## I. Summary of Proposed Changes

<table>
<thead>
<tr>
<th>Dept / Program</th>
<th>College of Technology Fundamentals of Police Science Program</th>
<th>Prefix and Course #</th>
<th>PSS 102</th>
</tr>
</thead>
<tbody>
<tr>
<td>Course Title</td>
<td>Law and Criminal Procedure</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Short Title (max. 26 characters incl. spaces)</td>
<td>Law and Criminal Procedure</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Summarize the change(s) proposed</td>
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</tr>
</tbody>
</table>

## II. Endorsement/Approvals

Complete the form and obtain signatures before submitting to Faculty Senate Office

<table>
<thead>
<tr>
<th>Please type / print name</th>
<th>Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Requestor:</td>
<td>Alan Fugleberg</td>
<td>10-8-2010</td>
</tr>
<tr>
<td>Phone/ email:</td>
<td>X7608</td>
<td></td>
</tr>
<tr>
<td>Program Chair/Director:</td>
<td>Alan Fugleberg, Chair/Assoc. Dean</td>
<td>10-8-2010</td>
</tr>
<tr>
<td>Other affected programs</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dean:</td>
<td>Barry Good, Dean</td>
<td>10-10-2010</td>
</tr>
</tbody>
</table>

Are other departments/programs affected by this modification because of
(a) required courses incl. prerequisites or corequisites,
(b) perceived overlap in content areas
(c) cross-listing of coursework

Please obtain signature(s) from the Chair/Director of any such department/program (above) before submission

## III: To Add a New Course

Syllabus and assessment information is required (paste syllabus into section V or attach). Course should have internal coherence and clear focus.

**Common Course Numbering Review (Department Chair Must Initial):**

Does an equivalent course exist elsewhere in the MUS? Check all relevant disciplines if course is interdisciplinary. ([http://mus.edu/transfer/CCN/ccn_default.asp](http://mus.edu/transfer/CCN/ccn_default.asp))

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

If YES: Do the proposed abbreviation, number, title and credits align with existing course(s)? Please indicate equivalent course/campus. ↓

No

If NO: Course may be unique, but is subject to common course review. Be sure to include learning outcomes on syllabus or paste below. The course number may be changed at the system level.
Upon completion of this course, the student will:
1. Explain the components of the criminal justice system in Montana, describe the various courts found in the state, and identify essential features of those courts.
2. Identify the elements of a complaint, the legal definition of "venue," and the procedural aspects of a criminal trial.
3. Apply the rules, restrictions, and guidelines pertaining to search and seizure established by the U.S. and/or Montana Constitution and Supreme Court which control a law enforcement officer's authority to search and seize persons and property and articulate the significant differences between U.S. and Montana language.
4. Identify the statutory provisions within federal and state laws regarding "Use of Force"; explain "deadly force," and describe proper officer behavior regarding use of force.
5. Identify the rules, restrictions, and guidelines established by the U.S. and/or Montana Constitution and Supreme Court which control law enforcement officers' authority in regard to interviews, interrogations, self-compelled testimony, and right to counsel. Identify differences between U.S. and Montana policies.
6. Explain the Miranda decision and its impact upon law enforcement.
7. Explain the amendments to the U.S. Constitution and compare articles regarding freedom of religion, speech, assembly, citizenship and bail in the Montana Constitution.
8. Explain behavioral issues that result in conduct that is prohibited by law (e.g., sexual harassment, racial profiling).
9. Identify the laws of Montana pertaining to public service, including public trust and duty, rules of conduct and official misconduct.
10. Define with accuracy the fundamental legal terms used within the statutes of Montana Codes Annotated and locate and explain the criminal statutes using the Montana Law Enforcement Reference Guide.
11. Within the Montana Codes Annotated, locate and explain the statutes pertaining to minors and criminal statutes pertaining to criminal justice information, motor vehicles, and search warrants.
12. Analyze and extrapolate the necessary information needed to prepare a search warrant when given a scripted set of facts.
13. Identify the provision of the Montana civil process as it applies to the techniques and procedures used in the delivery of civil papers: summons to appear, eviction notices, orders of protection, divorce papers, etc.
14. Describe the scope and mission of the Montana Department of Justice, Gambling Investigation Bureau as applied to gambling and tobacco regulations and laws.
15. Describe the role of the officer in a courtroom, effective officer testimony, effective testifying using reports and notes and the purpose of a deposition; understand and demonstrate courtroom etiquette, demeanor while testifying on direct, and techniques for testifying under cross examination.
16. Describe insurance pools; define key terms and words used in litigation, claims against law enforcement, defense and indemnification, elements of negligence; and discuss principles to manage and minimize risk.
17. Demonstrate an awareness and understanding of laws and rules that govern the law enforcement profession and the powers vested to the Public Safety Officers Standards and Training Advisory Council (POST).

Exact entry to appear in the next catalog (Specify course abbreviation, level, number, title, credits, repeatability (if applicable), frequency of offering, prerequisites, and a brief description.)

