CONSTITUTIONAL CRIMINAL PROCEDURE I  
Syllabus

M,W 3-4:15

The text to be used in this course will be Kamisar, LaFave, Israel, King & Kerr, Basic Criminal Procedure (14th edition). Page references appearing on the attached assignment sheet refer to this text. I have recommended, but not required, a hornbook, Criminal Procedure, by LaFave, Israel & King. The hornbook can be helpful if you are having trouble putting together the various concepts we cover. In addition to the matters covered in the text, a few Maryland decisions have been assigned.

Class attendance is a primary obligation of each student whose right to continued enrollment in the course and to take the examination is conditioned upon a record of attendance satisfactory to the professor [see Attendance Policy http://law.ubalt.edu/template.cfm?page=267]. A student who exceeds the maximum allowable absences may be compelled to withdraw from the course, or may be barred from sitting for the final exam. A student who is compelled to withdraw or is barred from sitting for the final exam may receive an “F” in the course. Attendance will be taken at the beginning of each class. A student who is present, but unprepared for class, may be treated as absent.

Your grade is based on the midterm examination, the final examination, and can be affected by your performance in class.

My office number is room 1119, and I am available and anxious to discuss with you matters dealing with the subject matter of this course or entirely unrelated to it. My office phone number is 410-837-4603 and my e-mail address is sgrossman@ubalt.edu. Feel free to stop by with or without an appointment.

Class  Assignment

1  Introduction to the Criminal Justice System and Due Process Incorporation, Pp 1-36

2  Exclusionary Rule, Pp. 202-227

3  Exclusionary Rule and Expectation of Privacy, Pp. 227-247

4  Expectation of Privacy (cont.), Pp. 247-264

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Probable Cause, Pp. 267-286
Warrants, Pp. 286-304
Warrant Exceptions, Pp. 304-323
Warrant Exceptions II, Pp. 323-343
Warrant Exceptions III, Pp. 343-362
Warrant Exceptions IV, Pp. 362-382
Stop and Frisk, Pp. 382-397
Stop and Frisk II, Pp. 397-412
Administrative Searches and Consent, Pp. 412-428
Consent Searches and Undercover Investigations, Pp. 428-445
Midterm
Network Surveillance, Pp. 466-486
Introduction to Confessions, Pp. 505-526
Miranda and Dickerson, Pp. 531-551 and 640-646
Miranda Warnings, Custody and Interrogation, Pp. 552-571 (don’t miss fn s p.557 and fn t p.558
Miranda Exceptions and Waiver, Pp. 571-580 (through 12), 587(16)-595 (through Barrett)
Invocation of Miranda Rights and Consequences, Pp. 595--617
Invocation (cont.) and Comparing the Various Confession Law Constitutional Protections, Pp. 618-636
Confessions and Due Process and Evidence Derived from Confessions, Pp. 652-669
Due Process (cont.) and the Sixth Amendment, Pp. 684-697, 76-80, 697-704 (through note 4)
The Sixth Amendment (cont.) and Introduction to Identifications, Pp. 704-721
Identifications, Pp. 721-746
Standing, Pp. 827-842
Fruits of the Poisonous Tree and Impeachment, Pp. 842-858 and 862-866