

**UPPER IOWA UNIVERSITY
MADISON CAMPUS
CRIMINAL LAW, 237
SYLLABUS**

LOCATION/PROGRAM

Upper Iowa University
4601 Hammersley Road
Madison, Wisconsin 53711
Phone: (608) 278-0350
Fax: (608) 278-0354
E-mail: uiu@madison.tds.net
Website: www.madison.uiu.edu

COURSE IDENTIFICATION

CJ 237 (SAME AS SOC 237) --- 3 Credits
Course Description: This course surveys the historical development of the concept of the criminal justice system in America. It provides an overview and analysis of the effects of the English Common Law on the development of the U.S. criminal justice system, the structure of the Federal system, important court decisions (case law), legislated codes of criminal law and procedure, and relevant historical events and social changes relating to the development of the criminal justice system in the United States.
Prerequisites: SOC 110

TERM INFORMATION

Term 2: October 26, 2009-December 14, 2009
This class meets Monday evenings from 5:30 p.m.-10:00 p.m. We will begin promptly at 5:30 and will take at least one break. **Students may not bring food into the classroom, but beverages with a cap are allowed. Please plan accordingly.**

INSTRUCTOR

Suzanne L. S. Olajos
P.O. Box 259929
Madison, WI 53725
Phone: (608) 658-5045
*-You may call **Tuesdays and Thursdays** between **3:30 p.m. and 5:00 p.m.***
-E-mail: slsolajos@gmail.com
olajoss@peacocks.uiu.edu

BIOGRAPHY

Education

-J.D., University of Texas School of Law, 1997
-A.B., University of Chicago, 1993

Awards

-Phi Beta Kappa, University of Chicago Chapter
-Page Scholarship for Academic Excellence
-Baron & Budd Public Interest Law Scholarship

Criminal Law Work

-Office of the State Public Defender, Assistant State Public Defender (Trial Attorney), 2000-07.
-United Nations, International Criminal Tribunal for the Former Yugoslavia (ICTY), Office of the Prosecutor, Trial Support Assistant, 1999-2000, Law Clerk, 1998.

Law Licenses

Wisconsin & New York (member in good standing)

TEXT

Carlson, Ronald, L., J.D., L.L.M., **Criminal Justice Procedure, 7th ed.**, Cincinnati, Ohio: Anderson Publishing Co., 2005. The text is available from the Upper Iowa Bookstore [(800) 325-3252].

COURSE OBJECTIVES

- 1) Distinguish criminal law from civil law using an historical perspective.
- 2) Display an understanding of the general nature of the legal system.
- 3) Identify legal rights and restrictions in the United States today.

SCHEDULE AND COURSE READINGS

Class #1 (10/26):

Readings:

Introduction, the U.S. Constitution
Chapter 1-Overview-pp. 1-16

Question Presented: What is the United States Constitution and how is it related to criminal justice?

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- Class #2 (11/2): Readings:
Chapter 11- Adversary System and Actors –pp. 353-361
Chapter 2-Arrest & Preliminary hearings-pp. 17-74
Class # 2 pages in handout materials
Frontline Video: What Jennifer Saw
Questions Presented: Who are the actors in the criminal justice system? How do their roles differ from one another? What determines whether someone is legally arrested? What are potential flaws in our justice system with regards to people who are arrested? Why should we care that such flaws exist?
- Class #3 (11/09): Readings:
Chapter 3- Bail-pp. 75-103
Chapter 4-Charging-pp. 105-123
Class #3 pages in handout materials
Frontline Video: Real Justice I
Questions Presented: Why is it important what bail is set for a criminal defendant? What role does the way in which the District Attorney’s Office charges a criminal defendant affect the amount of bail that is set? Is the legal system a justice “factory” or is it fair?
- Class #4 (11/16): Readings:
Chapter 6-Criminal Trials-pp. 141-220
Frontline Video: Inside the Jury Room
Class #4 pages in handout materials
Mock Trial Preparation
Questions Presented: What do you think of the idea that criminal defendants are entitled to a trial by jury? Is this the best system? Are jury trials fair?
- Class #5 (11/23): Readings:
Chapter 9-Location of Trial and Double Jeopardy-pp. 285-309
Chapter 10-Juvenile and Misdemeanor Trials-pp. 311-351
Class #5 pages in handout materials
Questions Presented: How are trials in the adult system and the juvenile system different from each

Class #6 (11/30):

other and why is that significant? Is it appropriate that 17 year olds are tried as adults in Wisconsin?

Readings:

Chapter 5-Pleas-pp. 125-140

Chapter 7-Sentencing-pp. 221-260

Frontline Video: The Plea

Class #6 pages in handout materials

Questions Presented: What role does plea bargaining play in the criminal justice system? Why do you think pleas are so common? What role do diversion programs have in our judicial system?

Class # 7 (12/07):

Readings:

Chapter 8-Appeals-pp. 261-283

Mock Trial Exercise

Class #7 pages in handout materials

Questions Presented: What is the role of an appeal in criminal proceedings? Why might an appeal be necessary?

