

SYLLABUS

CRIMINAL COURTS (CRIM 408-DL1)
GEORGE MASON UNIVERSITY
CRIMINOLOGY, LAW & SOCIETY
SPRING 2021

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COURSE GOALS AND OBJECTIVES

Criminal cases are in the news every day and the outcome of criminal trials often have profound consequences, not only for the actual participants but for society in general. Whether you are considering a career in criminal justice or are simply seeking a better understanding of the strengths and weaknesses of our criminal justice system, an understanding of how our courts operate in criminal cases is critical. Once an arrest is made, it is our criminal courts that determine whether justice is achieved.

The goals of this course are four-fold. The **first** goal is to give students an overview of the structure of our criminal court institutions: state and federal criminal courts, juvenile courts, and appellate courts. The **second** goal is to give students an understanding of how the criminal justice system operates at each stage of a criminal proceeding, from the initial processing of an arrestee, to pre-trial suppression motions, to the trial itself before either a judge or jury, to the sentencing hearing, and to post-conviction appeals. The **third** goal is to give students an appreciation of the strengths and frailties of our criminal courts, with particular focus on the ultimate question of how well our courts achieve justice. Are the guilty usually convicted? How frequently do innocent persons get convicted? What are the goals of sentencing and are they actually achieved? What are the differing perceptions of defendants, victims and witnesses? The **final** goal is to give students an understanding of the roles played by each of the five key players who work in the criminal courts: prosecutors, defense attorneys, judges, jurors, and probation officers. At the completion of this course, you should have a solid grounding in the structure and operation of our criminal courts. This should be helpful in deciding what role you might wish to play in the criminal justice system and in exercising your own responsibility as a member of a community committed to the rule of law.

COURSE MATERIALS

REQUIRED TEXTBOOK: America's Courts and the Criminal Justice System, **13th Edition**

ISBN 13: 978-1-337-55789-4

Authors: David W. Neubauer and Henry F. Fradella

Publisher: Cengage Learning

You can obtain a hard copy or digital e-book version of the textbook, whichever works best for you.

Make sure you get the 13th Edition.

POWER POINT

I use Power Point slides in each class. The Power Point slides are based on the textbook, Supreme Court case law, and additional material I have added. I will make the Power Point available to you for review and study outside of class. You may access the Power Point for your personal use only in connection with this course and you may not duplicate or share the Power Point with other individuals. Should you wish to do so, you may print out a copy of the Power Point for your personal use in connection with this course. You may not post or otherwise disseminate the Power Point slides.

CLASS LECTURES

This is an **asynchronous** online course, meaning that there is no set class time where you have to be online to attend a lecture. There are 14 classes in the course and 14 corresponding lectures that will be online. In each lecture, I will review in detail the Power Point slides for that class and cover additional material from the textbook, case law, and other sources. You will be able to access the lectures on Blackboard.

A course requirement is for you to watch each lecture and respond to five questions I will pose. Before the course begins, I will provide you a memo with the five questions for each class. Your answers will **not** be graded but responding to the questions is necessary for you to get credit for that week's lecture assignment. Each week, on or before the deadline I set out in the Syllabus, you will need to send me an email confirming that you have watched the lecture and responding to the questions I pose.

Your responses to the questions should not total more than one typed page per class. In other words, you should respond to all five questions within one typed page. Please use 12-point type.

Please send me your responses either: (1) as part of the email indicating that

you watched/listened to the lecture; or (2) as a Word document attachment; or (3) as a PDF document attachment.

Please follow this format in your email: ***“Professor, I have watched the lecture for Class ___. Attached are my responses to the questions:”***

To summarize: In order to get credit for a weekly assignment, you must:

- Watch the lecture for the week, which will always be in multiple parts; let me know by email that you have done so; and answer the five questions I have posed for each week’s class and submit it to me by email. The deadline for submission of the weekly assignments is always on Friday at 6 pm.
- The homework assignments are not graded but you will get credit for completing the assignments. As long as your assignment is received on time and you have made a good faith effort to answer the questions, you will receive full credit.
- After the deadline passes for the week’s assignment, I will post on Blackboard a set of model answers for the questions I pose. Please review these answers.
- I will accept late assignments for up to one week after the due date, but there will be a **25%** reduction in credit for that week’s class. Assignments that are more than a week late will not receive credit.

GRADING

The possible grades and associated points are as follows:

A+	97-100
A	94-96
A-	90-93
B+	87-89
B	84-86
B-	80-83
C+	77-79
C	74-76
C-	70-73
D	65-69
F	64 or Below

Please note that in calculating your final grade, any grade that is .50 or above will be rounded up and any grade that is below .50 will be rounded down. For example, if your final grade calculation is 83.60, your final grade will be an 84 (or a B). If your final grade is 83.45, your final grade will be an 83 (or a B-).

