

Days & Times Fall 2017 Online course (no live class meetings) August 21, 2017-December 6, 2017

Students required to first log in to class in eLearning between 6am August 21st and 6am August 25th!

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Office Location Green Hall 2.116
Office Hours Thursdays 10-11am or by appointment

Course Description/Goals

This course examines the policy and legal controversies surrounding the application of capital punishment (i.e., the death penalty) as a punishment for homicide. The goals of the course will be to review: 1) capital punishment through history, 2) relevant U.S. Supreme Court decisions and contemporary problems with the application of the death penalty and 3) analyze the nature, extent, and distribution of criminal homicide.

Required Textbooks and Materials

- 1) Textbook: *DeathQuest: An Introduction to the Theory and Practice of Capital Punishment in the United States* 4th edition (YOU **MUST** HAVE ONLY 4th EDITION- OTHERS ARE OUT OF DATE!) by Robert K. Bohm ISBN: 978-1-4377-3493-5 Anderson Publishing
- 2) Textbook: *Murder at the Supreme Court: Lethal Crimes and Landmark Cases* by Martin Clancy and Tim O'Brien ISBN: 978-1-61614-648-1 Prometheus Books
- 3) Textbook: *Life Without Parole* 5th edition (YOU **MUST** HAVE ONLY 5th EDITION) by Victor Hassine ISBN: 978-0-19-977405-0 Oxford University Press
- 4) Other required and assigned media and readings are listed on the attached course calendar provided at the end of this syllabus. These supplements are posted in eLearning for each chapter, as links in your Power Points in the learning modules, and in the Homicide Module—students are required to download, view, and/or read these supplemental audio, video, and written materials. All materials contained in the Power Points and posted in eLearning are testable material for this class in addition to the text. All original materials created and posted online by the professor are the property of Dr. Kovandzic and may not be used outside this class without written permission of the instructor.

AN IMPORTANT NOTE ON TEXTBOOKS: If you opt to purchase your textbooks online, make sure to order ONLY the editions cited in the syllabus and to get your books **PRIOR** to the class starting. If you have ANY doubt these texts will arrive on time, I encourage you to purchase the text at Off Campus Books in Richardson. I will not make extensions on graded assignments if you do not have your books in time. **It is CRITICAL that you have your text and in hand no later than the end of the first day of class on August 21st!**

AN IMPORTANT NOTE REGARDING DISABILITIES: If you have a certified disability from UTD and are in need of accommodations for this class, please contact me ASAP with your documentation so we may discuss how to best facilitate you in the course. It is very important for students inform me of their needs at the **beginning** of the class.

Course Policies & Requirements

This is a semester-long online course. All course modules are delivered to you via eLearning and all exams will be taken online. I have worked hard to make this an enjoyable class one you. You will find many study tools and online study aids to facilitate your learning and no group works will be required for the class. I will be online and responding to your posts frequently and available to you via email if you have any questions as you get through the course material.

In addition to the textbook assigned readings, you will have additional readings, handouts, and/or media files that are uploaded via the course modules for each chapters in your Learning Modules in eLearning. This material will be included on the exams and it will be very important that you review the Power Points, other materials assigned in each module, and use these materials to help you in your studying.

Students will have different weekly discussion board postings due per your course calendar. There will also be one case brief assignment, one midterm and one final exam. Study guides for the midterm and final exam have been created and are available to you under the LEARNING MODULES link to aid you with your studying, as there are a good number of court cases and definitions from each text you will be responsible for on your exams. You are strongly encouraged to utilize ALL these learning tools to facilitate your learning and help you with your studying.

Detailed and comprehensive information on the course policies, deadlines, and virtual classroom are located here within your syllabus. **It is critical for each student to read this syllabus carefully and email me if they are not clear on the grading and assignment requirements at the BEGINNING of this class.**

eLearning Issues or Technical Problems

This course is offered completely through the internet using eLearning. **Contact the UT Dallas ELearning Helpdesk immediately at 866-588-3192 if you are having issues accessing the class.** If students do not follow these directions and subsequently have issues meeting deadlines, the instructor will not delay grade deadlines. Student MUST have reliable access to a computer with an internet connection such as a cable modem, DSL, or a T-1 connection, whether that be at home, at school, or another location of their choice.

The UTD 24/7 eLearning Helpdesk may be reached at phone 972-588-3192 or access a live chat session for help at: <http://www.utdallas.edu/oee/distance/eLearningHelpdesk.html>. **Please DO NOT email the professor for technical support- you must contact the UT Dallas Helpdesk to resolve any user problems you have.**

Also be aware that I am able to track in detail your access to all areas of the eLearning system by time and date for every student as well as the length of time each of you were logged in. Please do not make statements which are patently dishonest about dates and times you were in the system or problems that actually did not occur to try to make a case for late submissions—this will be considered an act of academic dishonesty and cheating. I will first verify all logon information if a student claims to have technical issues that have been reported to the Help Desk. If students contact the Help Desk and still are unable to get into the class site, please email Dr. Kovandzic directly from your UTD email account at: tkovan@utdallas.edu and copy me in on all original trouble tickets and correspondence that you have had with the Help Desk. If you do not have a fast and/or reliable internet connection at your home, you MUST do your class work at an alternate location such as at UTD in the library or computer labs. This rule especially applies for your EXAMS, as once you log in to the exam the timer will start on your test time. Please do not risk a zero on your exams!!!

CLASS PARTICIPATION & NETIQUETTE (45 total points)

The key to doing well in any online course is having the self-discipline to complete your reading, assignments, learning aids, and lectures on time. Procrastination will only cause you problems with your grades in this class and all deadlines will be fairly and uniformly enforced. As this class is exclusively taught online, your participation in this class will come in different forms as you navigate the discussion boards, assignments, and other course content in this class. While online classes give you great flexibility in taking classes that will conform to your schedules and lifestyles, do not assume that “online” equates to an “easy” class.

