

SYLLABUS

CRIMINAL COURTS (CRIM 408-DL1)
GEORGE MASON UNIVERSITY
CRIMINOLOGY, LAW & SOCIETY
FALL 2021
(Updated: 7-18-21)

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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.

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 Homework Assignment
(Watching the lectures & answering the 5 questions): 15%
2. Paper: 15%
3. Mid-Term: 35%
4. Final Exam: 35%

DUE DATE FOR ALL COURSE ASSIGNMENTS

All assignments in this course are due at 6pm on the due date and all must be sent to me by email. Emailing me an assignment after 6pm is not “on time” – even if it is emailed to me on the same day. When an assignment permits late submission, the submission must also be made by 6pm on the late due date.

CLASS LECTURES AND WEEKLY HOMEWORK ASSIGNMENTS

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 [PUT IN THE CLASS NUMBER]. 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 weekly class 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 submitted after the late deadline will not receive any credit.

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?

- 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.
- **I will post on Blackboard at the beginning of the course a list of some of the books my students have chosen in past semesters. You may select any of these books to read but you are not required to pick a book off this list. If you pick a book to read that is not on this list, you must get my approval for your book choice in advance of submitting your paper.**
- All papers must be:
 - Double-spaced and 12-point type;
 - Your paper may be in essay form or by responding to each question posed above.
 - Length: Four pages. (You can exceed four pages if needed.)
 - **Due Date: November 9, 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. The late paper deadline is November 16, 2021, at 6 p.m. Papers received after the late paper deadline will not receive any credit.

MID-TERM AND FINAL 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, the weekly questions and model answers posted on Blackboard, and your own notes in answering the questions. You may not use Google or other search engines or the internet to search for answers to exam 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, 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, the weekly questions and model answers posted on Blackboard, and your own notes. You may not share your answers with anyone else.
- *How do you submit your answers?* You should create a Word or PDF

document, with your answers numbered 1-100, and attach that to an email sent to me by the deadline set out in the Syllabus.

- Your answers should only list the letter that corresponds with the answer. For example, if – hypothetically – the answer to Question 12 is “B”, your answer should appear as follows: “12. B”. You should not reprint either the question or the full answer. Just give me the A,B,C, or D that corresponds with the correct answer.
- 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: October 12, 2021, at 6 PM**
- **MID-TERM DUE: October 26, 2021, at 6 PM**

- **FINAL EXAMINATION POSTED: November 29, 2021, at 6 PM.**
- **FINAL EXAMINATION DUE: December 13, 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.

NOTE ABOUT THE USE OF POSTED CLASS MATERIALS

The materials I have posted on Blackboard are for your exclusive use in this course. These materials – including the Power Point Slides, the Weekly Class Assignments, the Model Answers to the Weekly Class Assignments, the Mid-Term Examination and the Final Examination – may not be shared with others or posted or circulated in any manner.

SPECIAL CIRCUMSTANCES

I recognize that during the course you may experience an extraordinary circumstance – such as an illness, personal or family emergency or other extenuating circumstance – that prevents you from meeting a course deadline. Please let me know immediately if such circumstances require you to request an extension of a deadline. Your circumstances will be considered on a case-by-case basis. Please note that, according to the GMU University Catalog (AP.1.2), “Although many students must work to meet living expenses, employment must not take priority over academic responsibilities.”

CLASS AGENDA

WEEK 1

Syllabus Review

Overview of Criminal Courts

Readings: Chapter 1, Power Point Slides for Class 1

Lectures: Part 1, Part 2, Part 3

Assignment Due: August 27, 2021, at 6 PM

WEEK 2

Federal Courts

Crisis in Policing

Recent Developments

Readings: Chapter 2, Power Point Slides for Class 2

Lectures: Part 1, Part 2, Part 3, Part 4

Assignment Due: September 3, 2021, at 6 PM

WEEK 3

State Courts

Juvenile Courts

The Impact of the Covid-19 Pandemic on Criminal Courts

Recent Developments

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

Lectures: Part 1, Part 2, Part 3, Part 4

Assignment Due: September 10, 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: September 17, 2021, at 6 PM

WEEK 5

Prosecutors

Readings: Chapter 6, Power Point Slides for Class 5

Lectures: Part 1, Part 2

Assignment Due: September 24, 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: October 1, 2021, at 6 PM

WEEK 7

Judges

Readings: Chapter 8, Power Point Slides for Class 7

Lectures: Part 1, Part 2

Assignment Due: October 8, 2021, at 6 PM

MID-TERM POSTED: October 12, 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: October 15, 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: October 22, 2021, at 6 PM

MID-TERM DUE: October 26, 2021, at 6 PM

WEEK 10

Disclosing Evidence (“Discovery”)

Motions to Suppress Evidence on Constitutional Grounds

Readings: Chapter 11, Power Point Slides for Class 10

Lectures: Part 1, Part 2, Part 3

Assignment Due: October 29, 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: November 5, 2021, at 6 PM

REQUIRED PAPER DUE: November 9, 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: November 12, 2021, at 6 PM

WEEK 13

Sentencing

Readings: Chapter 14, Power Point Slides for Class 13

Lectures: Part 1, Part 2

Assignment Due: November 19, 2021, at 6 PM

Thanksgiving Holiday (November 24, 2021 to November 28, 2021)

FINAL EXAMINATION POSTED: November 29, 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: December 3, 2021, at 6 PM

FINAL EXAMINATION DUE: December 13, 2021, at 6 PM.

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

Week 1 Class Assignment Due: August 27, 2021, at 6 p.m.

Week 2 Class Assignment Due: September 3, 2021, at 6 pm.

Week 3 Class Assignment Due: September 10, 2021, at 6 p.m.

Week 4 Class Assignment Due: September 17, 2021, at 6 p.m.

Week 5 Class Assignment Due: September 24, 2021, at 6 pm.

Week 6 Class Assignment Due: October 1, 2021, at 6 p.m.

Week 7 Class Assignment Due: October 8, 2021, at 6 p.m.

MID-TERM EXAM POSTED ON BLACKBOARD: October 12, 2021, at 6 p.m.

Week 8 Class Assignment Due: October 15, 2021, at 6 p.m.

Week 9 Class Assignment Due: October 22, 2021, at 6 p.m.

MID-TERM EXAM ANSWERS DUE: October 26, 2021, at 6 p.m.

Week 10 Class Assignment Due: October 29, 2021, at 6 p.m.

Week 11 Class Assignment Due: November 5, 2021, at 6 p.m.

REQUIRED PAPER DUE: November 9, 2021, at 6 p.m.

Week 12 Class Assignment Due: November 12, 2021, at 6 p.m.

Week 13 Class Assignment Due: November 19, 2021, at 6 p.m.

FINAL EXAM POSTED ON BLACKBOARD: November 29, 2021, at 6 p.m.

Week 14 Class Assignment Due: December 3, 2021, at 6 p.m.

FINAL EXAM ANSWERS DUE: December 13, 2021, 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>

Disability Services: <http://dsgmu.wpengine.com/>

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: **August 30, 2021.**
- Last Day to Drop Classes (with 100% tuition refund): **September 7, 2021.**
- Last Day to Drop Classes (with 50% tuition refund): **September 14, 2021.**
- Unrestricted Withdrawal Period (100% tuition liability): **September 15, 2021 to September 27, 2021.**
- Selective Withdrawal Period (100% tuition liability): **September 28, 2021 to October 27, 2021.**