George Mason University
Graduate Course Approval/Inventory Form

Please complete this form and attach a copy of the syllabus for new courses. Forward it as an email attachment to the Secretary of the Graduate Council. A printed copy of the form with signatures should be brought to the Graduate Council Meeting. Complete the Coordinator Form on page 2, if changes in this course will affect other units.

Please indicate:  __X__ NEW ______ MODIFY ______ DELETE

Local Unit: Public & International Affairs/ADJ  Graduate Council Approval Date:

Course Abbreviation: JLCP  Course Number: 721

Full Course Title: Constitution, Criminal Procedure, and Security

Abbreviated Course Title (24 characters max.): Constit/Crim Proc & Secur

Credit hours: 3  Program of Record: Justice, Law, & Crime Policy

Repeatable for Credit?  ___ D=Yes, not within same term  Up to hours  ___ T=Yes, within the same term  Up to hours  _X_ N=Cannot be repeated for credit

Activity Code (please indicate):  ___ Lecture (LEC)  ___ Lab (LAB)  ___ Recitation (RCT)
___ Studio (STU)  ___ Internship (INT)  ___ Independent Study (IND)  _X_ Seminar (SEM)

Catalog Credit Format  3:3:0  Course Level: GF(500-600)  ___ GA(700+)  _X_

Maximum Enrollment: 20  For NEW courses, first term to be offered: Fall 2005
Prerequisites or corequisites: JLCP 720/GOVT 728 or instructor’s permission.

Catalog Description (35 words or less)  Please use catalog format and attach a copy of the syllabus for new courses.: JLCP 721 The Constitution, Criminal Procedure, and Security (3:3:0). Prerequisites: JLCP 720/GOVT 728 or instructor’s permission. Understanding legal doctrines that form the basis of U.S. constitutional procedural rights and understanding how these doctrines develop, why the courts rule as they do, and evaluating the strengths and weaknesses of these rights.

For MODIFIED or DELETED courses as appropriate:
Last term offered:  Previous Course Abbreviation:  Previous number:

Description of modification:

APPROVAL SIGNATURES:
Submitted by:  ________________________________ email: smastrof@gmu.edu

Department/Program:  ________________________________ Date: __________________

College Committee:  ________________________________ Date: __________________

Graduate Council Representative:  ________________________________ Date: __________________
Approval from other units:

Please list those units outside of your own who may be affected by this new, modified, or deleted course. Each of these units must approve this change prior to its being submitted to the Graduate Council for approval.

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Graduate Council approval: ______________________________ Date: __________

Graduate Council representative: __________________________ Date: __________

Provost Office representative: ____________________________ Date: __________
George Mason University
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Please indicate:  

[X] NEW  
MODIFY  
DELETE

Local Unit:  Public & International Affairs  
Graduate Council Approval Date: 

Course Abbreviation:  GOVT  
Course Number:  713

Full Course Title:  Constitution, Criminal Procedure, and Security

Abbreviated Course Title (24 characters max.): Const/Crim Proc & Secur

Credit hours: 3  
Program of Record: Political Science M.A.

Repeatable for Credit?  

[D=Yes, not within same term]  
[T=Yes, within the same term]  
[N=Cannot be repeated for credit]

Up to hours

Activity Code (please indicate):  

[Lecture (LEC)]  
[Lab (LAB)]  
[Recitation (RCT)]  
[Studio (STU)]  
[Internship (INT)]  
[Independent Study (IND)]  [Seminar (SEM)]

Catalog Credit Format 3:3:0  
Course Level:  GF(500-600)  
GA(700+)  [X]

Maximum Enrollment: 20  
For NEW courses, first term to be offered: Fall 2005

Prerequisites or corequisites:  JLCP 720/GOVT 728 or instructor’s permission.

Catalog Description (35 words or less)  Please use catalog format and attach a copy of the syllabus for new courses:  

GOVT 706 The Constitution, Criminal Procedure, and Security (3:3:0).  Prerequisites:  JLCP 720/GOVT 728 or instructor’s permission. Understanding legal doctrines that form the basis of U.S. constitutional procedural rights and understanding how these doctrines develop, why the courts rule as they do, and evaluating the strengths and weaknesses of these rights.

