

JUS 375 Final Project Guidelines and Rubric

Overview

To be an effective criminal justice practitioner, one must understand the evolution of criminal law and the criminal justice system. One needs to know not only how a criminal statute is developed but also how it applies in the field. It is vital that an awareness exists of all aspects of criminal law—including how to conduct a proper arrest, how to use emerging technology in conducting investigations, how U.S. Supreme Court rulings are applied, and how case preparation is done. One must be cognizant of the available defenses as well as the criminal states of mind. Although there are many opportunities within the criminal justice field, the tie that binds them is criminal law, and a solid comprehension is a necessity for success.

The final project for this course will allow you to see yourself in a range of criminal justice practitioner roles. Each position will require you to address different issues and concerns indicative of that area of criminal justice—some requiring research, others requiring you to apply methods of inquiry, all leading to the creation of a case analysis portfolio.

The final project is supported by **two milestones**, which will be submitted at various points throughout the course to scaffold learning and ensure quality final submissions. These milestones will be submitted in **Modules Two and Four**. The final submission will occur in **Module Seven**.

In this assignment, you will demonstrate your mastery of the following course outcomes:

- Illustrate the major historical milestones of criminal law in the United States for their impact on the criminal Justice system and the role of the practitioner
- Evaluate constitutional parameters set by courts for their influence on the performance of law-enforcement agencies
- Evaluate the impact of emerging technology on the development of an ethical criminal investigation
- Apply the sociological and criminological scientific methods of inquiry to determine a defendant's mental state and possible criminal defenses for case preparation

Prompt

For the final assessment, you will need to imagine yourself in a variety of criminal justice practitioner roles. You will be presented with a series of case scenarios and will be required to address each of them by utilizing case law research. You will then have to make decisions based on your findings, evidence, and any procedural knowledge you have obtained throughout the course.

The final submission will require you to respond to each one of the following situations and compile them together for a case analysis portfolio.

Specifically, the following **critical elements** must be addressed:

I. **Miranda**

A uniformed police officer is dispatched to a bank robbery. Upon arrival, John Smith is already under arrest by the detectives for committing the robbery and shooting the guard. He is placed in the back of the officer's cruiser. During the drive back to the station, Smith yells out, "I am so sorry I shot him!" One month later, the officer is called to testify about Smith's statement. Smith's defense attorney argues that the officer failed to read him his *Miranda* rights. Consider if his statements are admissible given the fact he was not read his Miranda Rights prior to making them.

- A. Imagine yourself as the judge presiding over this case. Clearly and accurately evaluate the **constitutional parameters** that emerged from the *Miranda* decision. How has this case influenced the practice of law enforcement?
- B. Describe your **ruling** for the bank robbery case, citing the *Miranda* case. How did *Miranda* influence your decision-making process?

II. **Jewelry Store Robbery**

A detective was conducting surveillance outside a jewelry store that had been robbed several times in the past month. It was 85°F outside, and he witnessed three men pacing in front of the store who appeared to be acting nervous. One of the men was wearing a heavy sweatshirt (later identified as Wilson), while the others were wearing t-shirts. The detective exited his cruiser and approached the three men. The detective conducted a pat frisk of Wilson and found a hard object in the front pocket of the sweatshirt. He reached his hand into the pocket and located a handgun. He placed all three under arrest and later tied all of them to the repeat burglaries. In court, Wilson's attorney argued that the detective conducted an illegal search when he located the handgun. Imagine yourself now as the judge.

- A. In order to avoid defense attorneys making this kind of claim in court, new technology could be utilized to aid in the development of cases and in prosecutions. What types of new technology could the detective have employed in his **surveillance and arrest** that might have helped avoid the defense attorney's claim of illegal search? Evaluate the impact these types of technology have had on ethical investigations.
- B. Based on the U.S. Supreme Court case *Terry v. Ohio*, 392 U.S. 1 (1968), how would you rule in this case? Be sure to defend your **ruling** with evidentiary support.
- C. Did the ruling justices' decision in *Terry v. Ohio* influence the **effective performance** of law-enforcement agencies? Defend your position using evidence from the current case as well as the Supreme Court case.

III. **Rape Investigation**

You are now a detective assigned to conduct a rape investigation.

- A. Select an emerging **technology** available for investigating rape-related crimes. How has this technology positively or negatively impacted criminal investigations? Support your argument(s) using specific examples.

- B. Taking into consideration U.S. Supreme Court rulings, what are any **limitations or regulations** you may encounter in utilizing this technology to conduct an ethical investigation?

IV. **Pre-Sentence Investigation**

A 14-year-old juvenile was just convicted of murder, and sentencing is approaching. Imagine yourself as a probation officer assigned to conduct the presentence investigation. Research *Miller v. Alabama* and use it to guide you on how you would approach this case.

