. This period is pro-rated for shorter-length courses usually 75 percent of course meeting times; please check with the Registration Office. To withdraw from a course, a student must complete and submit the appropriate course withdrawal form, available at the Registration Office. This process must be completed either in person or by using SMCC e-mail accounts.

#### Plagiarism Statement

If an instructor suspects that a student has knowingly committed a violation defined in the Maine Community College System Policy on Student Grade Appeals and Academic Misconduct, the instructor has the authority to review the alleged misconduct and determine the grade that the student should receive for the assignment and the course. The instructor may assign a failing grade for the assignment or course and may require the student to complete additional work for the course. The instructor may consult with the department chair and/or the College's chief academic officer prior to making such decisions. If a student seeks to challenge an instructor's determination, the student should submit a grade appeal. Grade appeal forms are available in the Advising Office on the South Portland Campus or in the administrative offices in the Learning Commons on the Midcoast Campus. An instructor may also refer the matter to the College's disciplinary officer for review under the procedures of the MCCS Student Code of Conduct.