

**CONSTITUTIONAL CRIMINAL PROCEDURE I**  
**Syllabus**

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.

American Bar Association Standards for Law Schools establish guidelines for the amount of work students should expect to complete for each credit earned. Students should expect approximately one hour of classroom instruction and two hours of out-of-class work each week for each credit earned in a class, or an equivalent amount of work for other academic activities, such as simulations, externships, clinical supervision, co-curricular activities, and other academic work leading to the award of credit hours.

The University of Baltimore's Sexual Misconduct and Nondiscrimination policy is compliant with Federal laws prohibiting discrimination. Title IX requires that faculty, student employees and staff members report to the university any known, learned or rumored incidents of sex discrimination, including sexual

harassment, sexual misconduct, stalking on the basis of sex, dating/intimate partner violence or sexual exploitation and/or related experiences or incidents. Policies and procedures related to Title IX and UB's nondiscrimination policies can be found at: <http://www.ubalt.edu/titleix>.

The learning outcomes for CCP I come through the vehicles of students' participation in class, a midterm examination and a final examination. After the examinations are graded, an individual answer key is provided for each exam. This answer key enumerates every issue in a question, the best response to that issue, how many points the issue is worth and how many of those points the student earned through his or her answer. This allows me to achieve a specific set of learning outcomes for each student.

The midterm is returned to the students in class and I go over the exam and the answers with them. They are invited to see me in my office if they still have questions about their exams.

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](mailto:sgrossman@ubalt.edu). Feel free to stop by with or without an appointment.

<u>Class</u>	<u>Assignment</u>
1/10	Introduction to the Criminal Justice System and Due Process Incorporation, Pp 1-36
1/12	Exclusionary Rule, Pp. 202-227
1/17	Exclusionary Rule and Expectation of Privacy, Pp. 227-247
1/19	Expectation of Privacy (cont.), Pp. 247-264, after p.258, see * <u>Grady v. N.C.</u>
1/24	Probable Cause, Pp. 267-286
1/26	Warrants, Pp. 286-304
1/31	Warrant Exceptions, Pp. 304-323, after p. 319, see * <u>Birchfield v. N.Dak.</u>

- 2/2 Warrant Exceptions II, Pp. 323-343
- 2/7 Warrant Exceptions III, Pp. 343-362
- 2/9 Warrant Exceptions IV, Pp. 362-382
- 2/14 Stop and Frisk, Pp. 382-397
- 2/16 Stop and Frisk II, Pp. 397-412, after p.405, see \* Rodriguez v. U.S.
- 2/21 Administrative Searches and Consent, Pp. 412-428, after p.413, see \* City of Los Angeles v. Patel
- 2/23 Consent Searches and Undercover Investigations, Pp. 428-445
- 2/28 Network Surveillance, Pp. 466-486
- 3/2 Midterm
- 3/7 Introduction to Confessions, Pp. 505-526
- 3/9 Miranda and Dickerson, Pp. 531-550 and 640-646
- 3/14 Miranda Warnings, Custody and Interrogation, Pp. 552-571 (don't miss fn s p.557 and fn t p.558)
- 3/16 Miranda Exceptions and Waiver, Pp. 571-580 (through 12), 587(16)-595 (through Barrett)
- 3/28 Invocation of Miranda Rights and Consequences, Pp. 595--617
- 3/30 Invocation (cont.) and Comparing the Various Confession Law Constitutional Protections, Pp. 618-636
- 4/4 Confessions and Due Process and Evidence Derived from Confessions, Pp. 652-669
- 4/6 Due Process (cont.) and the Sixth Amendment, Pp. 684-697, 76-80, 697-704 (through note 4)
- 4/11 The Sixth Amendment (cont.) and Introduction to Identifications, Pp. 704-721
- 4/13 Identifications, Pp. 721-746
- 4/18 Standing, Pp. 827-842
- 4/20 Fruits of the Poisonous Tree and Impeachment, Pp. 842-858 and 862-866, after p. 842, see \* Utah v. Strieff

\*denotes case summary on TWEN course website