- A. Based on *Miller v. Alabama*, what are the **constitutional constraints** placed upon the judge to come to an ethical and proper sentence in the current case?
- B. How did the *Miller v. Alabama* case transform **sentencing laws** and impact the role of the criminal justice practitioner? Support your response with examples.

V. **Hinckley**

On March 30, 1981, John Hinckley attempted to kill President Reagan. There were several witnesses to the shooting, and the evidence was overwhelming. Research this case and imagine yourself as Hinckley's defense attorney.

- A. Apply the **Model Penal Code test** to this case to determine Hinckley's mental state defense and what the jury's verdict would have to be. Be sure to defend your response.
- B. After the Hinckley verdict was reached, many states opted for a new test to be utilized. The Insanity Defense Reform Act of 1984 shifted the **burden of proof** from prosecution to defense. Apply the present statutory test to the case. How do you believe the jury would vote if Hinckley were tried today? Why?
- C. What **historical milestone case** involving the Second Amendment emerged from the events of this situation? How has this case impacted the criminal justice practitioner?

VI. **Defense Attorney**

You are a defense attorney. You have a client who is charged with raping and killing four boys. After killing them, he dismembered them and ate them. Your client thinks he did nothing wrong.

- A. Based on the client's mental state, what would you argue for a **defense for the client**? Ensure that you apply and explain any relevant sociological and criminological scientific methods of inquiry you would use in devising your argument.

VII. **Jim Aiken**

Jim Aiken comes home early from work and finds his wife in bed with the mailman. He immediately shoots and kills the mailman. Aiken then goes downstairs, makes himself a sandwich, and watches TV while his wife is frozen in fear in bed. After two hours, Aiken goes back upstairs and shoots and kills his wife. You have been tasked with preparing the case for his defense attorney.

- A. Applying the appropriate sociological and criminological scientific methods of inquiry, what crime did Aiken commit regarding the **mailman**, and what possible defense could be used?
- B. What crime did Aiken commit regarding his **wife**, and what possible defense could be used? Support your response by explaining how you applied the scientific methods of inquiry.

VIII. Narcotics Detective

Imagine yourself as a narcotics detective. You are told by an informant that a man by the name of Joe Parker is growing marijuana in his basement. He goes on to tell you that the basement has windows, but they appear to be blacked out, preventing anyone from seeing inside. As a knowledgeable narcotics detective, you know that extreme heat is used to keep the marijuana plants healthy. You decide to use a thermal imaging device to see if there is excessive heat coming from the basement. You park in front of his house and turn on the device. It registers extreme levels of heat emanating from the basement. Based on that information, you obtain a search warrant and locate the marijuana. In preparing your paperwork, it is brought to your attention that these events are identical to an actual U.S. Supreme Court case. Research *Kyllo v. United States*, 533 U.S. 27 (2001), to guide how you would approach this case.

- A. What elements from *Kyllo v. United States* will impact your ability to develop an **ethical investigation**? Be sure to explain your response.
- B. Examine how the use of **thermal imaging technology** has impacted detectives, both positively and negatively, in performing ethical investigations in drug-related cases?
- C. If you were the judge in the *Kyllo* case, what would be the **constitutional parameters** that would influence how you would rule? Why would these influence your ruling?

IX. Homicide Detective

A detective investigating a recent homicide has obtained a mobile scanner device called a Manta Ray, which allows him to sit in his vehicle and “capture” conversations and data from mobile phones by mimicking a cellular tower. After two days of surveillance on an apartment complex that he believes houses the man who committed the murder, the device grabs pieces of a text conversation between the suspect and his girlfriend. The detective believes the conversation was a vague confession to the crime and decides it is enough to obtain a court order.

- A. Was the use of the **Manta Ray** in this investigation done ethically, and how will this potentially impact the development of this case? Consider supporting your response with relevant case law and precedent.

Milestones

Milestone One: Jim Aiken

In **Module Two**, you will submit a short paper that invites you to wear the hat of a criminal justice practitioner and offer analysis of a criminal situation based on case law research. This milestone will be graded with the **Milestone One Rubric**.

Milestone Two: *Miranda and Hinckley*

In **Module Four**, you will submit short paper that evaluates the constitutional parameters of two other cases and the ways you can influence the decision-making process of the court. This milestone will be graded with the **Milestone Two Rubric**.

Final Project Submission: *Case Analysis Portfolio*

In **Module Seven**, you will submit your completed analysis of all nine case study scenarios. Your work should reflect the incorporation of feedback gained throughout the course on your milestone submissions. This submission will be graded with the **Final Project Rubric**.

Final Project Rubric

Guidelines for Submission: Your submission should be six to eight pages in length. The document should use double spacing, 12-point Times New Roman font, and one-inch margins. Citations should be listed in APA format. Be sure to label each section appropriately (*Miranda*, *Jewelry Store Robbery*, etc.) when compiling your portfolio.

