

# POLS 4720E: Criminal Procedure

## Course and Instructor Information

- **Instructor:** Teena Wilhelm
- **Email:** [twilhelm@uga.edu](mailto:twilhelm@uga.edu)
- **Virtual Office Hours:** just email me, we can figure something out

This course examines the constitutional policy making of the United States Supreme Court in the area of criminal procedure. We will be exploring some of the basic protections that the Bill of Rights affords citizens against the government in the sphere of criminal justice. We will also examine and discuss other salient issues in contemporary criminal justice, social policy, and legal discourse.

I'm so glad you've signed up to join me here for this summer.

## Course Syllabus

### Recommended Textbooks

As I explain here [How to: Case Briefs and Legal Research](#), this class is not a typical class in that it does not have an official textbook. Your job to prep for each module is to brief Supreme Court cases, which constitutes your required reading. The casebook that I recommend for this is:

Lloyd Weinreb, *Leading Constitutional Cases on Criminal Justice*- Latest Edition (Foundation)

Amazon Link here: [Weinreb 2018 Edition](#)

There is an edition published nearly every year, and older ones (published in the last few years) work almost as well as newer ones, and are certainly cheaper. However, even this casebook won't have all the cases we will be examining, and thus you'll be doing some online case research. The UGA Library course guide that gives some helpful links for online legal research can be found here:

[POLS 4720E Library Course Guide](#)

If you anticipate that you are the kind of learner who really likes a textbook format for your reading pleasure, I do have a recommendation for that as well:

[Matthew Lippman Criminal Procedure 4ed.](#)

I think this is a great book, and while I don't follow along with it strictly speaking, it does offer reference for some of the information we cover. There is a third edition that is probably cheaper and just as good, FYI.

## **Course Requirements**

The assignments listed below are intended to provide each student with several opportunities to demonstrate achievement of the course objectives.

1. Case brief quizzes- 5 percent of final grade
2. Module quizzes- 5 percent of final grade
3. Discussion group work- 10 percent of final grade
4. Written response work- 10 percent of final grade
5. Midterm assignment- 20 percent of final grade
6. Final assignment- 20 percent of final grade
7. Course exam- 20 percent of final grade

Each module will contain case brief quizzes, module quizzes, discussion group work, and written response work.

The midterm assignment will cover information presented in modules 1-4, and the final assignment will cover information presented in modules 5-7.

The course exam will cover information presented throughout the entire course. It is **CUMULATIVE**. It is **TIMED**. It will require you to have **GOOD NOTES**. It will require you to **STUDY**. **Don't let the final exam sneak up on you and be surprised about the preparation it will require.** It is the only "test" that you'll be given in the traditional format for the course. You've been forewarned.

## **Class Procedures**

### **Due Dates**

Each module will have specific and noted due dates for corresponding assignments. Pay attention to the due dates, as late assignments will not be accepted and will automatically be given a 0. Given the flexible nature of online and summer coursework, there is virtually no acceptable reason for late assignments. Keep that in

mind, as all illnesses will require doctor's notation and all grandmother deaths will be met with healthy skepticism. In the spirit of successful adulting, please communicate with me if some insurmountable obstacle prevents you from making progress in your coursework. All due dates/times are Eastern Standard Time (EST).

SPECIAL NOTE: I get these are strange times, and unpredictable events may crop up that prevent your workflow during/ after the COVID-19 quarantine stage of life. If something odd comes up, just reach out to me.

### **Discussion Guidelines / Netiquette**

Specific discussion assignments have certain expectations for discussion behaviors. In each module, these are noted. Above all, remember the golden rule. And don't be a jerk.

### **Communication Expectations**

Communication with me is best conducted over email. By and large, you can expect a same-day response from me during regular business hours (M-F, 8-5). I will be on campus at times during the summer, and will occasionally be available for face-to-face meetings. Please email for an appointment if you'd like to schedule one of those. During the occasional summer holiday (specifically July 4th), I will not immediately return emails. I will notify all students when and if I am unavailable.

### **Important Due Dates**

- **Student Intro Survey - June 8**
- Module 1 completed and feedback survey - June 12
- Module 2 completed - June 19
- Module 3 completed - June 26
- Module 4 completed – July 1
- **Midterm Assignment- July 3**
- **Midterm feedback survey- July 3**
- Module 5 completed- July 10
- Module 6 completed- July 17
- Module 7 completed- July 29
- **Final Assignment- July 29**
- **Course Exam- July 31**

### **Academic Honesty**

[Academic Honesty Policy](#)

## **Accessibility**

### [Accessibility](#)

## **Course outline**

### **Unit 1: What is a search?**

- Fourth Amendment and Privacy
- Expectations of Privacy and the Home
- Technology and Observing Public Behavior

### **Unit 2: Probable cause and the warrant requirement**

- Probable Cause
- Exigent Circumstances
- Plain View, Automobiles, and ITA
- Special Consideration Exceptions

### **Unit 3: Arrests stops and reasonable suspicion**

- Arrests and Seizures
- Stop and Frisk
- Reasonable Suspicion

### **UNIT 4: Exclusionary Rule**

- Exclusionary Rule
- Exceptions to the Exclusionary Rule

### **UNIT 5: interrogations and confessions**

- Interrogations
- Escobedo and Miranda
- Miranda and its Parts
- Miranda Violations, Exceptions, and Waivers

### **UNIT 6: Right to counsel and effective assistance**

- Sixth Amendment Right to Counsel
- Effective Assistance of Counsel

### **UNIT 7: Trial rights**

- Trial by Jury Overview
  - Jury Selection
  - Trial Publicity
  - Trial Process
  - Jury Deliberations
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