****For you to succeed in this class, you will need to be an active and intellectually engaged participant. At the end of the semester, I will assign each of you a class participation grade of up to 45 points based on how interactive and meaningful your posts with your fellow students and me have been.**

Netiquette: While I encourage, if not demand, critical thinking and high-level debate in my live and online classrooms, I also demand mutual respect for all persons who enter into them. I will enforce these rules strictly and will modify or remove any inappropriate postings at penalty to the student if necessary.

Some basic rules for our classroom:

1. Always use proper English language, write in complete sentences, and use proper grammar and punctuation for your posts, assignments, and emails to me.
2. Please address me by name and sign your name in your emails and know I will always do the same. Show respect to your fellow students in your correspondence on our boards at all times.
3. Text messaging language is absolutely NOT appropriate anywhere in our virtual classroom, including in emails addressed to me, so please act and speak as you would in a live class knowing that I will be monitoring class correspondence and grading you accordingly.
4. Do not abbreviate, use work acronyms, or professional language that is not understood by someone outside your occupation.
5. Do not use profanity, slang, or incomplete sentences in any of your postings or emails with the instructor or our discussion boards please.
6. Do not use personal attacks, inflammatory, racist, or sexist language on our class boards. Be respectful of each other, even if you disagree. Any student who abuses these privileges will have their final grade penalized accordingly and at my discretion.
7. Please do not use the discussion boards or email system in this class for anything not related to the course.
8. Please DO email me if you have any questions, at any time. I will always respond to you.
9. Please DO respond to your classmates and myself on your discussion board posts as often as possible. Your participation is what will make this is a great class!
10. Please DO show critical thinking and have an open mind! Let's have a fun, interactive, engaged, challenging, and informative semester together.

Email Use

YOU MUST CHECK YOUR EMAIL AT LEAST TWICE PER WEEK IN THIS COURSE. Please address me as Dr. Kovandzic in all correspondence (and I do apologize to those of you to whom this is common sense, but this has become enough of an issue that I feel I must now put this in my syllabi for online classes to avoid awkward situations later on). Please EMAIL ME DIRECTLY from your UTD email account to: tkovan@utdallas.edu.

IMPORTANT: Please include the class name in the SUBJECT LINE so I can identify quickly that the message is from a student from this class. Please sign your name to your emails as well. While I will make every effort to respond to your emails promptly, please plan your work accordingly to allow for up to a 48-hour response time. Do not wait until the last minute on deadlines for responses or expect immediate responses to inquiries near deadline times. If you do not receive an email update because your email box is full, you will be held to any updates to the course calendar and changes in deadlines that might occur.

The University of Texas at Dallas recognizes the value and efficiency of communication between faculty/staff and students through electronic mail. At the same time, email raises some issues concerning security and the identity of each individual in an email exchange. NOTE: The University states that all official student email correspondence be sent only to a student's U.T. Dallas email address and that faculty and staff consider email from student's official only if it originates from a UTD student account. As such, I will NOT respond to emails from anything other than a UTD email account for YOUR protection. This policy allows the university to maintain a high degree of confidence in the identity of all individual corresponding and the security of the transmitted information. UTD furnishes each student with a free email account that is to be used in all communication with university personnel. The Department of Information Resources at U.T. Dallas provides a method for students to have their U.T. Dallas mail forwarded to other accounts.

Course Assignments and Deadlines

The course is paced along with the term and allows students to work independently. This course is split into two major sections (Weeks Intro through 6 for Midterm; Weeks 7 through 14 for Final), with coursework made available to students in advance-- you are free to work ahead on any released chapters and assignments as you wish. The first section and all 6 chapters' discussion posts and quizzes are available as of the first day of class on August 21st. The second section and the last 6 chapters' plus the homicide components assignments will be released to you after your midterm to keep you focused on each half.

Again, there will be NO EXCEPTIONS made if a student fails to meet the date and time deadlines set forth on your course calendar since you have several days for each assignment/exam. Potential excuses that will not be considered include, but are not limited to: eLearning being down, illnesses, forgetfulness, falling behind, work, family, friends, housing, sporting events, scheduling, relationships, and/or computer, viruses, or internet access problems. **Please note that being sick is NOT a valid excuse, even with a doctor's note.** In other words, please do not try to use your issues as an excuse for not getting your assignments submitted by their due dates. I will hold to this policy as written here to ensure that EVERY student is treated equally and fairly.

The clock in eLearning determines cut offs for due dates, so match your clocks appropriately. **PLEASE DO NOT WAIT UNTIL CLOSE TO THE DEADLINE TO SUBMIT YOUR BOARD POSTS, SUBMIT ASSIGNMENTS, OR TAKE YOUR EXAMS.** You should submit all assignments and take all exams DAYS before they are due.

FIRST DAY OF CLASS ASSIGNMENT: FIRST WEEK OF CLASS INTRODUCTION

ASSIGNMENT (10 total points): All students are REQUIRED to log onto eLearning between 6am on August 21st and 6am on August 25th and complete the 1st week assignment—students may receive up to 10 points on this first task. After August 25th at 6am, all students who have not completed the 1st day assignment will be given a ZERO—no extensions or exceptions.

Students must log in to eLearning off the main page of the UTD website (www.utdallas.edu), click on the eLearning link on the top right of that website, log into eLearning, then click on our class, and complete ALL of the following steps:

- 1) RETRIEVE, DOWNLOAD, AND REVIEW THE FIRST DAY OF CLASS POWERPOINT (go under Learning Modules, 1st Day of Class folder)
- 2) RETRIEVE, DOWNLOAD & THOROUGHLY READ a copy of this syllabus (under the 1st day of class folder),
- 3) REVIEW ALL COURSE and ASSIGNMENT DEADLINES CAREFULLY in the course calendar provided at the back of the syllabus, and mark your calendars accordingly, and
- 4) Read Chapter 1 in the Bohm textbook *Deathquest* and then view the chapter Power Point in slideshow mode for this chapter under the 1st week of class folder in eLearning, and
- 5) COMPLETE YOUR FIRST DISCUSSION BOARD POST under the Discussion Board tab and follow the directions there. You must answer ALL questions asked to get credit on this assignment.
- 6) **IMPORTANT:** By completing this assignment, you are acknowledging that you have : 1) reviewed the course deadlines, 2) read and understand the terms of the syllabus, including the policy on plagiarism, 3) understand that you are responsible to take review all the online tutorials via the Learning Modules And 4) acknowledged the deadlines set forth for the course and understand that no extensions will be provided for late submissions for any assignments or exams.