For MODIFIED or DELETED courses as appropriate:  

Last term offered:  Previous Course Abbreviation:  Previous number:

Description of modification:

APPROVAL SIGNATURES:

Submitted by:   
email:  smastrof@gmu.edu

Department/Program:   
Date:   

College Committee:   
Date:   

Graduate Council Representative:  
Date:   


GEORGE MASON UNIVERSITY
Course Coordination Form

Approval from other units:

Please list those units outside of your own who may be affected by this new, modified, or deleted course. Each of these units must approve this change prior to its being submitted to the Graduate Council for approval.

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Graduate Council approval: __________________________ Date: ________

Graduate Council representative: ______________________ Date: ________

Provost Office representative: _________________________ Date: ________
Topic Description

In this course we examine the notion of constitutional, procedural rights through the eyes of their interpreters: the federal and state courts. Much of the class is built around reading and evaluating judicial opinions, but this course is not a law school class. The goals of the course are two-fold: while it is important for students to comprehend the legal doctrines that form the basis of procedural rights, a greater concern will be in understanding how these doctrines develop, why the courts rule as they do, and evaluating the strengths and weaknesses of these various rights. In particular, we will examine the implications and effects of September 11th, considering the trade-off between security and liberty in procedural rights.

This course will require substantial reading and class participation. It is essential that you keep up with the material and come to class prepared to join the discussion. Feel free to email me throughout the course with questions or ideas you have about the readings or class discussions.

Course Prerequisites

JLCP 720/GOVT 728 or instructor’s permission.

Course Objectives and Learning Methods

Students will be expected to comprehend the legal doctrines that form the basis of constitutional, procedural rights. We will address the development of these doctrines, weighing their strengths and weaknesses, and will seek to understand why the courts rule as they do.

Instruction will be a mix of lecture, discussion, and group projects. The class will be very-much “hands on,” requiring students to take responsibility for leading discussion and examining case studies.
Course Requirements and Grading

X Each week I will distribute three questions to consider about the reading assignments. For each of three weeks, students must select one of the questions and answer in a 1-2 page paper due at the beginning of class (20% of final grade).

X Students will prepare a 20 page research paper investigating an issue for class discussion. This paper will be due two-thirds of the way into the semester. The last two class periods will be set aside for the issues identified in the student papers (30% of final grade).

X There will be a final take-home exam covering themes examined throughout the semester (30% of final grade).

X Students must come to class having read the day’s material and prepared to participate in class discussion. Throughout the term students will take responsibility for leading class discussion (20% of final grade).

Texts

James Acker and David Brody, *Criminal Procedure: A Contemporary Perspective*
Akhil Reed Amar, *The Constitution and Criminal Procedure: First Principles*
John Brigham, *Civil Liberties and American Democracy*
Alan Dershowitz, *The Best Defense*
Charles Doyle, *The USA Patriot Act: A Legal Analysis*
Anthony Lewis, *Gideon’s Trumpet*
Shephen Schulhofer, *The Enemy Within: Intelligence Gathering, Law Enforcement, and Civil Liberties in the Wake of 9/11*

Class Assignments

Week One: Introduction to Criminal Procedure, Reading and Briefing Cases

Week Two: Search and Seizure: Warrants and the Exclusionary Rule

Week Three: Search and Seizure: Stop & Frisk and Warrant Exceptions

Week Four: Search and Seizure: Surveillance, Wire Taps, and the Internet

Week Five: Immigration and Customs: Special Security Interests?

Week Six: Interrogations and the Miranda Rule

Week Seven: Interrogations: Waiver, Voluntariness and Nontestimonial Evidence

Week Eight: Right to Counsel

Week Nine: Role of Defense Counsel

Week Ten: Procedural Rights and the Risks of Eyewitness Identification

Week Eleven: The USA Patriot Act: Civil Liberties vs. Security
Week Twelve: Going Too Far: Remedies for Rights Violations

Week Thirteen: Topics from Students’ Research

Week Fourteen: Topics from Students’ Research

Academic Policies

Although I am sure we will not have to worry about infractions, George Mason University maintains an Honor Code. The code is available in the University Catalog. Please make sure that you consult it and understand its terms. You will be held to them.

If you have a disability that requires an accommodation, please consult the University’s Disability Resource Center. I cannot make any accommodations until the Center has authorized them.

If you have not already done so, you will need to activate your GMU email address. Any class announcements will be delivered to that email address.

Catalog Description

JLCP 721/GOVT 713 The Constitution, Criminal Procedure, and Security (3:3:0). Prerequisites: JLCP 720/GOVT 728 or instructor’s permission. Understanding legal doctrines that form the basis of U.S. constitutional procedural rights and understanding how these doctrines develop, why the courts rule as they do, and evaluating the strengths and weaknesses