Your grade will have four components:

1. **Weekly Assignment (Watching lectures/answering questions): 15%**
2. **Paper: 15%**
3. **Mid-Term: 35%**
4. **Final Exam: 35%**

REQUIRED PAPER

The project is to read one **non-fiction book about a criminal trial** and write a short paper that answers the following questions:

1. Description of the trial: location, court system, name of victim or victims, name of defendant or defendants, crime charged, and name of prosecutor, defense attorney and judge.
2. What was the prosecutor's theory of the case?
3. What was the defendant's defense? (Example: insanity, self-defense, misidentification)
4. What was the outcome? Do you agree or disagree with the outcome, and why?
5. What was the key evidence that either led to the defendant's conviction or to the defendant's acquittal?
6. If you had been the prosecutor or the defense attorney, what would you have done differently?
7. Was the criminal justice system, as depicted in the book, fair and just to both the defendant and the prosecution?
8. Has reading the book made you more interested or less interested in working in the criminal justice system? Why?

I must approve the book you select, so let me know by email as soon as you decide on the book you would like to read. The book must be one that you have not previously read. **Remember: The book must be non-fiction and it must be about a criminal trial.** If you are having difficulty selecting a book, let me know and I will make a few suggestions for your consideration.

All papers must be:

- **Double-spaced;**
- **12-point type;**
- **Your paper may be in essay form or by responding to each**

question posed above.

- **Length: Four pages.**
- **Due Date: April 12, 2021, at 6 PM.**
- **Send me the paper by email as a PDF document, if possible. Alternatively, you can send me the paper as a Word document.**
- **LATE PAPERS WILL BE ACCEPTED UP TO ONE WEEK AFTER THE DUE DATE BUT THERE WILL BE A 10% REDUCTION IN GRADE.**
- **AFTER ONE WEEK, LATE PAPERS WILL NOT BE ACCEPTED.**

EXAMS

There will be two examinations in this class, a mid-term and a final examination. Each exam is 35% of your final grade. Here are additional details regarding both exams:

- Each exam will be open book, meaning you can use your textbook, the Power Point slides, the recorded lectures, and your own notes in answering the questions.
- The mid-term examination will cover the first seven classes (Lectures 1-7) and the final exam will cover the last seven classes (Lectures 8-14). The exams are not cumulative but there may be some overlap.
- Each exam will consist of 100 questions, which will be a mix of multiple choice, true/false, yes/no, and fill in the blank.
- Your answers must be solely the product of your own work and you cannot have the assistance of anyone else or reference any other material other than the textbook, the Power Point slides, the recorded lectures, and your own notes. You may not share your answers with anyone else.
- *How do you submit your answers?* You should create a Word document, with your answers numbered 1-100, and attach that to an email sent to me by the deadline set out in the Syllabus. If possible, please save it as a PDF document and send it to me as a PDF. If you are unable to do so, I will accept it as a Word document.
- Please just give me your answers to the questions and do not reprint the questions themselves. For example, if the question calls for a multiple-choice answer, please just give me the letter (e.g., a, b, c, or d). Similarly, if the question calls for a True/False answer, please just state whether the answer is True or False.
- **Please include your name on each page of your answer sheets.**
- Once you submit your answers by email to me, you cannot revise or change your answers.

- **MID-TERM POSTED: March 15, 2021, at 6 PM**
- **MID-TERM DUE: March 31, 2021, at 6 PM**

- **FINAL EXAMINATION POSTED: April 21, 2021, at 6 PM.**
- **FINAL EXAMINATION DUE: May 7, 2021, at 6 PM.**

TELEPHONE APPOINTMENT

I am available to speak with you by appointment. The best way to schedule a telephone appointment is by emailing me.

SPECIAL CIRCUMSTANCES

I recognize that we are in the midst of extraordinary circumstances due to the coronavirus pandemic and that there may be times during the course where due to the pandemic, or due to other illness, family emergencies, religious observances, or circumstances beyond your control, you may need to request an extension of a deadline or other accommodation. Please contact me as soon as possible in such a situation and I will do my best to get back to you promptly.

CLASS AGENDA

WEEK 1

Course Introduction

Law, Crime, Courts, and Controversy

Readings: Chapter 1, Power Point Slides for Class 1, 1A (Crisis in Policing) and 1B (Impact of the Covid-19 Pandemic on Criminal Courts)

Lectures: Syllabus Review, Part 1, Part 2, Part 3 (Crisis in Policing), and Part 4 (Covid-19).