WEEKLY ASSIGNED DISCUSSION BOARD POSTS (240 total points):

For each week of course material posted, you will have between one and two assigned discussion board postings that correspond to your assigned readings from the three texts per the detailed COURSE CALENDAR at the back of this syllabus. Each of these posts is worth 10 points, except for the last discussion board assignment, which is worth 20 points. For *only* the last discussion board post where you will serve as a capital juror in a real death penalty trial, your post will be double in length of the other chapters—this means that you MUST DO A TOTAL OF FOUR PARAGRAPHS FOR THE ASSIGNMENT and follow all other writing and formatting directions as usual please. See your Course Calendar for detailed instructions on how to complete this assignment.

NOTE: These discussion posts have firm due dates and THERE IS NO PARTIAL CREDIT for discussion posts. It is imperative you follow the directions for each post.

Prior to posting your weekly discussion board assignments, you should:

1. Read all assigned readings from the three texts per your course calendar for each weekly due date. Use your study guide for the midterm (up through week 6) and final (week 7-end of course) to help guide your studying in the Bohm textbook and the accompanying supplements in eLearning. The study guides are located in the Learning Modules under their own link.
2. Access the Learning Modules in eLearning and review ALL supplemental materials under each weekly module that are assigned and posted. This includes the Power Points for each Bohm chapter of that text, all supplemental readings and articles posted for that week, and use your study guide to ensure that you understand all key terms.
3. **Next, click on the “DISCUSSIONS” link on the far left side of your menu in eLearning and post your response to all discussion board questions I have posted for each week of class.**
4. **DIRECTIONS FOR DISCUSSION BOARD POSTS:** You are required to submit a **MINIMUM of TWO CONSECUTIVE PARAGRAPHS** (with at **LEAST** four complete sentences **per paragraph**) and one space separating the paragraphs so they are distinguished from one another. **Both paragraphs must be submitted in ONE posting (not in multiple posts). Each post must be written with proper English spelling, punctuation, and grammar to get credit.** I would recommend you write your post first in a Word document, check it for accuracy, and then transfer it into eLearning when you are satisfied and ready to post. You are welcome to write more if you wish and I hope you will! **Always double check that the format and content of your postings is correct AFTER you post them.** If something occurred during the posting that renders them non-compliant with these instructions you will be given a zero for that assignment unless you correct the problem—sometimes this will mean having to repost your response!! **Answers that are unclear, illogical, or that show little substantive effort will be assigned a ZERO with NO PARTIAL CREDIT.**
5. **REPLYING ON OTHER STUDENT’S POSTS:** Remember that you are REQUIRED to post to myself in my responses and your fellow students for class participation—you will be assigned a grade of 45 points at the end of the semester by me. The more frequently and substantively you post, the better your final class participation grade will be. You must post before the due date for those assignments.
6. **CONTENT OF POSTS:** Feel free to supplement your responses with outside information if properly cited from news sources, reliable websites, outside readings, current events, etc. (Properly cited= means including the name of source, author, date, name of article/story, webpage url, and/or publisher in APA format). Your responses should represent YOUR thoughts, beliefs, and ideas, not someone else’s! Usually these discussion posts are opinion pieces, so there is no reason for a student to feel compelled to borrow from another source. You should all have an opinion on these topics I would hope. However, if you use outside sources, you must cite all used to supplement your answers. With that said, while outside sources are welcomed as they help make your response more informed, **THE VAST MAJORITY OF YOUR RESPONSE MUST BE IN YOUR OWN WORDS; USE OUTSIDE SOURCES SPARINGLY OR RISK NO CREDIT ON YOUR ASSIGNMENT. This item will be posted in your gradebook.** PLEASE HEED THIS WARNING: DO **NOT** COPY ANY OTHER SOURCE VERBATIM WITHOUT QUOTES!!! Copying an outside source is considered plagiarism and academic dishonesty. Any student who commits academic dishonesty in this class will be referred to Judicial Affairs for disciplinary action. Moreover, it is considered academic dishonesty for ANYONE other than the registered student in the course to submit class assignments, quizzes, or tests, or to pose as someone else online. **I take these issues VERY seriously, so please do your OWN work.**
7. All assignments are due according to the due dates and times in your COURSE CALENDAR in this syllabus. Once the due date and time has been reached within eLearning, assignments and other chapter materials will no longer be available for viewing or submission.

8. For each week assigned in your syllabus, you will do exactly the same as the above example for the board postings. See special directions for the Broadnax Death Penalty Juror Exercise under the Discussions and at the end of your syllabus for that week.

CASE BRIEF ASSIGNMENT INSTRUCTIONS and EXAMPLE (75 points total):

Students will brief EITHER *Roper v. Simmons* (2005) OR *Kennedy v. Louisiana* (2008). These cases are posted for you in on your home page for our class in eLearning for download. ALL case brief assignments in this class will be submitted and examined through the integrated plagiarism detection tool called Turnitin. You will access the Turnitin case brief assignment submission icon on the left side of our class eLearning HOME PAGE and click the icon under that name to open it.

DUE DATE: YOU MAY SUBMIT YOUR ASSIGNMENT AT ANY TIME UP TO THE DUE DATE.

