

COURT SYSTEMS AND PRACTICES

CRIJ 1306

NORTHEAST TEXAS COMMUNITY COLLEGE

SPRING 2018

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COURT SYSTEMS AND PRACTICES

Course Number: CRIJ 1306 **Course Title:** Court Systems and Practices
Course Credit Hours: 3 **Lecture Hours:** 3 **Lab Hours:** None **Clinical/Recitation Hours:** None
Prerequisite: None **Co-requisite:** None
Instructor's Name: Bob Hedges **Office Location:** IA 105 **Office Hours:** Posted on front window of IA 105

Contact Information:

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In case of emergency contact: Charla Hunt (903) 434-8207

Textbook: Each student is required to have the latest edition of the Texas Criminal and Traffic Law Manual. LexisNexis Matthew Bender Publications. ISBN# 978-1-63283-072-2. Copies are available in the college bookstore and via the Internet. **THE TEXTBOOK IS REQUIRED TO SUCCESSFULLY COMPLETE THE COURSE.**

Supplies: Notepaper, writing tools (pencil, pen), and highlighter.

Course Description: This course shall include instruction regarding the judiciary in the criminal justice system; the structure of the American court system; prosecution; right to counsel; pre-trial release; grand juries; the adjudication process; types and rules of evidence; and sentencing.

Course Learning Objectives: Please see the outline of the objectives and goals of this class noted below:

6. Code of Criminal Procedure

The student will have an understanding of the statutory authority for administration of criminal procedure as enumerated by the Texas Code of Criminal Procedure (CCP).

The student will be able to identify the basis for administration of criminal procedure in Texas.

Short title	CCP 1.01
Effective date	CCP 1.02
Objects of this code	CCP 1.03

The student will be able to identify the basic rights enumerated in the CCP.

Due course of law	CCP 1.04
Rights of accused	CCP 1.05
Right to representation of counsel	CCP 1.051
Searches and seizures	CCP 1.06
Right to bail	CCP 1.07
Habeas corpus	CCP 1.08
Cruelty forbidden	CCP 1.09
Jeopardy	CCP 1.10
Acquittal a bar	CCP 1.11
Right to jury	CCP 1.12
Waiver of trial by jury	CCP 1.13
Waiver of rights	CCP 1.14
Waiver of indictment for noncapital felony	CCP 1.141

Jury in felony	CCP 1.15
Liberty of speech and press	CCP 1.16
Religious belief	CCP 1.17
Outlawry and transportation	CCP 1.18
Privilege of legislators	CCP 1.21
Dignity of state	CCP 1.23
Public trial	CCP 1.24
Confronted by witnesses	CCP 1.25
Common law governs	CCP 1.27

The student will be able to identify who are Magistrates and their duties.

Who are magistrates	CCP 2.09
Duty of magistrates	CCP 2.10
Examining court	CCP 2.11

The student will be able to identify who are Peace Officers.

Who are peace officers	CCP 2.12
Railroad peace officers	CCP 2.121
Special investigators	CCP 2.122
Adjunct police officers	CCP 2.123
Peace officers from adjoining states	CCP 2.124

The student will be able to list the duties of peace officers.

Duties and powers	CCP 2.13
May summon aid	CCP 2.14
Person refusing to aid	CCP 2.15
Neglecting to execute process	CCP 2.16
Conservator of the peace	CCP 2.17
Custody of prisoners	CCP 2.18
Deputy	CCP 2.20
Investigation of certain reports of child abuse	CCP 2.27

The student will be able to list the duties of peace officers relating to Racial Profiling.

Racial profiling	CCP 3.05
Racial profiling prohibited	CCP 2.131
Law enforcement policy on racial profiling	CCP 2.132
Reports required for traffic and pedestrian Stops	CCP 2.133
Liability	CCP 2.136

The student will be able to list the duties of peace officers relating to Forfeiture of Contraband.

