### Course Syllabus

**Course Name:** Constitutional Law

**Course Number:** CRJU 2215 (CRN# 30001)

**Course Description:** This course will provide the student with a background into the U.S. Constitution, the Bill of Rights, the protections contained in these documents, and the constraints imposed on enforcement activities by Federal and/or State and local law enforcement officers. The primary focus will be detailed examinations of the legal issues involving the 4th, 5th, 6th and 8th Amendments to the U.S. Constitution and similar individual rights protections of the Georgia State Constitution. In addition, the student will become familiar with U.S. Supreme court as well as Georgia Supreme court decisions which impact on the areas of search and seizure, rights against self-incrimination, representation by counsel, prohibitions against cruel and unusual punishments.

**Pre-requisites/Co-requisites:** None

**Course Learning Outcomes:**

- Identify and explain the historical background to the development of the United States Constitution, the principles of supremacy and separation of powers, the views of the framers on the balance between state and federal powers, the limitations on both federal and state authority, the creation of the Bill of Rights, and the basic rights of the key amendments. The student will also be expected to understand the 14th amendment, the concepts of due process and equal protection, and the various incorporation doctrines.

- Demonstrate specific knowledge of the 1st amendment, Freedom of Speech, expressive speech, the difference between “content” and “context” and categories of speech that are not protected, time place and manner limitations on speech, forums for speech, and the different U.S. Supreme Court decisions in the area of speech.

- Demonstrate a detailed knowledge of the 4th amendment and the U.S. Constitutional safeguards in the areas of arrest, search, and seizure. Specifically the student will demonstrate an understanding of detentions, stops, arrests, seizures, arrests based upon probable cause both with and without warrants, searches both with and without warrants, the concepts of “reasonable expectation of privacy,” “good faith,” totality of the circumstances,” and other binding legal doctrines impacting on 4th amendment practices, as well as the key U.S. Supreme Court decisions.

- Demonstrate a detailed and specific knowledge of the 5th amendment, the laws and U.S. Constitutional safeguards protecting intercepted communications, eavesdropping, the 4th 5th and 6th amendment requirements for communications monitoring, the protections against self-incrimination and the “free and voluntary” rules governing interrogations, the impact and requirements of the Miranda decision as it bears on interrogations, requirements and procedures for a waiver of rights, and the various uses of confessions, representation by counsel, and the separate 6th amendment protections instituted upon initiation of criminal prosecutions. In addition, the student will become familiar with the U.S. Supreme Court decisions regarding the areas of communications, interrogations, self-incrimination, and representation by counsel.

- Identify, define, and explain the protections of the 4th, 5th, and 6th amendments in the trial process, specifically against double jeopardy and inadequate representation by counsel and the use of illegally obtained evidence or confessions; the procedures for jury selection and speedy trial safeguards, protections against adverse publicity, and the 8th amendment protections against cruel and unusual punishments, the death penalty as used in the United States, and U.S. Supreme Court decisions regarding these areas.

- Demonstrate a specific knowledge and understanding of the 14th amendment and the different police workplace protections under the 4th, 5th, 6th amendments, the due process protections in police administrative sanctions, age, gender, and other factors protected in police hiring and retention practices, and the and U.S. Supreme Court decisions regarding these areas.

**Engaged Student Learning Requirements:** The ABAC Credit Hour Policy, in accordance with the Board of Regents of the University System of Georgia and federal regulations that are reflected in SACSCOC’s Credit Hours Policy Statement, require 6750 minutes of engaged student learning for a 3 semester hour course. Engaged Student Learning occurs both in and outside of the classroom at the ratio of 1:2. Two hours of independent student learning for each hour of classroom learning. 15 weeks of 50 minutes of class instruction for 1 credit hour = 750 minutes. For a 3 Hr course, engaged classroom instruction will equal 2250 minutes, the remaining 4500 minutes of engaged learning will be the responsibility of each individual student.
Policy on Class Attendance: Courses at Abraham Baldwin Agricultural College are provided for the intellectual growth and development of students. The interaction with instructors and other students is an important element of the learning process, and a high correlation exists between class attendance and course grades.