Papers will not be accepted beyond the deadline and all students will be assigned a zero that do not have assignments posted by that time - **NO EXCEPTIONS will be granted for ANY REASON. If you anticipate any reason for being delayed, submit your work early and do not wait until the deadline for submission.** If you have questions about the assignment after reading the example provided and information given here, please contact me via email in advance and I will answer general questions, **but I will not review rough drafts or give you the answers to the assignment.**

FORMATTING REQUIREMENTS: Your paper must be written in a Word document using the following formatting:

- a) Times New Roman 12-point font,**
 - b) single-spaced type,**
 - c) inserted with one blank line between named sections, and**
 - d) must not to exceed one side of one page.**
- ***You will automatically lose 20 points if these format requirements are not met.**

IMPORTANT: Proper spelling, grammar, and punctuation are GRADED in your responses. You are expected to write at a high level and proof your own work. Incomplete sentences, sentence fragments, spelling, grammar, and punctuation errors will be penalized at 1 point for the 1st error, 2 points for the 2nd, 3 points for the third, and so forth on progressively. All court cases should be italicized when referred to in the text. SPELL and GRAMMAR-check your papers before submission! Moreover, responses that *are unclear, illogical or show little substantive effort* will be assigned a **ZERO** with no partial credit on that segment of the assignment (see point breakdown given below). You should put considerable work into this assignment as it is worth a good deal toward your final grade.

SUBMISSION INSTRUCTIONS:*Remember papers must be in a Word document (.doc or .docx) format ONLY*

- 1) You must name your file for your paper on your computer as YOUR FULL NAME plus the case you reviewed (e.g., tomkovandzicroper.docx or johnsmithkennedy.doc)
- 2) Next, please click the “Case Brief Assignment” link on the left side of your main course page. Then click “VIEW/COMPLETE” in green on the page and prepare to submit your paper.
- 3) Choose “SINGLE file upload” (DO NOT CHOOSE “cut and paste”),
- 4) Enter the “author” (your student name), then choose last and first name
- 5) Enter a “submission title” (your **LAST NAME and then name of case--** such as: **KOVANDZIC_Roper**,
- 6) Click “Browse” to locate your file on your computer and click the “UPLOAD” button.
- 7) Upon a successful submission, you will see a yellow box at the top of the screen stating that you have successfully submitted your assignment and you will be provided with a Turnitin Digital Receipt. **PRINT A COPY OF THIS SCREEN WITH THE DIGITAL RECEIPT FOR YOUR RECORDS IN THE EVENT THERE IS AN ISSUE AND I DO NOT RECEIVE YOUR ASSIGNMENT BY THE DUE DATE—THIS WILL BE YOUR ONLY PROOF OF SUBMISSION AND I WILL REQUIRE YOU TO SEND THIS TO ME ELECTRONICALLY TO BE ELIGIBLE FOR RESUBMISSION!!!**
- 8) Once you submit a case brief, you may not edit or change your document. This will be the final document graded.

A NOTE ABOUT CHEATING: All papers are automatically scanned upon submission by TurnItIn.com. You may NOT copy another student's case brief, copy a brief off the internet, copy a brief from another academic source, have another student do your brief for you, or use any other source to complete your case brief. The work you submit to me must be YOUR own work created for only THIS class and in your own words. You have no need to use outside sources in this assignment and should not consult with any outside sources. Any student suspected of submitting plagiarized work will be immediately referred to Judicial Affairs for appropriate disciplinary action. I will get a report from Turnitin on each paper submitted for this assignment automatically. I take cheating very seriously and will refer all cases to Judicial Affairs without question. Do not risk it and try to cheat on this assignment—please just do your own work!!!

Q & A on CASE BRIEF ASSIGNMENT

What is a case brief?

A case brief is a quick summary of a court case that gives a synopsis of the key aspects of the case. There is an example of a case brief provided below for students to model. You should not use "I" statements for any reason...this is not an opinion paper, but a legal overview of the specific facts and holding of the case.

Which cases are acceptable to use for the case brief assignment?

You will only choose ONE of the two assigned cases offered by the instructor to brief. For this class, these cases will be *Roper v. Simmons* (2005) OR *Kennedy v. Louisiana* (2008). You may not brief any other case and you must use the version provided by the instructor for your case brief assignment.

Where do I find cases?

A PDF of the Court's entire decision can be found on our eLearning HOME PAGE, with each case in its own respective folder.

How do I brief a case?

Your case brief will contain the following sections and you should reference the following numbered and named sections on your paper to ensure you get credit for each part (for a total of 75 points):

- 1) **Capsule Summary (5 points)**
- 2) **Facts (25 points)**
- 3) **Issue (5 points)**
- 4) **Decision (5 points)**
- 5) **Reason (10 points)**
- 6) **Significance (25 points)**

What is a capsule summary? (5 points)

A one-sentence summary of the case, stated without reference to the parties of the case. In other words, this is the Supreme Court's message to the criminal justice community. No quotes and should address the specific issue before the court with regard to this case.

What are the facts? (25 points)

A clear description of what happened in the criminal case with considerable effort made. Don't worry about tracing the progression of the case through appellate courts but touch on what is important to know as the case moved toward the Supreme Court. No quotes (beyond key phrases or legal terms coined). This should be a **significant section in length since it profiles the specific facts of the case that is being reviewed. You should paraphrase the facts in a way that is clear, concise, and accurate. Do not quote here unless there is a seminal point to be made.—use your own words. Show you understand the important facts or the case, the issues that were put forward, and how it progressed.**

What is the issue? (5 points)

A one- (or possibly two-) sentence question that represents the CENTRAL issue before the Supreme Court. In every case, the Court is answering one (but quite rarely, more than one) major question. **No quotes from case- this should be your words-- NOT from the court case.**

What is the decision? (5 points)

There are two abbreviated parts to this section. **First, there should be a “Yes” or “No” that answers the issue question. Next, include a short quote from the case that captures the decision—PUT THIS IN QUOTATION MARKS and it should come directly from the majority decision.**