PSS 102 Law and Criminal Procedure (3 cr.) is offered Autumn, Spring and Summer. Prerequisites: None. Students develop a basic understanding of the Montana criminal justice system and the relationships among its components. U.S. Constitution amendments and Supreme Court rulings related to law enforcement are compared and contrasted to similar articles of the Montana Constitution. Students understand behavioral issues behind conduct prohibited by law and Montana laws pertaining to public service. Students locate and explain statutes in the Montana Codes Annotated and define the legal terms contained within. The Montana civil process and the scope and mission of the Montana Department of Justice, Gambling Investigation Bureau is examined. Students learn courtroom etiquette and techniques and a basic knowledge of risk management issues and the laws/rules related to law enforcement and its profession. Enrollment is limited to law enforcement officers and pre-service trainees admitted to the MLEA Law Enforcement Officer Basic program in Helena.
**Justification:** How does the course fit with the existing curriculum? Why is it needed?

This course provides students with a comprehensive foundation in law and criminal procedure that underscores the functions and daily activities required of law enforcement officers.

Are there curricular adjustments to accommodate teaching this course?

No

Complete for UG courses. (UG courses should be assigned a 400 number).

Describe graduate increment

(http://umt.edu/facultysenate/committees/grad_council/procedures/gradIncrement.aspx)

New fees and changes to existing fees are only approved once each biennium by the Board of Regents. The coordination of fee submission is administered by Administration and Finance. Fees may be requested only for courses meeting specific conditions according to Policy 940.12.1 http://mus.edu/borpol/bor900/940-12-1.pdf.

Please indicate whether this course will be considered for a fee.

If YES, what is the proposed amount of the fee?

Justification:

### IV. To Delete or Change an Existing Course – check X all that apply

<table>
<thead>
<tr>
<th>Deletion</th>
<th>Title</th>
<th>From:</th>
<th>To:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Course Number Change</td>
<td>Level U, UG, G</td>
<td>From:</td>
<td>To:</td>
</tr>
<tr>
<td>Description Change</td>
<td>Repeatability</td>
<td>From:</td>
<td>To:</td>
</tr>
<tr>
<td>Change in Credits</td>
<td>Cross Listing (primary program initiates form)</td>
<td>From:</td>
<td>To:</td>
</tr>
</tbody>
</table>

Prerequisites

Is there a fee associated with the course?

1. Current course information at it appears in catalog (http://www.umt.edu/catalog)
2. Full and exact entry (as proposed)

3. If cross-listed course: secondary program & course number

4. Is this a course with MUS Common Course Numbering? http://mus.edu/transfer/CCN/ccn_default.asp

If yes, please explain below whether this change will eliminate the course's common course status.

5. Graduate increment if level of course is changed to UG.
   Reference guidelines at:
   http://umt.edu/facultysenate/committees/grad_council/procedures/gradIncrement.aspx
   (syllabus required in section V)

6. Other programs affected by the change

7. Justification for proposed change

### V. Syllabus/Assessment Information

Required for new courses and course change from U to UG. Paste syllabus in field below or attach and send digital copy with form.
THE UNIVERSITY of MONTANA COLLEGE of TECHNOLOGY
Fundamentals of Police Science Program
Course Syllabus

COURSE NUMBER AND TITLE: PSS 102, Law and Criminal Procedure

DATE: Autumn 2010

SEMESTER CREDITS: 3

PREREQUISITES: None

FACULTY: MLEA Faculty
E-Mail:
Phone:
Office:
Office Hours:

COURSE DESCRIPTION: PSS 102, Law and Criminal Procedure is offered Autumn, Spring and Summer. Students develop a basic understanding of the Montana criminal justice system and the relationships among its components. U.S. Constitution amendments and Supreme Court rulings related to law enforcement are compared and contrasted to similar articles of the Montana Constitution. Students understand behavioral issues behind conduct prohibited by law and Montana laws pertaining to public service. Students locate and explain statutes in the Montana Codes Annotated and define the legal terms contained within. The Montana civil process and the scope and mission of the Montana Department of Justice, Gambling Investigation Bureau is examined. Students learn courtroom etiquette and techniques and a basic knowledge of risk management issues and the laws/rules related to law enforcement and its profession.

STUDENT PERFORMANCE OUTCOMES:
Performance Objectives
Upon completion of this course, the student will:
1. Explain the components of the criminal justice system in Montana, describe the various courts found in the state, and identify essential features of those courts.
2. Identify the elements of a complaint, the legal definition of “venue”, and the procedural aspects of a criminal trial.
3. Apply the rules, restrictions, and guidelines pertaining to search and seizure established by the U.S. and/or Montana Constitution and Supreme Court which control a law enforcement officer’s authority to search and seize persons and property and articulate the significant differences between U.S. and Montana language.
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5. Identify the rules, restrictions, and guidelines established by the U.S. and/or Montana Constitution and Supreme Court which control law enforcement officers’ authority in regard to interviews, interrogations, self compelled testimony, and right to counsel. Identify differences between U.S. and Montana policies.
6. Explain the Miranda decision and its impact upon law enforcement.
7. Explain the amendments to the U.S. Constitution and compare articles regarding freedom of religion, speech, assembly, citizenship and bail in the Montana Constitution.
8. Explain behavioral issues that result in conduct that is prohibited by law (e.g., sexual harassment, racial profiling).
9. Identify the laws of Montana pertaining to public service, including public trust and duty, rules of conduct and official misconduct.
10. Define with accuracy the fundamental legal terms used within the statues of Montana Codes Annotated and locate and explain the criminal statutes using the Montana Law Enforcement Reference Guide.
11. Within the Montana Codes Annotated, locate and explain the statutes pertaining to minors and criminal
12. Analyze and extrapolate the necessary information needed to prepare a search warrant when given a scripted set of facts.