Therefore to attain maximum success, students should attend all their classes, be on time, and attend all scheduled course activities. Absence from class, for whatever reason, does not excuse a student from full responsibility for class work or assignments missed. Students must accept this responsibility. Individual instructors will establish attendance policies for each class, will publish the policy in the course syllabus, and keep attendance records.

The penalty for absences is at the discretion of the instructor and may include failure of the course. Whenever a student is absent, the student must assume responsibility for making arrangements for any assignments missed due to the absence.

A student who stops attending class without officially withdrawing will still receive a grade for the course. A student penalized for excessive absences may appeal through the grade appeal process, as stated in ABAC’s college catalog and student handbook.

INSTITUTIONAL ABSENCE: A student who serves as an official representative of the college is defined as one who:

- is authorized to use the college name in public relationships outside the institution;
- regularly interacts with non-college individuals and groups over an extended period of time (at least one semester);
- represents the college as a part of a group and not as an individual;
- represents the college under the direct supervision of a college faculty or staff member; and
- is authorized in writing, in advance, by the President of the college.

Such a student is in no way released from the obligations and responsibilities of all students, but will not be penalized with unexcused absences when absences result from regularly scheduled activities in which he/she represents the college.

Further, it is the responsibility of each student to contact instructors prior to the absence and to make arrangements to make up any work that will be missed, in a manner acceptable to the instructor. Advisors of activities will schedule off-campus activities in a manner that does not unduly disrupt the learning process for a student.

College Policy on Academic Dishonesty:

A. Academic Dishonesty  Academic irregularities include, but are not limited to, giving or receiving of unauthorized assistance in the preparation of any academic assignment; taking or attempting to take, stealing, or otherwise obtaining in an unauthorized manner any material pertaining to the education process; selling, giving, lending, or otherwise furnishing to any person any question and/or answers to any examination known to be scheduled at any subsequent date; fabricating, forging, or falsifying lab or clinical results; plagiarism in any form related to themes, essays, term papers, tests, and other assignments; breaching any confidentiality regarding patient information.

B. Disciplinary Procedures & Appeals Process. Incidents which violate this policy will be dealt with in accordance with the current procedures outlined in the College Catalog and Student Handbook. Students will have the right to appeal any disciplinary decision.

If there is a student in this class who has specific needs because of learning disabilities or any other disability, please feel free to contact the instructor.

NOTE: In case of inclement weather during class we will move to the safety of the designated shelter. If you have experienced inclement weather and want to check on the ABAC status for class meetings, check the ABAC website or call the Inclement Weather Hotline: 229-391-5225
Instructor Contact Information:  Mr. Anthony P. Fitzgerald, M.P.A., M.S.C.J.
Office: Bowen Hall, Room 221
E-Mail: afitzgerald@abac.edu,
Office Phone: (229) 391-5076

Office Hours:  Monday - Friday 0830 – 0930
              Monday – Thursday 1530 – 1630

REQUIRED TEXT & MATERIALS: Constitutional Law, Kanovitz, 14th Edition


GRADING POLICY: All CRJU – prefix courses require students to achieve a grade of 70% (C) or better, to be considered “successful” for graduation purposes in the Criminal Justice Program. Students receiving a grade below “C” will be required to repeat the course and receive at least a “C” in order for that course to be approved for graduation. Grades will be determined as follows: 100% - 90% = A; 89% - 80% = B; 79% - 70% = C; 69% - 60% = D; Below 60% = F.

<table>
<thead>
<tr>
<th>Component</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lecture exams (4 exams x 55 points each)</td>
<td>220</td>
</tr>
<tr>
<td>Research project:</td>
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<tr>
<td>Class Attendance &amp; Participation</td>
<td>20</td>
</tr>
<tr>
<td>Engaged Learning Credit</td>
<td>40</td>
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<tr>
<td>Final Exam</td>
<td>140</td>
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<tr>
<td>Total Possible:</td>
<td>500</td>
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GENERAL POLICIES:

Scantron Forms: Students will be responsible for acquiring the test forms and bringing them to class on exam days.

Make – up exams: It is my policy that NO Make-Up exams will be given unless the student has a legitimate excused or Institutional absence.