Definitions	CCP 59.01
Forfeiture of contraband	CCP 59.02
Seizure of contraband	CCP 59.03
Notification of forfeiture proceeding	CCP 59.04

The student will be able to identify courts which have criminal jurisdiction.

What courts have criminal jurisdiction	CCP 4.01
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The student will be able to identify the jurisdiction of the Courts of Appeals.

Courts of appeals CCP 4.03

The student will be able to identify the jurisdiction of the Court of Criminal Appeals.

Court of criminal appeals CCP 4.04

The student will be able to identify the jurisdiction of District Courts.

Jurisdiction of district courts CCP 4.05

The student will be able to identify the jurisdiction of the County Courts.

Jurisdiction of county courts CCP 4.07

Appellate jurisdiction of county courts CCP 4.08

Appeals from inferior courts CCP 4.09

The student will be able to identify the jurisdiction of the Justice Courts.

Jurisdiction of justice courts CCP 4.11

Misdemeanor cases CCP 4.12

Justice may forfeit bond CCP 4.13

The student will be able to identify the jurisdiction of Municipal Courts.

Municipal court CCP 4.14

The student will be able to list the duties of officers relating to Family Violence Prevention.

Legislative statement CCP 5.01

Definitions CCP 5.02

Family or household relationship does not create an exception to official duties CCP 5.03

Duties of peace officers CCP 5.04

Standby assistance: liability CCP 5.045

Reports and records CP 5.05

Venue for protective order offenses CCP 5.07

The student will be able to list the duties of officers relating to threats of injury or death to persons or damage to property.

Duty of peace officer as to threats CCP 6.05

Peace officer to prevent injury CCP 6.06

Conduct of peace officer CCP 6.07

Protective order prohibiting offense caused by bias or prejudice CCP 6.08

The student will be able to list the duties of officers relating to Suppression of Riots and Other Disturbances.

Officer may require aid CCP 8.01

Dispersing riot CCP 8.04

Officer may call aid CCP 8.05

Means adopted to suppress CCP 8.06

Unlawful assembly CCP 8.07

Power of special constables CCP 8.09

The student will be able to identify the time limitations relating to Felony Offenses.

Felonies CCP 12.01

The student will be able to identify the time limitations relating to Misdemeanor Offenses.

Misdemeanors CCP 12.02

The student will be able to identify the time limitations relating to Aggravated Offenses, Attempt, Conspiracy, Solicitation, Organized Criminal Activity.

Aggravated offenses, attempt, conspiracy, solicitation, organized criminal activity CCP 12.03

The student will be able to list the duties of officers relating to Arrest Without Warrant.

Offense within view	CCP 14.01
Within view of magistrate	CCP 14.02
Authority of peace officers	CCP 14.03
Public intoxication	CCP 14.031
When felony has been committed	CCP 14.04
Rights of officer	CCP 14.05
Arrest by peace officer from other jurisdiction	CCP 14.051
Must take offender before magistrate	CCP 14.06

The student will be able to list the duties of officers relating to Arrest Under Warrant.

Warrant of arrest	CCP 15.01
Requisites of warrant	CCP 15.02
Magistrate may issue warrant or summons	CCP 15.03
Warrant extends to every part of the state	CCP 15.06
Warrant issued by other magistrate	CCP 15.07
Warrant may be telegraphed	CCP 15.08
Complaint by telegraph	CCP 15.09
Warrant or complaint must be under seal	CCP 15.12
How warrant is executed	CCP 15.16
Duties of arresting officer and magistrate	CCP 15.17
Arrest for out-of-county offense	CCP 15.18
Notice of arrest	CCP 15.19
Duty of sheriff receiving notice	CCP 15.20
Prisoner discharged if not timely demanded	CCP 15.21
When a person is arrested	CCP 15.22
Time of arrest	CCP 15.23
What force may be used	CCP 15.24
May break door	CCP 15.25
Authority to arrest must be made known	CCP 15.26
Notification to schools required	CCP 15.27

The student will be able to list the duties of officers relating to Search Warrants.