What is the reason? (10 points)

The logic of the Court offered for its decision taken straight from the case itself and majority opinion. **Use a brief and strategic QUOTE from THIS case that encapsulates the rationale and PUT IT IN QUOTATION MARKS. IT should encapsulate the major factors that the court cited in why they put their holding forward.**

What is the significance? (25 points)

This should be a lengthy section with considerable effort made. Why does this case matter in law, society, and in the criminal justice system? What are the long-term implications of the decision? Your answers to these questions represent the case's significance per the Court's majority decision (and possibly the dissent, which can also be important). Did it overturn a specific previous case or set important case law that is relevant to larger issues with the death penalty? This should be a lengthy section because it details how this case relates to other death penalty sentences and sets a precedent. No quotes allowed in this section (beyond key phrases or legal terms coined). Significance should be in terms of what the Court thinks is important. No personal statements, pronouns, or feelings of the student have any place in any part of this section or the others in a case brief!

CASE BRIEF EXAMPLE:

Samantha Smith CRIM 3320 Homicide & Capital Punishment Summer 2014

Illinois v. Lidster 540 U.S. 419 (2004)

Capsule Summary: A highway checkpoint for the purpose of obtaining information about a vehicle accident conforms to Fourth Amendment requirements.

Facts: One week after a hit-and-run accident that resulted in the death a bicyclist, Illinois highway patrol officers set up a checkpoint at approximately the same location and time of night as the accident. Their purpose was to obtain information from drivers passing through the area about the hit-and-run incident. Each passing vehicle was stopped for 10 to 15 seconds and occupants were asked whether they had seen anything happen at that location the previous week. One driver who approached the checkpoint swerved and nearly hit an officer. The officer smelled alcohol on the driver’s breath and directed him to a side street where another officer administered a field sobriety test. The driver was convicted of driving under the influence. The Appellate Court of Illinois, Second District, reversed the driver’s conviction, claiming that the Supreme Court’s decision in *City of Indianapolis v. Edmond* (531 U.S. 32, 2000) rendered the checkpoint unconstitutional because its primary purpose of the “hit-and-run checkpoint” was to discover and interdict illegal narcotics without any particularized suspicion.

Issue: Does a highway checkpoint conducted for the purpose of obtaining information about a vehicle accident conform to the Fourth Amendment?

Decision: YES. “*Edmond* does not govern the outcome of this case.”

Reason: “In *Edmond*, this Court held that, absent special circumstances, the Fourth Amendment forbids police to make stops without individualized suspicion at a checkpoint set up primarily for general ‘crime control’ purposes...Here, the stop’s primary law enforcement purpose was *not* to determine whether a vehicle’s occupants were committing a crime, but to ask the occupants, as members of the public, for help in providing information about a crime in all likelihood committed by others.”

Significance: In *Michigan Dept. of State Police v. Sitz* (496 U.S. 444, 1990), the Supreme Court upheld warrantless, suspicionless checkpoints designed to detect evidence of drunk driving. In that case, police checkpoints were set up at which all drivers were stopped and briefly (approximately 25 seconds) observed for signs of intoxication. If such signs were found, the driver would be detained for sobriety testing and, if the indication was that the driver was intoxicated, an arrest would be made. But since Lidster did not challenge his conviction by invoking *Sitz*, he was forced to turn to other checkpoint cases, and the pickings are quite slim, so it is no surprise that the Supreme Court reversed the lower court’s decision.

Examinations

EXAMINATIONS (300 points total):

This class will have an open book/note midterm and final that will be administered via the Assessments link on eLearning. **Each exam will be available for one full week and is due by 6am promptly on the due date!** ****Please note that no extensions will be given for exams since you have a week to complete them. No exceptions will be made to this rule.** Exams will account for approximately 45% of your final grade in this class.

MATERIAL COVERED ON EXAMS: Before starting your reading, you should immediately download the Midterm and Final Study Guides that have been created by the instructor to help you in this course and use this as a guide from DAY ONE of the course. Both the midterm and final exams will include materials covered from your Bohm textbook, custom Power Points and embedded video/links in your Learning Modules, assigned supplemental readings in eLearning, and your online study aids. **Note: No questions from either the Clancy & O'Brien or Hassine textbooks will be asked on either your midterm or final exams. These texts are explored in your online discussion boards.**

Your midterm will cover *Weeks Intro-6* materials assigned per your Course Calendar. Your final exam will **NOT** be cumulative—it will only include *Weeks 7-14*. The learning modules for *Weeks 7-14* will be released at the same time as your midterm.

You will have 70 minutes from the time you log in to take the test to submit your answers. You MUST log at least 70 minutes prior to the due date and time or you will not have the full time to take the test—the assessment will automatically become unavailable at the due date and time. There will be 75 multiple-choice questions on each exam and each question is worth 2 points for a total of 150 points per test. You will be able to revisit questions if you want to skip them and come back. You may not log in and out of the exam—if you log off you will not be able to retake the test.

Once you finalize the test and submit your responses, your assessment will be forwarded in eLearning for grading. **You will NOT receive your grade until the final due date is passed and I release grades in eLearning.** All grades will be posted as soon as possible after the close of the exam time (usually within a day or two). There will be a timer in place via eLearning and you will have less than a minute per question to answer. The CLOCK AND TIMER on the eLearning system is the only one that counts, not yours.

A NOTE ON INTERPRETING EXAM GRADES POSTED IN THE GRADEBOOK: The number posted in your grade book is your score out of a possible 150 points on each exam-- NOT A PERCENTAGE. To calculate your percentage, take your score and multiply by 100; then divide that total by 150 points to get your corresponding grade percentage. Look at the grade policy below to determine the matching letter grade for that percentage.

HOW TO TAKE EXAMS VIA THE ASSESSMENT LINK IN eLEARNING:

The Assessments tool allows you to access any tests, quizzes, or surveys your professor has added to the course. Your professor determines the availability of each test, quiz, or survey as well as how long you have to complete it.