Textbooks and Engaged Student Learning: Acquiring the proper materials and bringing them with you is a part of your student responsibilities for Engaged Student Learning. Each student is required to purchase the textbook(s) for the course – that’s why they are listed as “REQUIRED.”

It is also my policy to require each student to have purchased the required texts, bring them to class, and utilize them in class after the drop add period has ended, starting the third week of class instruction. Students who do not have their textbook in class after that date will be excused, marked as absent, and will be required to bring the appropriate textbook with them before returning to class. Using the textbook(s) and class handouts outside of class is required by the Credit Hour Policy guidelines for Engaged Student Learning.

Absences: My personal attendance policy is this: Students are expected to attend each and every class session, and to have read the assigned portions of the text before the class meets. Past experience has shown that those students who attend every class session and read the assigned material will perform better on their tests. Excused absences will be granted to those students with a court order to appear in front of a judge, rather than be in my class. Students who have been absent are responsible for contacting other students for lecture notes and/or any discussion material they might have missed.

Student absences totaling two weeks of instruction will result in a “0” (zero) point total for Class Participation & Attendance when calculating their Final Grade.

Withdrawals: If a student needs to reduce his/her course load during a particular semester, that student may officially withdraw from a class with a grade of “W,” provided he/she takes this action before the mid-point in the semester or session (see the college calendar) or if very unusual circumstances require the withdrawal after the mid-point. After midterm, a student withdrawing from a class will receive a “WF.” Students must see their instructor to gain permission to withdraw from a course.

Reports, papers, and other graded materials: Any materials related to this, or any other course, must either be given to me personally or dropped off in the School office in a closed and well-marked envelope addressed to me. Do not leave any materials on my desk, if you happen to drop by my office and find it open.

Email: Communication between students and faculty may be in person, in writing, or via official Stallion / ABAC email. It is the student’s responsibility to access their official ABAC Stallion Mail account and check it regularly. If you cannot access your mail – go fix the problem!

Tobacco Policy: ABAC is now a “Tobacco Free” zone by direction of the University System Chancellor, and this policy has been in effect since October 2014. I expect all students to adhere to this policy, and therefore I ban all “Spit Cups” from my classrooms. If you want to personally violate the tobacco policy by “dipping” keep in mind – What you put in your mouth STAYS in your mouth.
ACADEMIC and CLASSROOM BEHAVIOR POLICIES:

It is my philosophy that college is a voluntary program of study by adult learners. Therefore it should be the responsibility of each student to come prepared to learn and discuss the assigned material if called upon. Since all college students are here on their own time in order to learn – it should not be too much to expect that they suspend all other activities for the duration of the class.

Please do not come to class and disrupt the learning environment. If you are in class, then you are expected to suspend all other activities and pay attention to what is being taught. Classroom sessions are not for studying for other classes, socializing, doing homework, or conducting other personal business. Students will not get up and leave after the class begins, unless it is a personal hygiene emergency. Sleeping should be done before, or after, but never during the classroom session. (Especially if you snore!)

Accurate and detailed notes are an essential element in all areas of criminal justice; it is recommended that each student be prepared to take them. Examinations will include all the material covered in class and from assigned areas of the text.

Students are expected to be in class on time, and tardiness (beyond 15 minutes late) will not be acceptable. If you arrive beyond that time, do not interrupt the class – go to the Baldwin Library and spend the rest of the scheduled class time reading over the assigned course material. You can get with me after the class has ended to see what outside materials you might have missed.

Personal communication is aided by technology, but it has evolved into a constant need to be “in touch” with each other regardless of the setting, and an erosion of common social courtesy by people who are texting or talking on their cell phones while others are trying to conduct business. It is very distracting to be lecturing to a class about criminal justice while students with their heads down are texting furiously away about how boring things are in class – how would you know if you’re not paying attention anyway?

It is therefore my policy that cell phones will be turned off or not brought to class. Students will not be excused from class to use a phone or answer a page or text message unless they are sworn police officers or emergency personnel on duty. I will come up to you and personally request that you stop using your electronic device once, repeated use will result in confiscation of the device, and finally expulsion from the class for disciplinary reasons.