

**I. CATALOG DESCRIPTION:**

- A. Department Information:  
Division: Criminal Justice  
Department: Administration of Justice  
Course ID: ADJUS 102  
Course Title: Principles and Procedures of the Justice System  
Units: 3  
Lecture: 3 Hours  
Prerequisite: None
- B. Catalog and Schedule Description:  
A study of the role and responsibilities of each segment within the administration of justice system, law enforcement, judicial, and corrections. A past, present and future exposure to each sub-system, procedures from initial entry to final disposition and the relationship each segment maintains with its system members.

**II. NUMBER OF TIMES COURSE MAY BE TAKEN FOR CREDIT: One**

**III. EXPECTED OUTCOMES FOR STUDENTS:**

Upon completion of this course, students should be able to:

- A. Assess the ethics, integrity, and responsibility incumbent upon anyone desirous of entering the administration of justice field.
- B. Utilize the knowledge of the procedures involved in the justice system from arrest to release, through the application of Constitutional precedents.
- C. Develop skills in applying procedural and substantive Constitutional laws within the justice system.
- D. Understand and appreciate the necessity of the justice system to operate as a cooperative unit in an ethical manner so as to maximize effective handling of cases.
- E. Differentiate and create an ability to utilize the material learned in making appropriate discretionary decisions, and how best to proceed while operating as a member of the system in a Constitutionally authorized manner.

**IV. CONTENT:**

- A. Ethics and Professional Responsibilities
1. Some Comment
  2. Standards
  3. Problems
  4. System or non-system
  5. The challenge of sub-system cooperation
- B. Legal Authorization for System
1. U.S. Constitution
  2. California Constitution
  3. California Penal Code
  4. Other related legal provisions
- C. Implications of Civil Rights
1. Effects on system members
  2. Constitutional Guarantees
  3. Bill of Rights
- D. The Police Process
1. Police Powers
  2. Process of Arrest
  3. Definitions
  4. Purpose
  5. Discretionary Powers
  6. As last alternative
  7. Psychological and social impact

8. Peace Officer
  9. Private Person
  10. Warrant
  11. Citation
  12. Responsibility of arrestee
  13. Initial Confinement
  14. Why Jail?
  15. Jail Alternatives
  16. Process of Bail
  17. Historical aspects of bail
  18. Purpose
  19. Injustice
  20. Reform
- E. Coroner-Medical Examiner
1. Historical and legal considerations
  2. Responsibilities of the office
  3. The inquest process
- F. Roles of Defendant, Prosecutor and Judge
1. Types
  2. Defendant as a witness
  3. Attorney General's conduct
  4. District Attorney's conduct
  5. City Attorneys
  6. Charging the jury
  7. Sentencing
  8. Functions
  9. Role and Responsibilities
  10. Legal authority-Discretionary powers
  11. Organization/Staffing
  12. Relationship to City, State, Federal Prosecution
  13. Political implications
  14. Strengths and Weaknesses
  15. Contemporary issues
- G. Basic Protections at Trial
1. Public Defenders
  2. Assistance of Counsel
  3. Role and Responsibilities
  4. Legal Authority
  5. Organization/Staffing
  6. Political Involvement
  7. Fees
  8. Relationship with system members
  9. Private Counsel
  10. Politics of Defense
  11. Fees
  12. Manipulating the System
  13. Continuances
  14. Jury Selection
  15. Sentencing
- H. Legal Aid
1. Purpose
  2. Historical Development
  3. Fees
  4. Organization/Staffing
  5. Funding
  6. Political Problems

- I. State and Federal Regulatory Agencies
  - 1. ABC
  - 2. Public Utilities Commission
  - 3. F.C.C.
  - 4. F.A.A.
  - 5. Federal Security
  - 6. Consumer Affairs Council
  - 7. Labor Commission
  - 8. State Compensation
  - 9. DMV
- J. Courts
  - 1. Courts Structure and Jurisdiction
  - 2. Justice
  - 3. Municipal
  - 4. Superior
  - 5. State Appellate
  - 6. State Supreme
  - 7. Federal District Court
  - 8. Federal Appellate Court
  - 9. Federal Supreme Court
  - 10. Magistrate and Reference
  - 11. Historical Significance
  - 12. Responsibilities and Duties
  - 13. Selection
  - 14. Qualifications
  - 15. Political Implications
  - 16. Discretionary Powers
  - 17. Tenure
  - 18. Removal
  - 19. Court Officers
  - 20. Clerk
  - 21. Constable, Marshall and Sheriff
  - 22. Recorder
- K. Grand Jury
  - 1. Functions of the Grand Jury
  - 2. Criminal Process
  - 3. Recommendations
  - 4. Indictments
  - 5. Civil Obligations
  - 6. Historical Factors
  - 7. Grand Jury Proceedings
  - 8. Selection Process
  - 9. Tenure
  - 10. Contemporary Issues
- L. Judicial Process
  - 1. Accusatory Pleadings
  - 2. Complaints
  - 3. Information
  - 4. Indictments
  - 5. Jurisdiction and Venue
  - 6. Definition
  - 7. Types of Jurisdiction
  - 8. Court Appearances and Proceedings
  - 9. Purpose-Rights of Defendant
  - 10. Arraignments
  - 11. Types of Pleas