The instructor will hand out the take home (essay) portion of the exam. It will be due at the beginning of Class #8.

Class #8 (12/14):

Final Exam-The exam will begin at 5:30 p.m. and must be completed by 10:00 p.m.

SUPPLEMENTAL MATERIALS

1. The **United States Constitution** (handout provided by the instructor).
2. There will be **guest lecturers** who come to speak to the class about criminal justice.
3. Students will view **videos** relating to “hot topics” in the criminal justice system in class. They are listed in this syllabus on the date on which they will be shown.
4. The instructor will provide a **small packet of handouts** regarding a variety of specific criminal justice topics. Such handouts are considered to be equally as important to this class as the text and must be read carefully in order to master the course material.
5. The instructor will provide **materials for a mock trial exercise**. Students are expected to

read it thoroughly, prepare with team members, and participate in class.

EXAMS

The instructor will give four unannounced quizzes and one final exam. Quizzes begin at 5:30 p.m. and take approximately 30-45 minutes. The final exam will be given during the final class period. Student will have the entire class period to complete the exam. It will consist of four sections including essay questions, short answer questions, multiple choice questions and matching questions. Students will be expected to demonstrate good organizational and writing skills on their exams and quizzes.

ASSIGNMENTS

Students are expected to thoroughly read and study the text and supplemental materials prior to class and be prepared to discuss that material and apply it in a mock trial exercise. Students are expected to maintain a “courtroom” demeanor during the mock trial and to use appropriate legal vocabulary. **A student’s preparation, or lack of preparation, will count toward the “classroom participation” component of that student’s final grade.**

CITATION

Encyclopedias of any kind, including the very popular Wikipedia, are not primary sources and should not be cited or used in constructing academic papers at the graduate and undergraduate level. They can, however, be useful to help gather some background information and to point the way to more reliable sources.

SKILLS

The purpose of the criminal justice major is to prepare the learner to understand the application of research-based theory, legal guidelines, and ethical principles to the practical functioning of the criminal justice system. A student who has successfully completed a Criminal Justice Major at Upper Iowa University will be expected to:

- 1) Demonstrate an understanding of the U.S. criminal justice system.
- 2) Identify the historical development of this system, and the roles, perspectives, and goals of the various actors participating in it.

- 3) Understand the arrest and charging process, including the meaning of pleas of guilty, not guilty and no contest.
- 4) Articulate the steps and procedures involved in a criminal trial, the basic rules of evidence, and the factors involved in sentencing someone convicted of a crime.
- 5) Communicate this understanding using basic legal vocabulary during classroom discussions and the mock trial.
- 6) Demonstrate good organizational and writing skills.

ATTENDANCE

Students are strongly encouraged to attend class on a regular basis. Classroom participation constitutes a significant component (20%) of the final grade. Active participation in all class activities is a requirement. Please review Upper Iowa University Policies on Administrative Withdrawal related to repeated absences.

GRADING

Final Grade

Quizzes	-4 quizzes/5% each	20%
Final Exam	-Essay Section	15%
	-Short Answer	15%
	-Multiple Choice Section	15%
	-Matching Section	15%
Classroom Participation (including mock trial exercise)		20%
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Total		100%

The classroom participation portion of your grade will be based upon your understanding of the appropriate concepts (through demonstrated preparation), good organization, and use of appropriate legal vocabulary in the context of class discussions.

Please note that only the essay portion of your final exam will be take-home and that section will be distributed at the end of Class #7. It is due at the beginning of Class #8. The other sections of the

final exam must be completed during Class #8. The in-class final is closed-book.

Letter grades as percent of total:

A = 93 to 100%
A- = 90 to 92%
B+ = 87 to 89%
B = 83 to 86%
B- = 80 to 82%
C+ = 77 to 79%
C = 73 to 76 %
C- = 70 to 72%
D+ = 67 to 69%
D = 63 to 66%
D- = 60 to 62%
F = 59% and below

MISSED ASSIGNMENTS OR EXAMS

There are no make-up examinations for this class. The final exam is scheduled eight weeks in advance, giving students more than adequate time to plan their schedule around that date. In the highly unlikely event that a student has a serious illness, etc., the instructor will arrange for an alternate test. The exam will be different from that taken by the rest of the class and scheduled at a place, date and time that is convenient for the instructor. This will only happen under extraordinary circumstances and it is within the sole discretion of the instructor to determine which circumstances are extraordinary. (The make-up exam under such extraordinary circumstances will most likely be given on a weekday afternoon at a local library. It would be the student's responsibility to arrange his or her schedule and to find transportation to that location).

BREACHES OF ACADEMIC INTEGRITY

Students who cheat on quizzes or the final exam will fail the quiz or exam in question

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automatically. It is within the instructor's discretion to fail the student for the entire class as a result of such cheating.

This syllabus is subject to change: In order to accommodate the progress of the class and unforeseen circumstances, this syllabus is tentative and subject to change, by the instructor or any substitute instructor, as such instructor deems appropriate.

Suzanne Olajos
September 2009