IMPORTANT TEST INFORMATION: PLEASE NOTE THAT ONCE YOU HAVE CLICKED “BEGIN,” YOUR TIME WILL BEGIN ON THE EXAM. IF YOU ARE DISCONNECTED FOR ANY REASON OR FORGET TO CLICK “SAVE ALL ANSWERS” AND LOG OUT OF THE EXAM, YOU MUST LOG BACK IN IMMEDIATELY. THE CLOCK WILL CONTINUE TO RUN UNTIL THE DEADLINE FROM WHEN YOU LOGGED INTO THE EXAM AND NO EXTENSIONS MAY BE GIVEN. Make sure you have saved AND clicked save on your test BEFORE you log out!!!!

To view step-by-step directions on how to take an assessment in eLearning before your exam, go to http://ondemand.blackboard.com/r91/movies/bb91_student_taking_test_online.htm

VERY IMPORTANT: Make-up exams will absolutely **NOT** be considered since there is a long window to take the test. Your doctor saying you are sick or you feeling sick on the last day of the exam **IS NOT A VALID EXCUSE FOR A MAKEUP EXAM.** **In the event that you have an extreme emergency with hospitalization over the course of the week of the test, documentation will be required to qualify for a make-up.** **The instructor reserves the right for any makeup examination to be full essay taken in person at UTD.** All make-up exams will be administered **in person** at my office in Green Hall 2.124 on a date of my choosing. **MAKEUP EXAMS WILL NOT BE TAKEN ONLINE!!!**

Grading Policy and Final Grade Scale

Introduction to Class Post & Syllabus Acceptance	10 points
Class Participation	45 points
Discussion Board Posts Class Weeks 1-14 (23 @10pts each):	230 points
Supreme Court Case Brief	75 points
EXAM 1- Midterm	150 points
<u>EXAM 2- Final</u>	<u>150 points</u>
TOTAL POINTS	660 POINTS POSSIBLE

Extra credit policy: There is NO extra credit available in this course. No exceptions will be made.

GRADUATE SCHOOL GRADING SCALE: Take your **FINAL POINT TOTAL** for all items from eLearning, multiply by 100 and divide by the total point total of 650 points to determine the corresponding grade as follows:

<u>Percent</u>	<u>Grade</u>
94-100%	A
90-93%	A-
87-89%	B+
84-86%	B
80-83%	B-
77-79%	C+
70-76%	C
69% and below	F

To check your grades in eLearning, please click the link below for step-by-step directions:
http://ondemand.blackboard.com/r91/movies/bb91_student_checking_grades.htm

Student Conduct & Discipline

The University of Texas at Dallas administers student discipline within the procedures of recognized and established due process. Procedures are defined and described in the *Rules and Regulations, Board of Regents, The University of Texas System, Part 1, Chapter VI, Section 3*, and in Title V, Rules on Student Services and Activities of the university’s *Handbook of Operating Procedures*. Copies of these rules and regulations are available to students in the Office of the Dean of Students, where staff members are available to assist students in interpreting the rules and regulations (SU 1.602, 972-883-6391).

A student at the university neither loses the rights nor escapes the responsibilities of citizenship. He or she is expected to obey federal, state, and local laws as well as the Regents’ Rules, university regulations, and administrative rules. Students are subject to discipline for violating the standards of conduct whether such conduct takes place on or off campus, or whether civil or criminal penalties are also imposed for such conduct.

Academic Integrity

The faculty expects from its students a high level of responsibility and academic honesty. Because the value of an academic degree depends upon the absolute integrity of the work done by the student for that degree, it is imperative that a student demonstrates a high standard of individual honor in his or her scholastic work.

Scholastic dishonesty includes, but is not limited to, statements, acts or omissions related to applications for enrollment or the award of a degree, and/or the submission as one's own work or material that is not one's own. As a general rule, scholastic dishonesty involves one of the following acts: cheating, plagiarism, collusion and/or falsifying academic records. Students suspected of academic dishonesty are subject to disciplinary proceedings and will be referred for any and all academic proceedings via the Dean of Students Office. **PLEASE DO YOUR OWN WORK! For online classes, letting another person complete your work or take an exam for you or representing them as you is considered cheating. Only the student registered for the class may participate in class work or assignments.**

Plagiarism, especially from the web, from portions of papers for other classes, and from any other source is unacceptable and will be dealt with to the fullest extent possible under the university's policy on plagiarism (see general catalog for details and the plagiarism handout posted to the main course page for this class on eLearning for more information). This course will use the resources of turnitin.com, which searches the web for possible plagiarism and is over 90% effective.

Disability Services

The goal of Disability Services is to provide students with disabilities educational opportunities equal to those of their non-disabled peers. The contact information for the Office of Disability Services is:

The University of Texas at Dallas, SU 22 PO Box 830688 Richardson, Texas 75083-0688
(972) 883-2098 (voice or TTY)

The college or university may need to provide special services such as registration, note-taking, or mobility assistance. Disability Services provides students with letters to present to faculty members to verify that the student has a disability and needs accommodations. **Individuals requiring special accommodation should contact the professor during the first week of classes via email so that any special accommodations may be made for the semester.**

Religious Holy Days

The University of Texas at Dallas will excuse a student from class or other required activities for the travel to and observance of a religious holy day for a religion whose places of worship are exempt from property tax under Section 11.20, Tax Code, Texas Code Annotated.