12. Negotiated Plea
  13. Preliminary Examination
  14. Grand Jury Indictment
  15. Pre Trial Appeals
  16. Trials
  17. Sentencing Hearing
  18. Court Role of Probation Officer
  19. The Verdict
  20. Instruction to Jury
  21. Deliberation
  22. Types of verdicts
  23. Appeal
  24. Sentencing process
  25. Probation review and recommendation
  26. Diagnostic Research
  27. Definite/indeterminate sentence
  28. Granting probation
  29. Determining sentencing and parole
  30. Inequity of sentences
  31. Adult authority
  32. Responsibilities
  33. Constituted Authority
  34. Parole, Commutation and Pardon
- M. Correctional Concepts
1. General Philosophy
  2. Stated objectives
  3. Success factor
  4. Process upon sentencing
  5. Reception Guidance Centers
  6. Classification and assignment
  7. Role of Adult Authority
  8. Determination of sentence
  9. Assessment of rehabilitation
  10. Security Facilities
  11. Maximum
  12. Medium
  13. Minimum
  14. Locations
  15. Rehabilitation-Reality or Myth
  16. Purpose
  17. Models
  18. Contemporary Issues
  19. Present concept of treatment
  20. Community treatment centers
  21. Model centers for treatment
  22. Prisons without walls
  23. Responsibility of educational institutions
  24. The Functions of Parole
  25. Objectives
  26. Rehabilitation under supervision
  27. Social reintegration
  28. Parolee
  29. Role of the Parole Officer as a change agent
  30. Case load
  31. Conditions of Parole

- N. Community Service Organization
  - 1. Purposes
  - 2. Reason for development
  - 3. Relationship with the Justice System
  - 4. Objectives of service
  - 5. Organizations
  - 6. Teen challenge
  - 7. Youth centers
  - 8. Free clinics
  - 9. Narcotics rehabilitation houses
  - 10. Alcohol rehabilitation homes
  - 11. Suicide Prevention Centers
  - 12. Crash pads

**V. METHODS OF INSTRUCTION:**

- A. Lecture
- B. Seminar Style Discussion
- C. Guest Lectures
- D. Demonstration
- E. Case Studies
- F. Community based field trips
- G. Resource texts
- H. Group discussions

**VI. TYPICAL ASSIGNMENTS:**

- A. Oral Presentation to class of procedures involved from arrest to release.
- B. Writing a research paper or satisfactorily passing an appropriate essay examination on the integrity, responsibility, and necessity of the Justice System
- C. Execution-scope of search. Mc Laughlin and Bernauer were indicted for possession with intent to distribute the drug 3,4-methylenedioxymethamphetamine (MDMA). Bernauer was also indicted for possession with intent to distribute cocaine. Police obtained warrants for McLaughlin's apartment and for Bathcrest, McLaughlin and Bernauer's shared business. While searching Bathcrest, officers found cocaine in Bernauer's briefcase. Bernauer then consented to a search of his apartment, where the officers found additional evidence, including MDMA, and drug paraphernalia. Did the search of Bernauer's briefcase exceed the scope of the warrant?
- D. Corollary readings:

Was there an arrest? It was approximately 9:30 P.M. when plainclothes investigators arrived at Mejia's house. Mejia's wife, Gloria Cajigas, answered the door. The officers identified themselves as police and said they had come pursuant to a narcotics investigation. Cajigas let them in. The officers asked whether anyone else was home, and Cajigas answered, "Jair." She indicated that her husband was asleep in the bedroom. The officers asked her to wake him up. She walked to the bedroom, and did not protest when two officers followed her in. She awoke Mejia. The officers identified themselves to Mejia, and asked if they could talk in another room. All proceeded to the kitchen, where Mejia subsequently gave his signed consent to search the house. The officers found empty boxes of the same type found in the two tractor-trailers searched earlier, and empty duffle bags of a type commonly used to transport cocaine. Mejia received Miranda warnings and made incriminating statements. Did the officers place Mijia under arrest?

**VII. EVALUATION:**

- A. Methods of evaluation:
  - 1. Reading assignments
  - 2. Library research
  - 3. Special projects
  - 4. Oral presentations

5. Research paper
  6. Essay examinations
  7. Written assignment of sufficient length and complexity that demonstrates ability to select and organize ideas, explain and support the ideas, and utilize critical thinking skills.
- B. Frequency of evaluation:
1. Weekly student participation
  2. Minimum of three exams
  3. Midterm exam
  4. Final exam
- C. Typical exam questions:
1. A legislative enactment which provides punishment for an act, which when committed was not a crime is known as?
  2. Evidence obtained after illegal police behavior that is the result of an independent act by the defendant which “weakens” the connection between the illegal conduct and the evidence received is an exception to the exclusionary rule established in *Wong Sun v. U.S.* is known as the?

**VIII. TYPICAL TEXTS:**

Ferdico, John. Criminal Procedure for the Criminal Justice Professional – 8<sup>th</sup> edition. West Publishing, 2001.

Del Carmen, Rolando V. Criminal Procedure Law and Practice, 4<sup>th</sup> Edition. Wadsworth Publishing, 2000.

**IX. OTHER SUPPLIES REQUIRED OF STUDENTS: None**