

**UNIVERSITY OF MISSOURI**  
SCHOOL OF LAW  
CRIMINAL JUSTICE ADMINISTRATION  
SPRING 2018  
TUES., THURS., & FRI. 9:00 AM - 9:50 AM  
ROOM 3  
MITCHELL

OFF. 232 HULSTON HALL  
OFF. HRS: BY APPT.  
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### **Course and University Policies**

**Attendance:** Class attendance is required. Beginning on Thursday, January 17, 2018, an attendance sheet will be passed around class each day. Students who are present should place their initials next to their names. The attendance sheet is will be considered final. If your initials are not next to your name you will be treated as absent. No distinction will be made between excused and unexcused absences.

The following consequences for absences will apply. After Absence #3 (i.e. Absence 4), you will lose **1 POINT** from your final exam for each class missed. After Absence # 6 (i.e. Absence 7), you will lose **2 POINTS** from your final exam for each class missed. Absence #10, you will be administratively dropped from the class. If you are absent from a make-up class, that will not count towards your absences.

**Learning Outcomes:** The expected learning outcomes for this course are that students will:

- become familiar with the process of the criminal justice system from entry into the system to the various exit points;
- learn the landmark cases, state cases, and relevant Missouri cases that impact and changed the administration of the criminal justice system;
- learn how to present persuasive arguments with respect to prosecuting and defending an individual in the criminal justice system;
- gain knowledge useful for entry into the legal profession as a prosecutor or defense counsel, as well as the underlying policies that guide the decision making of various stakeholders; and
- gain familiarity with the nuts and bolts of the criminal justice system

**Students with Disabilities:** If you anticipate barriers related to the format or requirements of this course, if you have emergency medical information to share with me, or if you need to make arrangements in case the building must be evacuated, please let me know as soon as possible.

If disability related accommodations are necessary (for example, a note taker, extended time on exams, captioning), please register with the Disability Center (<http://disabilitycenter.missouri.edu>), S5 Memorial Union, 573- 882-4696, and then notify me of your eligibility for reasonable accommodations. For other MU resources for persons with disabilities, click on "Disability Resources" on the MU homepage.

**Intellectual Pluralism:** The School of Law community welcomes intellectual diversity and respects student rights. Students who have questions concerning the quality of instruction in this class may address concerns to either the Dean or Director of the Office of Student Rights and Responsibilities (<http://osrr.missouri.edu>). All students will have the opportunity to submit an anonymous evaluation of the instructor at the end of this course.

**The Honor Code:** All students of the University of Missouri are responsible for knowing and adhering to the Honor Code of this institution. Violations of this policy may include: cheating, dishonesty, obstructing the work of another; impeding the administration of the Honor Code, word plagiarism, idea plagiarism,

professional misconduct, obstruction of the performance of law school functions, M-Book violations, or attempting to commit prohibited conduct. Students found to be in violation of the Honor Code will be subject to academic and/or non-academic sanctions.

**Participation:** Classroom participation is a required component and a part of your final grade. I expect your comments to be meaningful and contribute positively to the class discussion. If you are absent from a class, you will automatically be **ON-CALL** the next class meeting. If you are unprepared for a class, you can approach me **PRIOR** to the start of class and ask for a pass. **DO NOT ABUSE** the policy. Your class participation grade will reflect the times in which you pass because of a lack of preparation.

**Computer Usage:** The use of laptops to take notes in class is a privilege, one that should not be taken for granted and one that can be rescinded. During class, you should not be surfing the internet, instant messaging, e-mailing, or anything other than taking notes. **A violation of this policy may result in a ban on the use of computers for the entire class.**

**Classroom:** Students and faculty each have a responsibility for maintaining an appropriate learning environment. Students who fail to adhere to behavioral standards may be subject to discipline. Faculty has the professional responsibility to treat students with understanding, dignity and respect, to guide classroom discussion and to set reasonable limits on the manner in which students express opinions.

Disagreements and statements of opinion are not only welcomed, but also strongly encouraged. Statements, however, should be made respectfully. As the law has protected classes, this classroom shall also be a safe place regardless of an individual's race, nationality, gender, sexual orientation, religious beliefs, political ideology, ability, and any others that I may have forgotten.

