

# POLS 4720E: Criminal Procedure

## Course and Instructor Information

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- **Instructor:** Teena Wilhelm ([twilhelm@uga.edu](mailto:twilhelm@uga.edu))
- **TA:**
- **Virtual Office Hours:** email to schedule

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

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### RECOMMENDED TEXTBOOKS

As I explain here [How to: Case Briefs and Legal Research](#), this class does not have an official textbook. Your job to prep for each module is to brief Supreme Court cases, which constitutes your required reading. If you want a textbook that includes most (but not all) the cases we will study, a casebook that I recommend for this is:

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

Amazon Link here: [Weinreb 2020 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.

### 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- 20 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.

**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).

Generally speaking (week 1 is an exception), your weeks have a regular schedule. **Modules open on Friday morning, and all graded material is due by the following Friday evening.** Case briefs and case brief quizzes are due by Wednesday.

#### **ITEMS DUE BY FRIDAY, midnight**

- review or listen to module ppts and assigned readings
- module quizzes
- module writing assignments
- viewing/ interaction with all other module material
- module discussion activity (if applicable)

#### **ITEMS DUE Wednesday, midnight**

- case briefing and case brief quiz

### 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). Please email for an appointment if you'd like to schedule a zoom meeting. During the occasional summer holiday (specifically July 4th), I will not immediately return emails. I will probably not be doing something school-related and I hope the same for you. I will notify all students when and if I am unavailable.

## ACADEMIC HONESTY

### Academic Honesty Policy

Important: Students are NOT allowed to use ChatGPT or other AI software when writing their essays or papers.

Unauthorized use of AI software or word mixing software to write any assignment or disguise plagiarized work is considered unauthorized assistance in this course. All assignments will be scanned by AI and plagiarism detection software.

## ACCESSIBILITY

### Accessibility

## COURSE OUTLINE

### UNIT 1: WHAT IS A SEARCH?

- Fourth Amendment and Privacy

**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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