# Minnesota State University Moorhead

# POL 337: Criminal Procedure

## A. COURSE DESCRIPTION

Credits: 3

Lecture Hours/Week: 3

Lab Hours/Week: 0

OJT Hours/Week: *.*

Prerequisites:
ACCT 205 - Environment of Law; OR
POL 230 - Introduction to the Law; OR
CJ 200 - Introduction to Criminal Justice

Corequisites: None

MnTC Goals: None

The course will examine contemporary interpretations of the U.S. Constitution's protections for the criminally accused, which are primarily found in the 4th, 5th, 6th, 8th, and 14th Amendments.

## B. COURSE EFFECTIVE DATES: 02/02/2000 - Present

## C. OUTLINE OF MAJOR CONTENT AREAS

1. Balancing community security and individual autonomy---crime control vs. due process
2. 4th Amendment definition of searches and seizures
3. Temporary detentions
4. Arrests and probable cause determination
5. Searches for evidence, special needs searches
6. 5th amendment definition of self-incrimination, the Miranda decision and its aftermath
7. Due process concerns with identification procedures---lineups, showups, photo arrays
8. 6th amendment right to counsel, confrontation, jury trial requirements
9. 8th amendment issues of cruel and unusual punishment
10. The exclusionary rule
11. Trial procedure---decision to charge, preliminary hearings and grand juries, pretrial motions, jury selection, verdicts
12. Sentencing policy and the appellate process---direct attack and habeas corpus

## D. LEARNING OUTCOMES (General)

1. Students will learn and appreciate the role of criminal procedure in a criminal justice system to provide due process as a counterweight to state police power and crime control efforts.
2. Students will learn both the theoretical and practical applications of the protections afforded the criminally accused in the areas of searches, seizures, self-incrimination, right to counsel, jury trials and the appellate process.
3. Students will understand the consequences of the exclusionary rule and its limitations on criminal evidence production as well as collateral usage of otherwise excluded evidence.
4. Student shall understand theories of punishment and the sentencing process including sentencing guidelines regimes, alternative sentencing, and restorative justice as well as the criminal appellate process of both direct appeals and habeas corpus petitions, federal and state.

**E. Minnesota Transfer Curriculum Goal Area(s) and Competencies**

None

**F. LEARNER OUTCOMES ASSESSMENT**

As noted on course syllabus

**G. SPECIAL INFORMATION**

None noted