
Attendance: The maximum number of absences allowed by law school policy is nine (9). Classes that meet on Mondays and Wednesdays must hold make-up classes for the Labor Day and Veterans Day holidays. Details regarding the make-up classes will be announced in class.

Final Exam: Monday, December 14, 2015 at 8:15 a.m.

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

I. INTRODUCTION – pp. 1-27; 39-59 (Supp. pp. 3-6)

II. REMEDIES FOR FOURTH AMENDMENT VIOLATIONS – THE EXCLUSIONARY RULE – pp. 202-242

III. SEARCHES


B. SEARCHES: COMPLIANCE with the FOURTH AMENDMENT

1. Probable Cause to Search – Generally, pp. 267-286 (Supp. pp. 11-12)

2. Search Warrants – pp. 286 et seq.
   a. Issuance – 286-291
   b. Execution of the Warrant – pp. 291-300
   c. Computer Searches – pp. 300-302
   d. The “Preference” for Warrants – pp. 302-304
C. WARRANTLESS ARRESTS & SEARCHES OF PERSONS – p. 332 et seq.

2. Unnecessary, Pretextual, and Arbitrary Arrests – pp. 319-327
3. Other Searches of the Person – pp. 328-338

D. WARRANTLESS ENTRIES AND SEARCHES OF PREMISES – pp. 328-357

E. WARRANTLESS SEARCHES OF VEHICLES & CONTAINERS – pp. 358-382

F. STOP and FRISK – pp. 382 et seq (Supp. pp. 12 & 13)

1. Generally – pp. 382-388
2. Police Action Short of a Seizure (Stop and Frisk) – pp. 388-391
5. Temporary Seizure of Effects – pp. 405-406
7. Other Brief Detentions for Investigation – pp. 411-412


H. CONSENT – pp. 418 et seq (Supp. p. 19)

1. The Nature of Consent – pp-418-428
2. Third Party Consent – pp. 428-436

IV. UNDERCOVER INVESTIGATIONS – pp. 437 et seq.

Secret Agents – pp. 437-445
V. NETWORK SURVEILLANCE – pp. 466 et seq.

1. The Fourth Amendment – pp. 466-475
   a. Rights to Content Information – pp 467-475
   b. Rights to Non-Content Information – pp. 475-486

2. Statutory Privacy Laws – pp. 486-87


VI. POLICE INTERROGATION AND CONFESSIONS – pp. 505 et seq.

A. HISTORICAL BACKGROUND – pp. 505-526

B. THE MIRANDA REVOLUTION – pp. 526-561

C. DUE PROCESS AND VOLUNTARINESS – pp. 652-677

D. DUE PROCESS REVISITED – pp. 677-697

E. MASSIAH REVISITED – pp. 697-716

VI. LINEUPS, SHOWUPS, AND OTHER IDENTIFICATION PROCEDURES – pp. 717 et seq.

A. CONSTITUTIONAL CONCERNS – pp. 717-725

B. KIRBY and ASH – pp. 725-730

C. DUE PROCESS LIMITS – pp. 730-742

D. SOCIAL SCIENCE RESEARCH – pp. 742-746

VII. SCOPE OF THE EXCLUSIONARY RULES – p. 827 et seq.

A. STANDING, ETC. – pp. 827-842

B. FRUIT of the POISONOUS TREE – pp. 842-862

C. USE OF ILLEGALLY OBTAINED EVIDENCE FOR IMPEACHMENT – pp. 862-871
Disability Policy: Disability Support Services provides academic and programmatic support services to students with permanent and temporary disabilities. DSS provides centralized coordination and referral services. To utilize DSS services, students must come to the DSS to open cases. The process involves interviews, reviews of student supplied documentation, and completion of Disability Accommodation Agreements. http://disabilityservices.siu.edu/
Upon completion of a Disability Accommodation Agreement with DSS, students should bring the agreement to the School of Law Registrar’s Office to ensure the School of Law provides the proper classroom and examination accommodations.

Saluki Cares. The purpose of Saluki Cares is to develop, facilitate and coordinate a university-wide program of care and support for students in any type of distress—physical, emotional, financial, or personal. By working closely with faculty, staff, students and their families, SIU will continue to display a culture of care and demonstrate to our students and their families that they are an important part of the community. For information on Saluki Cares: (618) 453-5714, or siucares@siu.edu, http://salukicares.siu.edu/index.html. At the School of Law, Assistant Dean Judi Ray is also available to help students access university resources. Her email is judiray@siu.edu, and her phone number is 618-453-3135.

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.