

Bergen Community College
Division of Business and Social Sciences
Department of Criminal Justice

Course Syllabus

CRJ 103-[###]: Criminal Law

Semester and year:
Section Number:
Meeting Times:
Locations:

Instructor:
Office Location:
Phone:
Departmental Secretary:
[optional] Office Hours:
Email Address:

Course Description: Criminal Law is a study of the philosophy and development of the law of criminal procedure and its constitutional provisions. Topics included in the course are principles of criminal law and the adversary system, police authority relative to the laws of arrest, search and seizure, and a review of relevant U.S. Supreme Court decisions.

- Credits: 3 (Lecture only)
- Pre-requisites: None
- Co-requisites: None

Student Learning Outcomes: As a result of meeting the requirements in this course, students will be able to:

- List Student Learning Outcomes and an appropriate assessment for each:

Student Learning Outcome:	Means of Assessment (<i>customize as necessary</i>):
1. Explain the general nature and limits of individual rights embodied in the Bill of Rights.	Objective tests, essay questions, oral reports, class discussions, and writing assignments
2. Trace a criminal case through the stages from the initial complaint through appeal and post conviction remedies.	Objective tests, essay questions, oral reports, class discussions, and writing assignments

3. Describe the historical aspects of the exclusionary rule and its significance in the law of criminal procedure.	Objective tests, essay questions, oral reports, class discussions, and writing assignments
4. Define formal arrest and the distinctions between the terms "seizures" and "stop".	Objective tests, essay questions, oral reports, class discussions, and writing assignments
5. Describe the history and development of the Fourth Amendment.	Objective tests, essay questions, oral reports, class discussions, and writing assignments
6. Know how to obtain and execute a search warrant.	Objective tests, essay questions, oral reports, class discussions, and writing assignments
7. Define probable cause to search and to arrest.	Objective tests, essay questions, oral reports, class discussions, and writing assignments
8. Examine the distinctions between a frisk and a full search.	Objective tests, essay questions, oral reports, class discussions, and writing assignments
9. Analyze the purposes of a search incident to arrest.	Objective tests, essay questions, oral reports, class discussions, and writing assignments
10. Examine the benefits of a consent search.	Objective tests, essay questions, oral reports, class discussions, and writing assignments
11. Examine the differences between the plain view doctrine and the law of search incident to arrest.	Objective tests, essay questions, oral reports, class discussions, and writing assignments
12. Describe the rationale behind the scope of search allowed under the Carroll Doctrine.	Objective tests, essay questions, oral reports, class discussions, and writing assignments
13. Explain the history of development of the test for admissibility of a defendant's admission or confession.	Objective tests, essay questions, oral reports, class discussions, and writing assignments
14. Define the terms "showup", "lineup" and "confrontation".	Objective tests, essay questions, oral reports, class discussions, and writing assignments

Course Content:

INDIVIDUAL RIGHTS AND THE U.S. CONSTITUTION:

- A. Historical Overview.
- B. Bill of Rights
- C. Overview of the Criminal Court System.
- D. Stages of the Criminal Process.
- E. Basic Underlying Concepts.
 - a. Exclusionary Rule
 - b. Privacy.
 - c. Probable Cause

LAW OF ARREST:

- A. Formal Arrest.
- B. Detention of Persons
- C. Arrest Authority under a Warrant and without a Warrant.
- D. Citizen's Arrest.
- E. Fresh pursuit.
- F. Use of force.

SEARCH WARRANTS:

- A. History of the Fourth Amendment.
- B. Definition of search warrant
- C. Obtaining a search warrant
 - a. Who may issue
 - b. Grounds
 - i. Probable cause.
 - ii. Items subject to seizure.
 - iii. Description of place or person to be searched.
 - iv. Description of things to be seized.
- D. Contents of the Warrant
- E. Execution of the warrant
 - a. Who may execute
 - b. Time considerations
 - c. Gaining entry to premises
 - d. Search and seizure of persons and items not named on warrant
 - e. Intensity of search
 - f. Duties after search is completed
- F. Administrative search warrants
- G. Title III of the Omnibus Crime Control and Safe Streets Act of 1968.
 - a. Conflicting demands for privacy and more effective law enforcement.
 - b. Judicial supervision
 - c. Procedures for interception orders
 - i. Application for order
 - ii. Issuance of order
 - iii. Execution of order