The class will operate according to the traditional Socratic Method but I encourage students to volunteer with responses and I will often leave a question open to the floor before calling on someone. You are expected to be an active participant in the discussion which means not only contributing your comments but also being an active listener and paying attention to the comments of others.

### **Required Text(s)**

Marc L. Miller and Ronald F. Wright. *Criminal Procedures: Prosecution and Adjudication. Cases, Statutes, and Executive Materials* (5th ed. 2015) ("M&W").

**Readings:** All additional readings for the course not in the casebook can be found on TWEN.

**Assignments:** For each class, please read the pages or assigned readings in the right hand margin of the syllabus. Please prepare the Problems assigned in advance of coming to class.

**TWEN (The West Education Network):** You are required to sign on to TWEN for this course and any and all communication will be through this site. If you have any questions regarding the use of the site, you can refer to the *Student's Guide to TWEN* or seek assistance from the appropriate library staff member.

**Exam:** The **FINAL EXAM** is a **SIX** (6) hour, take-away exam that can be picked up any day during the exam period that Room 203 is open. You cannot pick it up with less than six hours to complete it. No exams will be accepted after the office is closed. The exam will cover the entire semester. You are allowed to reference **ONLY** an outline that you have created in whole or in part.

**Final Grade:** Your final grade will consist of the following:

Final Exam (90%)  
Class Participation (10%)

**Note:** All information contained herein is subject to change at the Professor's discretion.

**Syllabus: Criminal Justice Administration (“Bail to Jail”)**

<b>Class</b>	<b>Topic</b>	<b>Texts</b>	<b>Other</b>
		M&W	TWEN
1/16	Introduction		Review: Criminal Justice System Flowchart <a href="http://bjs.ojp.usdoj.gov/content/justsys.cfm">http://bjs.ojp.usdoj.gov/content/justsys.cfm</a>  Read: <i>Powell v. Alabama</i> : The Supreme Court Confronts “Legal Lynchings” (Parts 1 - 3) (pp. 1 – 44) (TWEN)
<b>I-Defense Counsel</b>			
1/18	When Will Counsel Be Provided? and Types of Charges	1-18	Probs. 11-1 and 11-2
1/19	Types of Proceedings; Selection & Rejection of Counsel	19-38	Probs. 11-4 and 11-5
1/23			BNA, “San Francisco Commits to Provide Right to Counsel in Civil Cases.”80 U.S.L.W. 1239  San Francisco Commits to Provide Right to Counsel in Civil Cases (Proposed Ordinance)  Note, Rethinking the Boundaries of the Sixth Amendment Right to Choice Of Counsel, 124 Harv. L. Rev. 1550 (2011)
1/25	Systems for Providing Counsel	59-84	Probs. 11-8 and 11-9
1/26	Systems for Providing Counsel (cont.)		“System Overload: The Cost of Under-Resourcing Public Defense,” Justice Policy Institute, July 2011 (pp. 1-29)

1/30	Adequacy of Counsel and Ethics of Defending Criminals	38-59; 84-92	Probs. 11-6 and 11-7
<b>II – Pretrial Release and Detention</b>			
2/1	Pretrial Release: Change in Bail Practices; Who Sets Bail	93-111	Prob. 12-1
2/8	Pretrial Detention; Detention of Excludable Aliens and Enemy Combatants	112-129	Prob. 12-2 and 12-3
2/9	<b>NO CLASS</b>		
<b>III – Charging</b>			
2/13	Police Screening; Prosecutorial Screening	131-161	Prob. 13-1
2/15	<b>NO CLASS</b>		
2/16	<b>NO CLASS</b>		
2/20	Prosecutorial Screening (cont.) and Selection of Charges	161-189	Prob. 13-2 and 13-4
2/20 MAKE- UP	Selection of System; Selective Prosecution; Grand Jury and Judicial Screening	189-218	Prob. 13-5
2/22			Transfer To Adult Court: A National Study Of How Juvenile Court Judges Weigh Pertinent Kent Criteria, 12 Psychol. Pub. Pol'y & L. 332 (2006)