

SYLLABUS

PSC 240
The Criminal Constitutional Procedure

Prof. Edward L. Fiandach
Spring, 2024

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PSC 240

My desire is that class preparation will consist of an assigned reading from the course book, *LaFave, Israel and King, Criminal Procedure*, published by West Group. There are multiple editions of this text and any version is acceptable. Reading section numbers should be roughly consistent through all available revisions.

Over the years, I have received some critical comment along the lines that since the material is well covered in class, the textbook represented a needless expense. Maybe it is, but maybe it's not. Therefore, I will leave the decision as to whether to purchase a copy up to the individual student. Please bear in mind however, that I am still firmly of the belief that to excel in this course, *you must do the reading*.

Additionally, please note that in the syllabus there are references to those classes where the reading does not cover the topic well and attendance is strongly suggested.

Examinations

There will be two examinations given. One will be given in class as a midterm. Please note that *under no circumstances whatsoever will a student be permitted to defer or retake any examination*.

The second examination will be the final examination.

Paper Requirement

A paper is required for this course. It will comprise the remaining 1/3 of the grade. The topic will be offered after the midterm break. The topic will be so unique so as to ensure that originality will prevail. Because of the size of this class. No papers will be accepted late or by e-mail! Please also note: This requirement is subject to change due to the creation of ChatGPT.

PSC 240, "The Constitution and Criminal Procedure"
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January 24th, "The Origin and Future of American Rights."
Fiandach & Candela, "***Obergefell***, Drugs and Fundamental Rights."

January 29th, "Perspectives on Search and Seizure."
LaFave, *et.al.*, pp. 103. - 118; 127 - 141.

January 31st, "Probable Cause."
LaFave, *et al.*, 3.1 - 3.3.

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April 15th, "Terrorism and the USA Patriot Act."
Please attend, this is not covered by LaFave.

April 17th, "The Trial" LaFave, *et. al.*, §§ 22.1 - 22.4.
"Perry Mason," season 2, episode 25 (This is the original Perry Mason