

Course: Criminal Procedure - Investigations – Summer 2012
Instructors: Ryan McConnell and Tim Braley
Book: Criminal Procedure, Chemerinsky and Levenson (1st Ed)

CONTENT: This class will focus on the constitutional and procedural aspects of criminal investigations. Both professors have significant experience in conducting complex criminal investigations and the course is designed to bring real world prosecution experience to the class room.

GRADE: The grade in this class will be based on an exam given at the end of the semester. The exam will consist of short answer/essay style questions. Students will receive an outline of the materials that will be covered on the examination so there are no surprises.

ATTENDANCE: The law school mandates that you attend 80% of the classes. You must comply with this requirement.

PARTICIPATION: The class will be more fun if you participate in discussions and make a good faith effort to read all of the materials. If participation becomes a problem, the professors reserve the right to shame students into healthy class discussion.

OFFICE HOURS: Email us and we will make time to meet with you:
ryan.mcconnell@bakermckenzie.com or timothy.braley@usdoj.gov

READING:

This is a general roadmap of the material we'll cover in class. We will provide you with specific reading assignments each class. The point of the class is not to finish the syllabus but to provide you with an understanding of the materials. Frequently, we will cover material not in the casebook, but that will be covered on the outline.

Topic(s) covered	Pages
A. Background on Criminal Process	
Participants in the Criminal Justice System	1-5
Steps in the Criminal Process	5-14
Constitutional Framework	17-26
B. Searches and Seizures	

What is a search?	29-79
Requirements for Probable Cause?	82-96
Warrant Requirement	97-119
Exceptions to Warrant Requirement	
Searches Incident to Arrest	122-127
Hot Pursuit	127-131
Plain View	131-136
Automobile Exception	138-150
Inventory Searches	153-157
Border Crossing and Checkpoints	159-171
Consent	176-182
Special Needs	191-219
Exigent Circumstances	219-222
<u>Kentucky v. King</u> (2011)	Handout
<u>U.S. v. Jones</u> (2012)	Handout
Seizures and Arrests	234-239
<u>Terry</u> Stops	246-277
Electronic Surveillance	278-283
Title III	Handout
2703	Handout

	Other Computer Issues	Handout
	Informants/Cooperators	Handout
C.	Exclusionary Rule	
	Origins/Standing	291-314
	Exceptions	317-353
	Suppression Hearings	355
D.	Police Interrogation and Fifth Amendment Privilege Against Self Incrimination	
	Due Process and Requirements for Voluntariness	358-373
	<u>Miranda vs. Arizona</u>	374-395
	In Custody	395-407
	Interrogation	407-436
	Exceptions	439-462
	<u>Berghuis v. Thompkins</u>	Handout
	Sixth Amendment Right to Counsel	466-490
	Self Incrimination in Other Contexts	493-510
E.	Identification Procedures	
	Right to Counsel in Lineups	516-530
	Due Process Protections	536-546