Assignment Due: January 29, 2021, at 6 PM

WEEK 2

Federal Courts

Readings: Chapter 2, Power Point Slides for Class 2

Lectures: Part 1, Part 2

Assignment Due: February 5, 2021, at 6 PM

WEEK 3

State Courts and Juvenile Courts

Readings: Chapter 3 and 4, Power Point Slides for Class 3

Lectures: Part 1, Part 2

Assignment Due: February 12, 2021, at 6 PM

WEEK 4

The Dynamics of Courthouse Justice

Readings: Chapter 5, Power Point Slides for Class 4

Lectures: Part 1, Part 2, Part 3
Assignment Due: *February 19, 2021, at 6 PM*

WEEK 5

Prosecutors

Readings: Chapter 6, Power Point Slides for Class 5

Lectures: Part 1, Part 2

Assignment Due: *February 26, 2021, at 6 PM*

WEEK 6

Defense Attorneys

Readings: Chapter 7, Power Point Slides for Class 6

Lectures: Part 1, Part 2, Part 3

Assignment Due: *March 5, 2021, at 6 PM*

WEEK 7

Judges

Readings: Chapter 8, Power Point Slides for Class 7

Lectures: Part 1, Part 2

Assignment Due: *March 12, 2021, at 6 PM*

MID-TERM POSTED: *March 15, 2021, at 6 PM*

MID-TERM DUE: *March 31, 2021, at 6 PM*

WEEK 8

Defendants, Victims and Witnesses

Readings: Chapter 9, Power Point Slides for Class 8

Lectures: Part 1, Part 2

Assignment Due: *March 19, 2021, at 6 PM*

WEEK 9

Arrest, Bail and Arraignment

Readings: Chapter 10, Power Point Slides for Class 9

Lectures: Part 1, Part 2

Assignment Due: *March 26, 2021, at 6 PM*

WEEK 10

Disclosing and Suppressing Evidence

Readings: Chapter 11, Power Point Slides for Class 10

Lectures: Part 1, Part 2, Part 3

Assignment Due: *April 2, 2021, at 6 PM*

WEEK 11

Plea Bargaining and Guilty Pleas

Readings: Chapter 12, Power Point Slides for Class 11

Lectures: Part 1, Part 2

Assignment Due: *April 9, 2021, at 6 PM*

REQUIRED PAPER DUE: April 12, 2021, at 6 PM.

WEEK 12

Trials and Juries

Readings: Chapter 13, Power Point Slides for Class 12

Lectures: Part 1, Part 2

Assignment Due: *April 16, 2021, at 6 PM*

WEEK 13

Sentencing

Readings: Chapter 14, Power Point Slides for Class 13

Lectures: Part 1, Part 2

Assignment Due: *April 23, 2021, at 6 PM*

WEEK 14

Appeals and Habeas Corpus

Readings: Chapter 15, Power Point Slides for Class 14

Lectures: Part 1, Part 2

Assignment Due: *April 30, 2021, at 6 PM*

FINAL EXAMINATION POSTED: April 21, 2021, at 6 PM.

FINAL EXAMINATION DUE: May 7, 2021, at 6 PM.

CRIM 408 – SECTION DL1 (SPRING 2021) SUMMARY OF DEADLINES

January 29, 2021	Week 1 Class Assignment Due at 6 p.m.
February 5, 2021	Week 2 Class Assignment Due at 6 pm.
February 12, 2021	Week 3 Class Assignment Due at 6 p.m.
February 19, 2021	Week 4 Class Assignment Due at 6 p.m.
February 26, 2021	Week 5 Class Assignment Due at 6 pm.
March 5, 2021	Week 6 Class Assignment Due at 6 p.m.
March 12, 2021	Week 7 Class Assignment Due at 6 p.m.
March 15, 2021	MID-TERM EXAM POSTED ON BLACKBOARD at 6 p.m.
March 19, 2021	Week 8 Class Assignment Due at 6 p.m.
March 26, 2021	Week 9 Class Assignment Due at 6 p.m.
March 31, 2021	MID-TERM EXAM ANSWERS DUE at 6 p.m.
April 2, 2021	Week 10 Class Assignment Due at 6 p.m.
April 9, 2021	Week 11 Class Assignment Due at 6 p.m.
April 12, 2021	REQUIRED PAPER DUE at 6 p.m.
April 16, 2021	Week 12 Class Assignment Due at 6 p.m.
April 21, 2021	FINAL EXAM POSTED ON BLACKBOARD at 6 p.m.
April 23, 2021	Week 13 Class Assignment Due at 6 p.m.
April 30, 2021	Week 14 Class Assignment Due at 6 p.m.
May 7, 2021	FINAL EXAM ANSWERS DUE AT 6 P.M.

UNIVERSITY POLICIES

Campus On-Line Resources

Student Support: <http://ctfe.gmu.edu/teaching/student-support-resources-on-campus/>

General University Information/Weather: www.gmu.edu

Writing Center: <http://writingcenter.gmu.edu>

Counseling and Psychological Services: <http://caps.gmu.edu>

University Catalog: <http://catalog.gmu.edu>

University Policies: <http://universitypolicy.gmu.edu>

Safe Return to Campus: <https://www2.gmu.edu/safe-return-campus>

Mason Diversity Statement

George Mason University promotes a living and learning environment for outstanding growth and productivity among its students, faculty and staff. Through its curriculum, programs, policies, procedures, services and resources, Mason strives to maintain a quality environment for work, study and personal growth.