PROBABLE CAUSE:

- A. Definition of probable cause
- B. Sources of information for establishing probable cause
 - a. Officer's own senses
 - b. Informants – Aguilar test
 - c. Gates vs. Illinois – totality of the circumstances test

STOP AND FRISK:

- A. Introduction – discussion of preference for search warrants and need for exceptions to the warrant requirement
- B. Review Chapter 4 and distinctions between formal arrests, seizures tantamount to arrest, stops, and minimal contacts between citizens and law enforcement officers.
- C. Reasonableness standard – balancing the right to be free from unreasonable searches and seizures against effective crime prevention and detection and the protection of law enforcement officers.

- D. Stop
 - a. Definition
 - b. Authority
 - c. Extent
- E. Frisk
 - a. Authority
 - b. Scope
- F. Examples – discussion of specific fact situations from actual cases.
- G. Miscellaneous issues
 - a. Are Miranda warnings required?
 - b. Frisk of persons of the opposite sex
 - c. Luggage and other containers

SEARCH INCIDENTAL TO ARREST:

- A. Chimel vs. California – allowable purposes of a search incident to arrest.
- B. Scope of search
 - a. Seizable property
 - b. Full search of arrestee's body
 - c. Search of area within the arrestee's immediate control
 - i. Motor vehicles
 - ii. Other persons
- C. Other requirements for a valid search incident to arrest
 - a. Lawful custodial arrest
 - b. Contemporaneity of arrest with search
 - c. Who may conduct the search
 - d. Use of force

CONSENT SEARCHES

- A. Introduction – benefit of consent searches
- B. Voluntariness – requirement
- C. Scope
 - a. Consent to enter not necessarily consent to search
 - b. Plain view doctrine
 - c. Area of search
 - d. Time
 - e. Object of search
 - f. Revocation of consent
- D. Third party consent
 - a. Persons with equal rights or interests
 - b. Particular relationships
 - c. Reasonable expectation of privacy

PLAIN VIEW DOCTRINE:

- A. Introduction – distinction between plain view observations and search
- B. Requirements of the Plain View Doctrine
 - a. Officer must be in a position in which he/she has legal right to be.
 - b. Officer must not unreasonably intrude on any person's reasonable expectation of privacy
 - c. Officer must actually observe the item of evidence
 - d. The item of evidence must be lying in the open
 - e. Officer must have probable cause to believe that the item observed is subject to seizure
 - f. The discovery of the item of evidence by the officer need not be inadvertent.

SEARCH AND SEIZURE OF VEHICLES AND CONTAINERS:

- A. Introduction – unique nature of motor vehicles
- B. Carroll Doctrine
 - a. Probable cause
 - b. Impounding the vehicle
 - c. Exigent circumstances
 - d. Scope of search
- C. Movable containers – way they are treated differently from motor vehicles
- D. Impoundment and inventory of vehicles
 - a. Requirements
 - b. Plain view doctrine

- E. Expectation of privacy

OPEN FIELDS AND ABANDONED PROPERTY:

- A. Introduction – Hester case
- B. Open fields
 - a. Determination of cartilage
 - b. Reasonable expectation of privacy
 - c. Plain view, open fields and observations into constitutionally protected areas
- C. Abandoned property
 - a. Factors determining abandonment
 - b. Reasonable expectation of privacy

ADMISSIONS AND CONFESSIONS

- A. Historical background – admissibility of admission and confessions
 - a. Voluntariness
 - b. Escobedo vs. Illinois
 - c. Miranda vs. Arizona
- B. Issues of Miranda
 - a. Custody – definition and determination
 - b. Interrogation
 - i. Definition and determination
 - ii. Multiple attempts
 - c. Warning
 - i. Contest and administration
 - ii. Does suspect require warning?
 - d. Waiver
 - i. Obtaining – form
 - ii. Words and actions indicating
 - iii. Voluntariness
 - e. Miscellaneous issues
 - i. Fourth Amendment violations
 - ii. Applicability of Miranda to misdemeanors and other situations
 - iii. Effect of Miranda violation in court

PRETRIAL IDENTIFICATION PROCEDURES:

