Books: Modern Criminal Procedure – Kamisar, LaFave, Israel, King, Kerr & Primus (13th ed. 2012) plus 2014 supplement ("Supp") (The new supplement is not yet available. Cites will be added when it becomes available.)

Make up classes: Classes held on Labor Day, Monday, September 1, and Veteran’s Day, Tuesday, November 11, will be made up on dates to be determined. This information will be posted on TWEN as soon as possible.

Class recordings: Classes will be recorded and will be available for viewing in the Computer Lab for two weeks afterwards. Students may not create audio or visual recordings of class sessions. Any recordings or materials posted on TWEN may not be copied, duplicated or disseminated outside the course without express authorization from the professor.

S/U grading: The grades of students who have elected to take this course with S/U grading will be converted by the Registrar according to the following scale: 2.1 or greater = Satisfactory; below 2.1 = Unsatisfactory. Only students who receive a Satisfactory grade will earn academic credit for the course.

Final Exam: The final exam will be held on Thursday, December 4 at 1:15 p.m.

First Class: In our first class meeting we will discuss the introductory materials on pages 1-27 and 49-68.


II. REMEDIES FOR FOURTH AMENDMENT VIOLATIONS – THE EXCLUSIONARY RULE – pp. 222-264

III. SEARCHES


B. SEARCHES: COMPLIANCE with the FOURTH AMENDMENT
2. Search Warrants – pp. 316 et seq
   a. Issuance – 316-321
   c. Computer Searches – pp.329-332
   d. The "Preference" for Warrants – pp. 332

C. WARRANTLESS ARRESTS & SEARCHES OF PERSONS – p. 332 et seq
2. Unnecessary, Pretextual, and Arbitrary Arrests – pp. 348-358


E. WARRANTLESS SEARCHES OF VEHICLES & CONTAINERS – pp. 383-408 (Supp. p.38)

F. STOP and FRISK – pp. 408 et seq
1. Generally – pp. 408-415
2. Police Action Short of a Seizure (Stop and Frisk) – pp. 415-419 (Supp. p. 38)
6. Protective Search – pp. 434-437
7. Other Brief Detentions for Investigation – pp. 437-439


H. CONSENT – pp. 454 et seq

IV. UNDERCOVER INVESTIGATIONS – pp. 465 et seq
Secret Agents – pp. 470-479

V. NETWORK SURVEILLANCE – pp. 501 et seq
   A. THE FOURTH AMENDMENT – pp. 501-509
      1. RIGHTS TO NON-CONTENT INFORMATION – pp. 510-518
   B. STATUTORY PRIVACY LAWS (Supp. 44-45)

VI. POLICE INTERROGATION AND CONFESSIONS – pp. 543 et seq
   A. HISTORICAL BACKGROUND – pp. 539-566
   C. DUE PROCESS AND VOLUNTARINESS – pp. 690-717
   D. DUE PROCESS REVISITED – pp. 717-738
   E. MASSIAH REVISITED – pp. 738-759

VI. LINEUPS, SHOWUPS, AND OTHER IDENTIFICATION PROCEDURES – pp. 760 et seq
   A. CONSTITUTIONAL CONCERNS--pp. 761-769 (Supp. p. 57)
   B. KIRBY and ASH – pp. 769-773
   C. DUE PROCESS LIMITS – pp. 773-786 (Supp. pp. 52-58)
   D. SOCIAL SCIENCE RESEARCH – pp. 786-790 (Supp. p. 58)

VII. SCOPE OF THE EXCLUSIONARY RULES – p. 879 et seq
   A. STANDING, ETC – pp. 879-893 (Supp. p. 63)
   B. FRUIT of the POISONOUS TREE – pp. 893-910
   C. IMPEACHMENT – pp. 910-92
   D. BURDENS of PROOF – pp. 922-930
Emergency Procedures. Southern Illinois University Carbondale is committed to providing a safe and healthy environment for study and work. Because some health and safety circumstances are beyond our control, we ask that you become familiar with the SIUC Emergency Response Plan and Building Emergency Response Team (BERT) program. Emergency response information is available on posters in buildings on campus, available on BERT’s website at www.bert.siu.edu, the Department of Safety’s website www.dps.siu.edu (disaster drop down) and in the Emergency Response Guideline pamphlet. Know how to respond to each type of emergency.

Instructors will provide guidance and direction to students in the classroom in the event of an emergency affecting your location. It is important that you follow these instructions and stay with your instructor during an evacuation or sheltering emergency. The Building Emergency Response Team will provide assistance to your instructor in evacuating the building or sheltering within the facility.