An emphasis upon diversity and inclusion throughout the campus community is essential to achieve these goals. Diversity is broadly defined to include such characteristics as, but not limited to, race, ethnicity, gender, religion, age, disability, and sexual orientation. Diversity also entails different viewpoints, philosophies and perspectives. Attention to these aspects of diversity will help promote a culture of inclusion and belonging, and an environment where diverse opinions, backgrounds and practices have the opportunity to be voiced, heard and respected.

The reflection of Mason's commitment to diversity and inclusion goes beyond policies and procedures to focus on behavior at the individual, group and organizational level. The implementation of this commitment to diversity and inclusion is found in all settings, including individual work units and groups, student organizations and groups, and classroom settings; it is also found with the delivery of services and activities, including, but not limited to, curriculum, teaching, events, advising, research, service and community outreach.

Acknowledging that the attainment of diversity and inclusion are dynamic and continuous processes, and that the larger societal setting has an evolving socio-cultural understanding of diversity and inclusion, Mason seeks to continuously improve its environment. To this end, the University promotes continuous

monitoring and self-assessment regarding diversity. The aim is to incorporate diversity and inclusion within the philosophies and actions of the individual, group and organization, and to make improvements as needed.

Notice of Mandatory Reporting of Sexual Assault, Sexual Harassment, Interpersonal Violence, and Stalking

As a faculty member, I am designated as a “Non-Confidential Employee,” and must report all disclosures of sexual assault, sexual harassment, interpersonal violence, and stalking to Mason’s Title IX Coordinator per University Policy 1202. If you wish to speak with someone confidentially, please contact one of Mason’s confidential resources, such as Student Support and Advocacy Center (SSAC) at 703-380-1434 or Counseling and Psychological Services (CAPS) at 703-993-2380. You may also seek assistance or support measures from Mason’s Title IX Coordinator by calling 703-993-8730, or emailing titleix@gmu.edu.

Students with Disabilities

Disability Services at George Mason University is committed to upholding the letter and spirit of the laws that ensure equal treatment of people with disabilities. Under the administration of University Life, Disability Services implements and coordinates reasonable accommodations and disability-related services that afford equal access to university programs and activities. Students can begin the registration process with Disability Services at any time during their enrollment at George Mason University. If you are seeking accommodations, please visit <http://dsgmu.wpengine.com/> for detailed information about the Disability Services registration process. Disability Services is located in Student Union Building I (SUB I), Suite 2500. Email: ods@gmu.edu | Phone: (703) 993-2474.

Honor Code Policy

George Mason University has an Honor Code, which requires all members of this community to maintain the highest standards of academic honesty and integrity. Cheating, plagiarism, lying, and stealing are all prohibited. All violations of the Honor Code will be reported to the Office of Academic Integrity (oai.gmu.edu). See this excerpt from oai.gmu.edu:

“The Honor Code at George Mason University shall be specifically concerned with cheating or attempted cheating, plagiarism, lying, and stealing in the academic setting. Examples of these infractions include but are not limited to the following:

1. Use of unauthorized material.
2. Use of unauthorized assistance.

3. Duplicate use of student's prior work.
4. Violation of syllabus requirements regarding integrity.
5. Self-plagiarism.
6. Inadequate citation.
7. False citation.
8. Failure to adhere to citation forms set by the professor.
9. Failure to quote sources/material.
10. Submission of another individual's work.
11. Removing an exam from a classroom.
12. Posting or enabling of posting of homework assignments and/or exams or solutions on websites.
13. Taking photos of exams/academic work without authorization.
14. Taking someone else's work without knowledge.
15. Falsifying sources, data, or information.
16. Providing a false excuse for missing a test or class.
17. Providing false information, including identifying information.
18. Falsifying official correspondence."

More detailed information is available at oai.gmu.edu.

Enrollment Statement

- Students are responsible for verifying their enrollment in this class.
- Schedule adjustments should be made by the deadlines published in the Schedule of Classes. (Deadlines each semester are published in the Schedule of Classes available from the Registrar's Website at registrar.gmu.edu.)
- Last Day to Add Classes: **February 1, 2021.**
- Last Day to Drop Classes (with 100% tuition refund): **February 12, 2021.**
- Last Day to Drop Classes (with 50% tuition refund): **February 16, 2021.**
- Unrestricted Withdrawal Period: **February 17, 2021 to March 1, 2021.**
- Selective Withdrawal Period (100% tuition liability): **March 2, 2021 to April 1, 2021.**