- A. Introductions – definition of terms and discussion of dangers of mistaken identification in pretrial identification procedures
- B. Requirement of counsel – Wade-Gilbert rule
- C. How to conduct a lineup
- D. Exceptions to requirement of counsel
 - a. Identifications conducted before the initiation of adversary judicial proceedings
 - i. Kirby vs. Illinois
 - ii. Stovall vs. Denno
 - iii. Neil vs. Biggers
 - iv. Manson vs. Braatlwaite
 - b. Emergency identifications
- E. Photographic identifications
 - a. Right to counsel
 - b. How to conduct a photographic identification

Course Texts and/or Other Study Materials:

Criminal Procedure for the Criminal Justice Professional 12th Edition

by John N. Ferdico, Henry F. Fradella, Christopher D. Totten

Edition: 12th

ISBN13: 978-1305261488

ISBN10: 1305261488

Research, Writing, and/or Examination Requirement(s):

Criminal Law requires students to complete a combination of examinations and writing assignments that encourage critical thinking and engagement with key concepts in the field. Through classroom discussions and assignments, students will analyze fundamental theories, policies, and contemporary issues in criminal justice. Memorization of key terms and principles should be considered a starting point rather than the final goal of learning. Students will be assessed through two exams and one writing assignment, along with other course activities designed to develop analytical and communication skills essential for success in the discipline.

Grading Policy:

The final grade in the course will be determined by a student's overall mastery of the subject matter as evidenced on exams, out-of-class writing assignments and class participation.

BCC Attendance Policy:

All students are expected to attend every scheduled meeting of each course in which they are registered. Attendance and lateness policies and sanctions are to be determined by the instructor for each section of each course. These will be established in writing on the individual course outline. Attendance will be kept by the instructor for administrative and counseling purposes.

Attendance Policy in This Course

Students are expected to attend every scheduled class and to arrive punctually. Attendance will be taken at each class session. It is expected that class will be conducted in such a manner that students will benefit from both the lectures and class discussions. Each student is held responsible for all material presented. While there is no automatic penalty for being absent from class, attendance is generally reflected in the student's overall performance. Those who arrive late or leave early disrupt class. If you find that it is absolutely necessary for you to leave the class early, please consult with the instructor before the beginning of the class, and take a seat close to the door so as not to disturb others when you leave. Make-u

Other College, Divisional, and/or Departmental Policy Statements

Student and Faculty Support Services

Accessibility Statement

Bergen Community College is committed to ensuring the full participation of all students in its programs. If you have a documented disability (or think you may have a disability) and, as a result, need a reasonable accommodation to participate in this class, complete course requirements, or benefit from the

College's programs or services, contact the Office of Special Services (OSS) as soon as possible at 201-612-5270 or www.bergen.edu/oss. To receive any academic accommodation, you must be appropriately registered with OSS. The OSS works with students confidentially and does not disclose any disability-related information without their permission. The OSS serves as a clearinghouse on disability issues and works in partnership with faculty and all other student service offices.

Student Support Services

Bergen Community College provides exemplary support to its students and offers a broad variety of opportunities and services. A comprehensive array of student support services including advising, tutoring, academic coaching, and more are available online at <https://bergen.edu/currentstudents/>.



Sidney Silverman Library Online Resources:

[Guides BY SUBJECT - LibGuides at Bergen Community College](#)

General Search and Databases: [Library | Bergen Community College](#)

Course Outline and Calendar

The Course Outline and Calendar must include all of the following elements;

- A daily or (at least) weekly schedule of topics to be covered.
- Dates for exams, quizzes, or other means of assessment.
- Due dates for major assignments-e.g., due dates for the paper(s), due dates for the project(s) etc.
- Any required special events-e.g., a lecture by a visiting speaker, a dramatic performance etc.
- A note to students stating that the course outline and calendar is tentative and subject to change, depending upon the progress of the class.

Sample Format for Course Outline and Calendar

Note to Students: The following Course Outline and Calendar is tentative and subject to change, depending upon the progress of the class.

Module or Week #	Topic	Assignments
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0	Welcome to CRJ 103!	Readings: <ul style="list-style-type: none"> • Course Syllabus • Course Content Assignments: <ul style="list-style-type: none"> • Introduction video of yourself
1		•
2		•
3		•
4		•
5		•
6		•
7	Midterm Exam	
8		•
9		•
10		•
11		•
12		•
13		•
14	Final Exam	