Critical Elements	Exemplary (100%)	Proficient (85%)	Needs Improvement (55%)	Not Evident (0%)	Value
Miranda: Constitutional Parameters	Meets “Proficient” criteria and cites specific, relevant examples to establish a robust context of evaluation	Clearly and accurately evaluates the constitutional parameters that emerged from the <i>Miranda</i> decision and explains how this influenced the practice of law enforcement	Evaluates the constitutional parameters that emerged from the <i>Miranda</i> decision and explains how this influenced law enforcement, but evaluation is vague or inaccurate	Does not evaluate the constitutional parameters that emerged from the <i>Miranda</i> case or explain how this influenced the constitutional acts of law enforcement	5.1
Miranda: Ruling	Meets “Proficient” criteria and uses industry-specific language to establish expertise	Describes ruling, citing the <i>Miranda</i> case, and how the case influenced decision-making process	Describes ruling, citing the <i>Miranda</i> case, but does not describe how the case influenced decision-making process	Does not describe ruling	5.1

Jewelry Store Robbery: Surveillance and Arrest	Meets “Proficient” criteria, and evaluation is well qualified with concrete examples	Describes the types of technology the detective could have employed in his surveillance and arrest and evaluates the impact these types of technology have had on ethical investigations	Describes the types of technology the detective could have employed in his surveillance and arrest, but does not evaluate the impact these types of technology have had on ethical investigations, or description and/or evaluation is lacking in detail or inaccurate	Does not describe the types of technology the detective could have employed in his surveillance and arrest	5.1
Jewelry Store Robbery: Ruling	Meets “Proficient” criteria and uses industry-specific language to establish expertise	Formulates a ruling based on the current case, defending decision with evidence from <i>Terry v. Ohio</i>	Describes a ruling on the case but does not defend ruling with evidence from <i>Terry v. Ohio</i>	Does not describe a ruling on the case	5.1
Jewelry Store Robbery: Effective Performance	Meets “Proficient” criteria and uses industry-specific language to establish expertise	Analyzes whether the ruling justices’ decision influenced the effective performance of lawenforcement agencies and defends position using evidence from the current case as well as the U.S. Supreme Court case	Analyzes whether the ruling justices’ decision influenced the effective performance of lawenforcement agencies but does not appropriately defend position using evidence from the current case as well as the U.S. Supreme Court case	Does not analyze whether the ruling justices’ decision influenced the effective performance of lawenforcement agencies	5.1
Rape Investigation: Technology	Meets “Proficient” criteria and cites scholarly research that is aligned with the evaluation	Evaluates how this technology positively or negatively impacts criminal investigations and supports argument(s) using specific examples	Evaluates how this technology positively or negatively impacts criminal investigations, but does not support argument(s) using specific examples	Does not evaluate how this technology impacts criminal investigations	5.1
Rape Investigation: Limitations or Regulations	Meets “Proficient” criteria and uses industry-specific language to establish expertise	Identifies limitations or regulations that may be encountered in utilizing this technology to conduct an ethical investigation, taking into consideration U.S. Supreme Court rulings	Identifies limitations or regulations that may be encountered in utilizing this technology to conduct an ethical investigation but does not take into consideration U.S. Supreme Court rulings	Does not identify limitations or regulations that may be encountered in utilizing this technology to conduct an ethical investigation	5.1

Pre-Sentence Investigation: Constitutional Constraints	Meets “Proficient” criteria, and the description is clear and contextualized	Describes the constitutional constraints placed upon the judge to come to an ethical and proper decision in the current case, based on <i>Miller v. Alabama</i>	Describes the constitutional constraints placed upon the judge to come to an ethical and proper decision in the current case but does not base the response on <i>Miller v. Alabama</i> , or description lacks detail	Does not describe the constitutional constraints placed upon the judge to come to an ethical and proper decision in the current case	5.1
Pre-Sentence Investigation: Sentencing Laws	Meets “Proficient” criteria and uses scholarly research to substantiate claims	Examines how the <i>Miller v. Alabama</i> case transformed sentencing laws and how it impacted the role of the criminal justice practitioner and supports response with examples	Examines how the <i>Miller v. Alabama</i> case transformed sentencing laws and how it impacted the role of the criminal justice practitioner but does not support response with examples	Does not examine how the <i>Miller v. Alabama</i> case transformed sentencing laws and how it impacted the role of the criminal justice practitioner	5.1
Hinckley: Model Penal Code Test	Meets “Proficient” criteria and uses concrete evidence to substantiate claims	Accurately applies the Model Penal Code test to the case to determine the verdict and defends response	Applies the Model Penal Code test to the case to determine the verdict, but application is inaccurate or does not defend response	Does not apply the Model Penal Code test to the case to determine the verdict	5.1
Hinckley: Burden of Proof	Meets “Proficient” criteria, and determination is well supported and plausible	Accurately applies the present statutory test to the case to determine the jury’s verdict and justifies response	Applies the present statutory test to the case to determine the jury’s verdict, but application is inaccurate or does not justify response	Does not apply the present statutory test to the case to determine the jury’s verdict	5.1
Hinckley: Historical Milestone Case	Meets “Proficient” criteria and uses industry-specific language to establish expertise	Identifies the historical milestone case involving the Second Amendment that emerged from the events of the Hinckley case and determines how the case impacted the criminal justice practitioner	Identifies the historical milestone case involving the Second Amendment that emerged from the events of the Hinckley case but does not determine how the case impacted the criminal justice practitioner	Does not identify the historical milestone case involving the Second Amendment that emerged from the events of the Hinckley case	5.1