Search warrant	CCP 18.01
Grounds for issuance	CCP 18.02
Issuance of search warrant to photograph injured child	CCP 18.021
Search warrant may order arrest	CCP 18.03
Contents of warrant	CCP 18.04
Warrants for fire, health, and code inspections	CCP 18.05
Execution of warrants	CCP 18.06
Days allowed for warrant to run	CCP 18.07
Power of officer executing warrant	CCP 18.08
Shall seize accused and property	CCP 18.09
How return made	CCP 18.10
Custody of property found	CCP 18.11

The student will be able to explain court papers relating to offenses.

Complaint	CCP 15.04
Requisites of complaint	CCP 15.05
Requiring polygraph examination of complainant prohibited	CCP 15.051
Commitment	CCP 16.20
“Indictment”	CCP 21.01
“Information”	CCP 21.20
Information based upon complaint	CCP 21.22
Joinder of certain offenses	CCP 21.24
Definition of a “capias”	CCP 23.01
Its requisites	CCP 23.02

The student will be able to explain court papers relating to witnesses.

Issuance of subpoenas	CCP 24.01
Subpoenas; child witnesses	CCP 24.011
Subpoena duces tecum	CCP 24.02
Service and return of subpoena	CCP 24.04
Refusing to obey	CCP 24.05
Requisites of an “attachement”	CCP 24.11
Duty of officer receiving said subpoena	CCP 24.17

The student will be able to explain the bail procedure.

Definition of “bail”	CCP 17.01	
Release on bond of certain persons arrested without a warrant		CCP 17.033
Rules for fixing amount of bail	CCP 17.15	
Bail in misdemeanor	CCP 17.20	
Bail in felony	CCP 17.21	
May take bail in felony	CCP 17.22	
Accused liberated	CCP 17.29	
Further detention of certain persons	CCP 17.291	
Magistrate’s order for emergency protection	CCP 17.292	
Crime victim’s rights	CCP 56.02 (a)(2), (4)	

The student will be able to identify requirements for an Inquest.

Definition	CCP 49.01	
Applicability	CCP 49.02	
Time and place of inquest; removal of property and body from place of death		CCP 49.05(d), (e), (f)
Hindering an inquest	CCP 49.06	
Notification of investigating official	CCP 49.07(b)	
Evidence	CCP 49.17	
Death in custody	CCP 49.18	
Warrant of arrest	CCP 49.19	
Office of death investigator	CCP 49.23	
Medical examiners	CCP 49.25	

The class will also cover Articles 55 thru 64 for general purpose and understanding.

Course Requirements: Students must do the following:

1. Attend class regularly and on time.
2. Demonstrate knowledge of all learning objectives as determined and approved by the instructor.
3. Read all materials and do all work on time and in a quality manner as dictated by the group and/or by the instructor.

4. Take responsibility for the learning process.
5. Cooperate freely with other students on the project and other class assignments.
6. Complete all exams and coursework.

Course Format: Lecture, class discussion, and possible small group project

Method of Evaluation: Test scores, class participation, attendance, term papers (when assigned), projects (when assigned)
 Tests will include questions requiring fill in the blank, listing, matching, true/false, short-answer, and, or essay. The essay questions will be graded on the quantity and quality of the content. Spelling and sentence structure will be considered during grading. There will be a review before each test. All tests have equal grade weight. The final will not be comprehensive. Any tests missed should be made-up immediately and will be subject to penalties during scoring. Students who miss a test will be expected to complete a required make-up test the next class period they return. The instructor reserves the right to give make-up tests in an alternative format. Class participation will be evaluated by the instructor according to the student's willingness and ability to participate in discussion, question/answer sessions, any required oral presentations, and their contributions during group work assignments.

Grade weights:	Timely completion of out of class test exercises	30%
	Tests, term paper, project (total of 3 to 4)	25%
	Class participation	20%
	Attendance	25%

(See attendance policy below.)

