



DEPARTMENT OF SOCIOLOGY AND CRIMINAL JUSTICE

COURSE: CJS 2203: CRIMINAL LAW AND PROCEDURE

CREDIT: 3

1.0 PURPOSE OF COURSE

This course surveys and analyzes the due process rights of individuals in the criminal justice process. Learners will discuss and analyze the structure and processes of local, state, and federal judicial systems paying special attention to the impact of the Bill of Rights on the practices of police, prosecutors, and judges, including an examination of the remedies available for the violation of those rights. Learners will explore topics including, searches and seizures, interrogations and confessions, and the identification and processing of suspects and defendants throughout the pretrial, trial, and post-trial stages.

Prerequisite: CJS 1101, CJS 1103 and CJS 1104

2.0 LINK TO UNIVERSITY MISSION OUTCOMES & TO PROGRAM LEARNING OUTCOMES

This course is considered an intermediary course in the program's curriculum. It provides knowledge and skills that meet the following University Mission Outcomes: 1. Higher order thinking; 2. Applying relevant theories of crime to analyze crime in society and the criminal justice system's response; 3. Appraise the role of ethics and diversity in criminal justice procedures in decision-making as a criminal justice professional; and 4. Use of ICT and emerging technological innovations in the analysis of crime and management of criminal justice systems.

3.0 COURSE LEARNING OUTCOMES

Upon successfully completing this course, the learner will be able to:

1. Discuss the legal foundations (fundamentals and organization) of criminal justice and criminal law involving constitutional limitations on the prohibition of criminal conduct.
2. Critically analyze the impact of key Superior Court decisions involving constitutional rights regarding arrested persons
3. Outline criminal procedures and processes in the judicial system during pretrial, trial, conviction, and post-conviction phases.
4. Understand law enforcement and criminal procedure pertaining to search and seizure, arrest, interrogation, and identification processes.

5. Analyze the legal liabilities and other consequences of police, prosecutorial, and judicial misconduct.
6. Demonstrate the ability to evaluate related material and critically reflect through written assignments and discussions with classmates.

4.0 REQUIRED COURSE TEXTBOOK

Kiage, P. (2014). *Essentials of criminal procedure in Kenya*. Law Africa Publishers

Scheb, J.M. & Scheb II, J.M. (2014). *Criminal Law & Procedure* (8th ed.). Belmont, CA: Wadsworth/Cengage Learning.

[**Additional readings will** be assigned as necessary to enhance the learning experience].

1.0 COURSE REQUIREMENTS AND ASSESSMENT

To pass this course, students must complete coursework (which includes, pop quizzes, presentations, reflection papers, group work, etc.) a mid-term examination, and a final examination. The instructor reserves the right to administer pop quizzes, as she may deem necessary. These will go towards your grade point. Students bear sole responsibility for any announcements made during class.

1.1 Coursework

Students will be required to write quizzes, group work, presentations, field trips, and reflection papers, as part of coursework. NO make-up coursework will be provided to students whose absence from class is without a legitimate reason as per university policy.

1.2 Exams

There will be one in-class midterm and a final exam. USIU-Africa Examination Policy is strictly adhered to when sitting for these examinations.

1.3 Grading

The final course grade will be based on the student's performance in continuous assessment and in the final test/exam as follows:

Item	Score
Case studies	10%
Simulations	5%
Case briefs	10%

Quizzes	10%
Presentations	10%
Attendance and Participation	5%
Mid-term Exam	20%
Final Exam	30%
Total	100%

Letter grades will be awarded as follows:

A = 100 – 90

A- = 89 – 87

B+ = 86 – 84

B = 83 – 80

B- = 79 – 77

C+ = 76 – 74

C = 73 – 70

C- = 69 – 67

D+ = 66 – 64

D = 63 – 62

D- = 61 – 60

F = 59 – 0 (or 7 class absences)

1.4 TEACHING METHODOLOGY

A lecture-discussion format will be used in this course. Students will always be welcome and encouraged to ask questions and make comments. This format will be most useful to those who have read the assigned content in advance because they will be able to ask and answer questions more effectively. In addition, guest speakers and videos will be introduced where possible as the course progresses, to enhance the learning experience.

1.0 COURSE POLICIES AND PROCEDURES

(1) Attendance

Students are expected to attend class as part of their grades. Non-attendance will most probably affect test and assignment grades because a large portion of the required material comes directly from class lectures and discussions. Students should refer to the USIU-Africa Catalog for the official policy on class attendance. This also goes hand in hand with late arrivals for lectures. The professor will not allow any student to come to class after the class period has started. This policy will be strictly applied.

(2) Plagiarism/Academic Dishonesty Statement

The following summary of the University's policy on academic honesty applies to conduct in this class: The University's goal is to foster an intellectual atmosphere that produces educated, literate people. Because cheating and plagiarism are at odds with that goal, they will not be tolerated in any form. Therefore, all work submitted by a student must represent that student's own ideas and effort; when the work does not, the student has engaged in academic dishonesty.

In the event that a student violates any provision of the United States International University policy on academic integrity as spelled out in the student handbook, the professor reserves the right to assign whatever grade for the course the professor judges to be appropriate, including a grade of F, without regard to the student's accumulated points. Violations of academic integrity will be handled in accordance with the University's policies. It is each student's responsibility to be familiar with the policies of the University regarding academic integrity and to avoid violating these policies.

(3) Use of Non-USIU-Africa E-Mails

All students MUST use USIU-Africa e-mail accounts when contacting the professor. The professor will not respond to any e-mail from a student that is from a non-USIU-Africa e-mail. If you have problems accessing your USIU e-mail, please contact the Helpdesk x333.

(4) Policy on Diversity

University-level education is about broadening horizons and looking at academic issues from a variety of perspectives. With this in mind, the participants in this class are encouraged to bring their own life experiences and viewpoints to bear on classroom discussions and assignments. Along with the freedom to express one's own views comes the responsibility to respect the views of others. No student will be discriminated against on the basis of race, ethnicity, disability, age, creed, religion, gender, sexual orientation, marital status, or political ideology.

(5) USIU-Africa Examination Regulations

All students MUST observe the official USIU-Africa examination regulations.

2.0 TENTATIVE COURSE SCHEDULE

The following is the order in which the various topics that make up the course will be covered. The specific dates during which each topic will be introduced to the class will be announced in class well in advance. The listing of topics incorporates most of the required readings.

Course Content

Topic 1: Fundamentals of Criminal Law and Procedure in Kenya

Topic 2: Organization of the Criminal Justice System

- Topic 3: Constitutional Limitations on the Prohibition of Criminal Conduct
- Topic 4: Elements of Crimes and Parties to Crimes
- Topic 5: Inchoate Offenses
- Topic 6: Homicidal Offenses
- Topic 7: Other Offenses against Persons
- Topic 8: Property Crimes
- Topic 9: White-Collar and Organized Crime
- Topic 10: Vice Crimes
- Topic 11: Offenses against Public Health and the Environment
- Topic 12: Offenses against Public Order, Safety, and National Security
- Topic 13: Offenses against Justice and Public Administration
- Topic 14: Criminal Responsibility and Defenses