The student is encouraged to notify the instructor or activity sponsor as soon as possible regarding a religious absence and in advance of the assignment. **All religious holidays that will be observed should be submitted in writing to the instructor via email during the first week of classes so that alternative plans can be made regarding conflicts with due dates.** The student, so excused, will be allowed to take the exam or complete the assignment within a reasonable time after the absence: a period equal to the length of the absence, up to a maximum of one week. A student who notifies the instructor and completes any missed exam or assignment may not be penalized for the absence. A student who fails to complete the exam or assignment within the prescribed period may receive a failing grade for that exam or assignment. If a student or an instructor disagrees about the nature of the absence [i.e., for the purpose of observing a religious holy day] or if there is similar disagreement about whether the student has been given a reasonable time to complete any missed assignments or examinations, either the student or the instructor may request a ruling from the chief executive officer of the institution, or his or her designee. The chief executive officer or designee must take into account the legislative intent of TEC 51.911(b), and the student and instructor will abide by the decision of the chief executive officer or designee.

Please see the following site for detailed information regarding UTD syllabus policies regarding Student Conduct & Discipline, Off-Campus Instruction, Incomplete Grades, Withdrawals, etc.:

<http://go.utdallas.edu/syllabus-policies>

Borrowed From eLearning website <http://www.utdallas.edu/elearning/students/getting-started.html>

This guide will help you with the basics of logging in, getting help, moving around in your courses, and using some basic tools like email and discussions. It also includes information on configuring your computer to work with eLearning.

Technical Requirements

In addition to a confident level of computer and Internet literacy, certain minimum technical requirements must be met to enable a successful learning experience.

Browsers and Operating Systems

- [View Blackboard's Browser and OS Requirements for 9.1.](#)

Software

- MS Office 2007 is the minimum standard. Microsoft software is available at a nominal cost from the UT Dallas/Microsoft Program. Software CDs are available for purchase at the [UT Dallas Technology Store](#).
- Virus detection/protection software. McAfee enterprise edition is available for free to UT Dallas faculty, staff, and students. To download this software, go to <http://netid.utdallas.edu>, and click on the 'Secure download of UT Dallas software' link. Log in using your NetID and password.
- Plug-ins may be required to view media in or your eLearning class. Below are links to the most common plug-ins used.
 - [Adobe Acrobat Reader](#)
 - [Adobe Flash Player](#)
 - [Java](#)
- Below is a list of recommended free tools that are available:
 - Zip software: [7-Zip](#)
 - Media player: [VLC media player](#)
 - FTP: [Filezilla](#)

Course Access and Navigation

Students must have a UT Dallas NetID and password to log into the [NEW eLearning server](#) and access the course.

New students can go to the UT Dallas NetID page at <http://netid.utdallas.edu> to initiate their account shortly before or at the start of the semester. Students can use this account to access all of UT Dallas eLearning classes (including those on the eLearning Pilot server) plus other UTD computing systems (i.e. your UT Dallas email account). Please note that the account password must be updated every 6 months. Users will receive a reminder message to their UT Dallas email accounts from UTD's Information Resources department prior to the password expiration. To update the account password, please login to the [NetID webpage](#). For more information, please visit the [NetID FAQ's](#) page.

The URL to access the NEW eLearning server is <http://elearningpilot.utdallas.edu>. Courses may be accessed at any time after the semester starts. Once logged in, students will see the "My eLearning" page. Here students will see their "Course List" which contains links to course content on the NEW eLearning server. Students can click the course title to access the course Home Page.

How to Get Help

If you need help with eLearning, contact the UTD 24/7 eLearning Helpdesk. Their contact information is below. If they are unable to resolve the issue, they will log a ticket and one of the expert support team will contact you.

UTD Helpdesk Contact Info

- UTD 24/7 eLearning Helpdesk: Phone: 866-588-3192
- Live Chat: <http://www.utdallas.edu/elearninghelp/>

Accessing Course Materials

When you log into eLearning, you should see your courses listed on your My Courses list. Your professor may have arranged your course a little differently than you have seen before, so you need to give yourself some time to explore your courses at the beginning of the semester.

Accessing Learning Modules

Most of your course materials are organized into Learning Modules. You can access all Learning Modules in the course from the Learning Modules tool on the menu on the left side of the home screen.

1. Click on the Learning Modules tool on the left side of your course menu under our course name.
2. Click on the Learning Module main file you want to access from the list that comes up in the middle of your screen.
3. Click on each individual file and download to your computer or print out. Once the due dates have passed some materials will no longer be available on eLearning.

Using the Discussion tool

You can read and post to any discussion threads before the deadline when these may become unavailable to you. However, you will not be able to add or remove threads.

For step-by-step directions on how to use the discussion boards and create posts, access this link:
http://ondemand.blackboard.com/r91/movies/bb91_student_creating_discussion_board_post.htm

How to reply to discussion board posts:

http://ondemand.blackboard.com/r91/movies/bb91_student_reply_to_thread.htm

Using the Email tool

The Email tool in WebCT is separate from UTD email. It only sends email to other members of the class within eLearning. The Email tool is disabled in all classes until your professor chooses to enable it. If you do not see the Mail tool listed under the Course Tools menu on the left side of the screen, your professor has not enabled it.

For step-by-step directions on how to send emails, access this link:

http://ondemand.blackboard.com/r91/movies/bb91_student_sending_email.htm

Using the Assignment tool

Your professor may require you to submit assignments through the Assignment tool. Your professor also determines the due dates and cutoff dates for your assignments. **PLEASE NOTE: Due dates and times and cutoff dates and times are controlled by the clock on the eLearning server, not by the clock on your computer.** In other words, it does not matter what time your computer clock says it is. If the cutoff date/time has passed on the server clock, eLearning will NOT accept the assignment. Always submit your assignment at least 30 minutes prior to the cutoff time.

For step-by-step directions on how to submit and access assignments, please click this link:

http://ondemand.blackboard.com/r91/movies/bb91_student_submit_assignment.htm

Remember to name your assignment as directed in your syllabus and to submit only Word documents.

Using the Assessments tool

The Assessments tool allows you to access any tests, quizzes, or surveys your professor has added to the course. Your professor determines the availability of each test, quiz, or survey as well as how long you have to complete it. Available assessments will show as blue links. Assessments that are not available will show as regular black text.