Defense Attorney: Defense for the Client	Meets “Proficient” criteria and cites scholarly research that is aligned with proposed argument	Applies relevant sociological and criminological scientific methods of inquiry in determining defense for client based on the client’s mental state	Applies sociological and criminological scientific methods of inquiry in determining defense for client based on the client’s mental state, but methods used are not relevant for the client’s mental state	Does not apply sociological and criminological scientific methods of inquiry in determining defense for client based on the client’s mental state	5.1
Jim Aiken: Mailman	Meets “Proficient” criteria and cites scholarly research that is aligned with claims	Applies appropriate sociological and criminological scientific methods of inquiry to accurately ascertain what crime Aiken committed regarding the mailman and what possible defense could be used	Applies sociological and criminological scientific methods of inquiry to ascertain what crime Aiken committed regarding the mailman and what possible defense could be used but does not use appropriate methods or is inaccurate in what crime was committed	Does not apply sociological and criminological scientific methods of inquiry to ascertain what crime Aiken committed regarding the mailman	5.1
Jim Aiken: Wife	Meets “Proficient” criteria and cites scholarly research that is aligned with claims	Applies appropriate sociological and criminological scientific methods of inquiry to accurately ascertain what crime Aiken committed regarding his wife and what possible defense could be used	Applies sociological and criminological scientific methods of inquiry to ascertain what crime Aiken committed regarding his wife and what possible defense could be used but does not use the appropriate methods or is inaccurate in what crime was committed	Does not apply sociological and criminological scientific methods of inquiry to accurately ascertain what crime Aiken committed regarding his wife	5.1
Narcotics Detective: Ethical Investigation	Meets “Proficient” criteria, and defense is well supported and suitable	Illustrates the elements from <i>Kyllo v. United States</i> that would impact the ability to develop an ethical investigation and defends response	Illustrates the elements from <i>Kyllo v. United States</i> that would impact the ability to develop an ethical investigation but does not defend response	Does not illustrate the elements from <i>Kyllo v. United States</i> that would impact the ability to develop an ethical investigation	5.1

Narcotics Detective: Thermal Imaging Technology	Meets “Proficient” criteria, and evaluation is well qualified with concrete examples	Evaluates how thermal technology has positively and negatively impacted detectives in performing ethical investigations in drug-related cases	Evaluates how thermal technology has positively and negatively impacted detectives in performing ethical investigations in drug-related cases, but evaluation is cursory or lacks detail	Does not evaluate how thermal technology has impacted detectives in performing ethical investigations	5.1
Narcotics Detective: Constitutional Parameters	Meets “Proficient” criteria and cites scholarly research that is aligned with stance	Discusses the constitutional parameters that would influence a ruling in the <i>Kyllo</i> case and why they would influence the ruling	Discusses the constitutional parameters that would influence a ruling in the <i>Kyllo</i> case but does not discuss why they would influence the ruling	Does not discuss the constitutional parameters that would influence a ruling in the <i>Kyllo</i> case	5.1
Homicide Detective: Manta Ray	Meets “Proficient” criteria and supports response with relevant case law and precedent	Justifies whether the use of the Manta Ray was ethical and describes how it would potentially impact the development of the case	Justifies whether the use of the Manta Ray was ethical but does not describe how it would potentially impact the development of the case	Does not justify whether the use of the Manta Ray was ethical	5.1
Articulation of Response	Submission is free of errors related to citations, grammar, spelling, syntax, and organization and is presented in a professional and easy to read format	Submission has no major errors related to citations, grammar, spelling, syntax, or organization	Submission has major errors related to citations, grammar, spelling, syntax, or organization that negatively impact readability and articulation of main ideas	Submission has critical errors related to citations, grammar, spelling, syntax, or organization that prevent understanding of ideas	3.1
Earned Total					100%