### Course Name: Constitutional Law
Instructor: W. Brent Hyde, M.P.A. (Master of Public Administration), J.D. (Juris Doctor)
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<th>Course Number: CRJU 2215</th>
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<td>Georgia Law Enforcement Handbook, latest edition</td>
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**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 government and 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 relevant court decisions in the areas of search and seizure, rights against self-incrimination, representation by counsel, prohibitions against cruel and unusual punishments.

3 credit hours.

**Pre-requisites/Co-requisites:** Exit LS ENGL & READ

**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.

Absence policy:

This class is governed by the absence policy provided for by the student handbook, and as set forth in this syllabus. **Because the class convenes once per week, a student is only allowed two (2) un-excused absences.** What constitutes an excused or un-excused absence will be at the sole discretion of the instructor. **More than two (2) un-excused absences will result in automatic failure of the class. A student that enters the class more than five (5) minutes after class is scheduled to begin will be considered absent, and will be asked to leave.**

Tardiness:

Class begins at the time listed above. I expect students to be in class and ready to begin at that time. Tardiness is distracting to me and other students. The bottom line is, DON’T BE TARDY TO CLASS!!
Institutional absence:

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

1. is authorized to use the college name in public relationships outside the institution;
2. regularly interacts with non-college individuals and groups over an extended period of time (at least one semester);
3. represents the college as a part of a group and not as an individual;
4. represents the college under the direct supervision of a college faculty or staff member; and
5. 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.

Furthermore, 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

1. When a faculty member suspects that a student has engaged in academic dishonesty, the faculty member will contact the Office of the Vice President for Academic Affairs. The Vice President for Academic Affairs will notify the student in writing of the report and will appoint a neutral person from among the faculty or staff to meet with the faculty member who reported the matter and the student(s) believed to have engaged in academic dishonesty. The purpose of the meeting, to be scheduled by the Office of the Vice President
for Academic Affairs, will be to provide a facilitated discussion about what may have occurred. The faculty member who reported the matter, the student(s) believed to have engaged in academic dishonesty, and the facilitator are the only participants in the meeting. Audio nor video recordings of these proceedings will be permitted. Following the discussion, the facilitator will submit a form summarizing results of the proceedings to the Office of the Vice President for Academic Affairs.

2. The faculty member and student(s) may reach an agreement about the matter and, if dishonesty is involved, may determine the appropriate consequences. If no resolution is agreed upon, the matter will be forwarded to the Dean of Student Life and Housing, who will convene the Student Judiciary Committee to determine the outcome of the allegation.

3. Guidelines for disciplinary procedures as outlined in Section V of the Student Code of Conduct will be applicable in cases involving alleged academic dishonesty. A written copy of the recommendations by the Student Judiciary Committee shall be sent not only to the student but also to the faculty member who made the allegations of academic dishonesty against the student, to the Vice President for Academic Affairs, and to the President.

4. Prior to any finding of responsibility on the part of the student, the faculty member shall permit the student to complete all required academic work and shall evaluate and grade all work except the assignment(s) involved in the accusation of dishonesty. The faculty member may, however, take any action reasonably necessary to collect and preserve evidence of the alleged violation and to maintain or restore the integrity of exam or laboratory conditions.

5. A student may not withdraw from a course to avoid penalty of plagiarism or other forms of academic dishonesty.

C. Appeals Process

Students have the right to appeal a Student Judiciary Committee hearing recommendation in accordance with the following procedures:

1. Requests for appeals must be submitted in writing to the Office of the Vice President for Student Affairs within five business days of the date of the letter notifying the student of the original decision. Failure to appeal within the allotted time will render the original decision final and conclusive.

2. Written requests for appeals must be specific and detailed as to the nature and substance of the student’s complaint and must clearly indicate what action is requested. The written request should specify the grounds for appeal. Judicial recommendations may be appealed on the following grounds:
   - A violation of due process
• Prejudicial treatment by the original hearing body
• New evidence has become available which was not available at the
time of the hearing.

3. Appeals shall be decided upon the record of the original proceedings, the
written appeal submitted by the defendant, and any written briefs
submitted by other participants. Cases will not be reheard on appeal.

4. If the student is dissatisfied with the decision of the Vice President for
Student Affairs, the student may request in writing that the President
consider the appeal, but such request must be made within five business
days of the Vice President’s decision or the Vice President’s decision will
be considered final and conclusive.

5. Within five business days of receiving the appeal, the President will either
rule on the appeal or refer the appeal to a special Presidential Panel. The
Presidential Panel will review all facts and circumstances connected with
the case and within five business days make a report of its findings to the
President. After consideration of the Panel’s report, the President will
within five business days make a decision which shall be final so far as the
College is concerned.

6. Should the student be dissatisfied with the President’s decision, written
application may be made to the Board of Regents for a review of the
decision. This application must be submitted within twenty days following
the decision of the President. Additional information regarding procedures
for appealing to the Board is available in the Office of the Vice President
for Student Affairs. The decision of the Board shall be final and binding
for all purposes.

If there is a student in this class who has specific needs because of learning disabilities
and/or any other disability, please feel free to contact the instructor for any applicable
accommodation(s).

Conduct and classroom behavior:

CELL PHONES ARE PROHIBITED FROM USE IN MY CLASSROOM!

It is my policy that cell phones will be turned off and/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. Use of any electronic
device will result in confiscation of the device, and possible expulsion from the class for
disciplinary reasons.

Students will not get up and leave after the class begins, unless it is a personal hygiene
emergency. Class time is not nap time. Therefore, sleeping should be done before, or
after, but never during class. If caught sleeping in class, you will be asked to leave and
counted absent.

I expect students to adhere to the conventions of acceptable classroom behavior and to act as responsible adults. All students are expected to treat each other with respect and to maintain a professional demeanor and attitude that is open to learning and to opinions they might not share. Profane language is offensive to most people, and is both unprofessional and unacceptable.

Common courtesy is expected – like raising your hand if you have a comment, refraining from talking while someone else is speaking, or asking questions that have nothing to do with the topic of discussion. I expect students to be mentally involved as well as physically present in the course.

Grading system: 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

Lecture exams (3-4 exams worth maximum of 100 Points each)
Class Attendance & Participation
Final Exam

Scantron Forms: Students will be responsible for acquiring a scantron form and bringing the form along with a number 2 pencil to class on exam days. Do not ask to be provided with same.
ACKNOWLEDGEMENT

Please sign your name on the line provided below and return the last page to the Instructor.

I hereby acknowledge receipt of the class syllabus for Constitutional Law, Spring 2014. I have read the contents of the class syllabus, and I understand the contents of the syllabus.

____________________________________________
Student signature