13. Identify the provision of the Montana civil process as it applies to the techniques and procedures used in the delivery of civil papers: summons to appear, eviction notices, orders of protection, divorce papers, etc.

14. Describe the scope and mission of the Montana Department of Justice, Gambling Investigation Bureau as applied to gambling and tobacco regulations and laws.

15. Describe the role of the officer in a courtroom, effective officer testimony, effective testifying using reports and notes and the purpose of a deposition; understand and demonstrate courtroom etiquette, demeanor while testifying on direct, and techniques for testifying under cross examination.

16. Describe insurance pools; define key terms and words used in litigation, claims against law enforcement, defense and indemnification, elements of negligence; and discuss principles to manage and minimize risk.

17. Demonstrate an awareness and understanding of laws and rules that govern the law enforcement profession and the powers vested to the Public Safety Officers Standards and Training Advisory Council (POST).

STUDENT PERFORMANCE ASSESSMENT METHODS AND GRADING PROCEDURES: 
(Production and Testing)

GRADING SCALE: Students must earn a minimum score of 75% or letter grade of "C" in this course to receive both program and course credit toward the Certificate of Applied Science in Fundamentals of Police Science.

<table>
<thead>
<tr>
<th>Score Range</th>
<th>Grade</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>94 - 100</td>
<td>A</td>
<td>Excellent</td>
</tr>
<tr>
<td>84 - 93</td>
<td>B</td>
<td>Good</td>
</tr>
<tr>
<td>75 - 83</td>
<td>C</td>
<td>Satisfactory</td>
</tr>
<tr>
<td>70 - 74</td>
<td>D</td>
<td>Poor</td>
</tr>
<tr>
<td>69/below</td>
<td>F</td>
<td>Failure</td>
</tr>
</tbody>
</table>

ATTENDANCE POLICY: Students are required to come prepared for class each day and participate in the assigned activities. In-class activities account for a substantial portion of the final grade.

ACADEMIC INTEGRITY: All students must practice academic honesty. Academic misconduct is subject to an academic penalty by the course instructor and/or a disciplinary sanction by the University. All students need to be familiar with the Student Conduct Code. The Code is available for review online at http://www.umt.edu/SA/VPSA/index.cfm/page/1321.

DISABILITY ACCOMMODATION: Eligible students with disabilities will receive appropriate accommodations in this course when requested in a timely way. Please contact me after class or in my office. Please be prepared to provide a letter from your DSS Coordinator. For more information, visit the Disability Services website at http://www.umt.edu/dss/ or call 406.243.2243 (Voice/Text).

REQUIRED TEXTBOOKS:


OTHER REFERENCES OR SUPPLEMENTS:
### COURSE OUTLINE:

1. Montana courts  
2. Procedural aspects of a criminal trial  
3. Search and seizure guidelines, federal and state guidelines  
4. Arrest procedures  
5. Montana and federal statutes/decisions governing Use of Force/Deadly Force  
6. Reasonable officer perspectives and responsibilities, federal and state guidelines  
7. Levels of force  
8. Qualified immunity and federal criminal penalties  
9. Federal and state controls governing law enforcement officer’s authority  
10. U.S. constitution 1st, 8th and 14th amendments  
11. Montana constitution, Article II, Sections 3, 4, 7, 17, 21 and 22  
12. Prohibitive conduct  
13. Montana Codes Annotated  
   a. Legal terms  
   b. Criminal statutes  
14. Criminal justice information  
15. Montana Codes Annotated  
   a. Statutes pertaining to minors (Title 41)  
   b. Statutes pertaining to criminal justice information  
   c. Statutes pertaining to motor vehicles  
   d. Criminal statutes pertaining to search warrants  
16. Montana civil process; service of civil papers  
17. Montana Department of Justice, Gambling Investigation Bureau  
18. Courtroom testimony  
19. Risk management issues  
20. Public Safety Officers Standards and Training Council (POST)

September 2010

**VI Department Summary** (Required if several forms are submitted) In a separate document list course number, title, and proposed change for all proposals.

**VII Copies and Electronic Submission.** After approval, submit original, one copy, summary of proposals and electronic file to the Faculty Senate Office, UH 221, camie.foos@msu.montana.edu.

Revised 9-2010