For step-by-step directions on how to take assessments and submit these grades, please click this link:

http://ondemand.blackboard.com/r91/movies/bb91_student_taking_test_online.htm

Detailed Course Calendar & Assignment Due Dates for Fall 2017

[ALL ITEMS ARE DUE BY 6AM ON FINAL DUE DATE LISTED BELOW!](#)

IMPORTANT: Supplemental Media is located **WITHIN** your Power Points located on eLearning in the Learning Modules under each respective chapter and module. This material is testable and are on your study guides. You will need Windows Media Player and/or Real Player to review these materials. All Power Points must be in view slideshow mode to activate hyperlinks.

Supplemental Readings are downloaded under each module via the Learning Modules if they are not contained within the chapter Power Point— Most readings are PDF and can be read in Adobe Reader. Students are responsible to read assigned readings for each textbook as noted below: **BOHM** is the *Deathquest* textbook, **MURDER SC** is the Clancy and O'Brien text, and **HASSINE** is *Life Without Parole*.

<u>WEEK</u>	<u>DUE DATE & TIME</u>	<u>READINGS, ASSIGNMENTS AND EXAMS DUE</u>
Intro	AUG 25TH 6AM Readings due:	1 INTRO TO CLASS DISCUSSION BOARD POST DUE See First Week of Class Introduction assignment (page 4 of your syllabus) BOHM Chapter 1: History of the Death Penalty text & PPT Supplemental readings in eLearning: DPIC Overview Sheet
1	SEPT 1ST 6AM Readings due:	2 DISCUSSION BOARD POSTS DUE FOR WEEK 1 BOHM Chapter 2: CP & Supreme Court: The Pre-modern Period & PPT MURDER SC: Intro-Ch. 2 (pp. 9-54) Supplemental readings in eLearning: History of Death Penalty handout
2	SEPT 8TH 6AM Readings due:	2 DISCUSSION BOARD POSTS DUE FOR WEEK 2 BOHM Chapter 3: The Challenge to Capital Punishment's Legality & PPT MURDER SC: Ch. 3-4 (pp. 55-103) Supplemental reading in eLearning: Bradbury article on DP
3	SEPT 15TH 6AM Readings due:	2 DISCUSSION BOARD POSTS DUE FOR WEEK 3 BOHM Chapter 4: CP and Supreme Court: The Modern Period MURDER SC: Ch. 5-6 (pp. 103-162) Supplemental readings in eLearning: Exonerated Death Row inmate and Cassell Wall Street Journal article
4	SEPT 22TH 6AM Readings due:	2 DISCUSSION BOARD POSTS DUE FOR WEEK 4 BOHM Chapter 5: Death Penalty at Federal Level, Military, & Globally MURDER SC: Ch.7-8 (pp. 163-220) Supplemental reading in eLearning: BJS Statistical Tables 2010
5	SEPT 29TH 6AM Readings due:	2 DISCUSSION BOARD POSTS DUE FOR WEEK 5 BOHM Chapter 6: Methods of Execution MURDER SC: Ch. 9-11 (pp. 221-279) Supplemental reading in eLearning: DPIC List of Federal Executions *Weeks 7-14 modules released in eLearning Sept 30th at 6am
6	OCT 6TH 6AM Readings due:	<u>MIDTERM EXAM available Oct 3RD 6am thru Oct 10th 6am</u> 1 DISCUSSION BOARD POST DUE FOR WEEK 6 MURDER SC: Ch. 12-14 (pp. 281-352) included on Midterm Exam!

- 7 **OCT 13TH 6AM** **2 DISCUSSION BOARD POSTS DUE FOR WEEK 7**
 BOHM Chapter 7: General Deterrence & Death Penalty
 HASSINE Intro-Chapter 2 (pp. ix-14)
Supplemental readings in eLearning: Intro Kovandzic et al. by Donohue and
 Empirical article Kovandzic, Vieraitis, & Boots (2009)
- 8 **OCT 20TH 6AM** **1 DISCUSSION BOARD POST DUE FOR WEEK 8**
CASE BRIEF DUE VIA eLEARNING (SEE PP. 6-9 OF SYLLABUS)
Choose either Roper v. Simmons (2005) or Kennedy v. Louisiana (2008)
 BOHM Chapter 8: Incapacitation and the Costs of Capital Punishment
- 9 **OCT 27TH 6AM** **2 DISCUSSION BOARD POSTS DUE FOR WEEK 9**
BOHM Chapter 9: Miscarriages of Justice
 HASSINE Ch. 3-5 (pp. 15-40)
Supplemental reading in eLearning: David Grann article on Cameron
 Todd Willingham
- 10 **NOV 3RD 6AM** **2 DISCUSSION BOARD POSTS DUE FOR WEEK 10**
BOHM Chapter 10: Arbitrariness and Discrimination
 HASSINE Ch. 6-8 (pp. 41-76)
Supplemental reading in eLearning: Baumgartner Geography of DP and
 DPIC Arbitrariness PDF
- 11 **NOV 10TH 6AM** **2 DISCUSSION BOARD POSTS DUE FOR WEEK 11**
BOHM Chapter 11: Retribution and Religion
 HASSINE Ch. 9-12 (pp. 77-120)
Supplemental readings in eLearning: Carmical DP is Morally Defensible
 & Goodwin argument against families viewing executions article
- 12 **NOV 17TH 6AM** **2 DISCUSSION BOARD POSTS DUE FOR WEEK 12**
BOHM Chapter 12: American Death Penalty Opinion
 HASSINE Ch. 10-end of book (pp. 121-167)
Supplemental readings: in eLearning: Time Texas Changing Its Mind and
 Time Tide Shifts Against DP
- 13 **NOV 20TH 24TH** **NO SCHOOL! HAPPY THANKSGIVING!**
- 14 **DEC 1ST 6AM** **FINAL EXAM available Nov 27th 6am thru Dec 1st 6am**

Last updated: 8/13/2017