Score/Grade range: A 90+ B 80-89 C 70-79 D 60-69F 59 and below

Attendance Policy: ATTENDANCE IS CRITICAL. The class roll will be called and recorded each class meeting. Traditional day class students can have 3 absences without a grade penalty. Night class students or classes that meet one time per week (includes hybrid classes) can have 1 absence without a grade penalty. Summer session students can have 2 absences without a grade penalty. In any class, two tardies equal an absence. Tardies will be recorded when a student arrives late or leaves early. IT IS THE STUDENT'S RESPONSIBILITY TO ADVISE MR. HEDGES OF A "TARDY" IMMEDIATELY AT THE END OF THAT DAY'S CLASS OR THE RECORDED ABSENCE REMAINS THE OFFICIAL ROLL RECORD. Beyond these allowances, students lose 10 points from their attendance grade for each additional absence. Students can contact Mr. Hedges during conference hours to possibly arrange "make-up" work if the absences are not too severe. Students must do this on their own initiative. Discuss attendance problems with your instructor. The instructor reserves the right to withdraw a student from class. However, it is the student's responsibility to withdraw from class by contacting the registrar's office prior to the last day to withdraw during each semester. **Please see the schedule of classes for the last day to withdraw.**

Religious Holy Days: please refer to the current Northeast Texas Community College Student Handbook

ADA Statement: It is the policy of Northeast Texas Community College to provide reasonable accommodations for qualified individuals who are students with disabilities. This College will adhere to all applicable federal, State and local laws, regulations and guidelines with respect to providing reasonable accommodations as required to afford equal educational opportunity. It is the student's responsibility to arrange an appointment with a College counselor to obtain a Request for Accommodations form. For more information, please refer to the Northeast Texas Community College Catalog or Student Handbook.

Academic Ethics: Northeast Texas Community College may initiate disciplinary proceedings against a student accused of scholastic dishonesty. Scholastic dishonesty includes, but is not limited to, statements, acts, or omissions related to applications for enrollment or the award of a degree, and/or the submission as one's own work material that is not one's own. Scholastic dishonesty may involve, but is not limited to, one or more of the following acts: cheating, plagiarism, collusion, use of annotated texts or teacher's editions, and/or falsifying academic records. **Plagiarism** is defined as the appropriation of any person's work and the unacknowledged incorporation of that work in one's own work offered for credit. **Cheating** is defined to include the following: copying from another student's paper; using materials during a test not authorized by the person giving the test; collaborating with any other person during the test without permission; knowingly obtaining, using, buying, selling, transporting, or soliciting in whole or in part the content of test not yet administered; substituting for another student or permitting any other person to substitute for oneself; copying computer or Internet files, using someone else's work for assignments as if it were one's own, or any other dishonest means of attempting to fulfill the requirements of a course. **Collusion** is defined as the unauthorized collaboration with any person in preparing work offered for credit.

Students are expected to complete course work in an honest manner, using their intellects and resources designated as allowable by the course instructor. Students are responsible for addressing questions about allowable resources with the course

instructor. **NTCC upholds the highest standards of academic integrity. This course will follow the NTCC Academic Honesty policy stated in the Student Handbook.**

NTCC Tobacco Use Policy: The use of tobacco products including smokeless tobacco, smoking tobacco, and any legal smoking preparation is prohibited in all College buildings, enclosed facilities, inner campus, and College owned vehicles.

Tobacco use is **prohibited in:**

1. All enclosed buildings and facilities, including but not limited to, classrooms, offices, food service areas, lavatories and residence halls.
2. All exterior areas in the inner campus and parking lots.
3. All college owned vehicles.

Tobacco use is **permitted in:**

1. Personal vehicles.
2. Designated smoking huts on the west side of campus.

Please, do not bring children to class. Obtain prior permission from your instructor before bringing adult visitors to class.

Please **do not bring cell phones** into the classroom.