Text: Kamisar, Israel, LaFave, King & Kerr,  Modern Criminal Procedure: Cases–Comments–Questions, (Thomson West, 12th Ed., 2008) ) [Hard bound edition, recommended for students planning to take both Criminal Procedure 1 and Criminal Procedure 2. This is cheaper than buying both volumes of the soft cover version.]

OR

Kamisar, Israel, LaFave, King and Kerr. Basic Criminal Procedure, Police Practices (Thomson West, 12th Ed. 2008) (soft cover, recommended for students not planning to take Criminal Procedure 2. The soft cover is identical to the hard cover, but published in two volumes. This volume covers all the materials in Crim. Pro. 1. It is much cheaper than the hard cover edition. This option would be cost-effective for students who do not plan to take Criminal Procedure 2.]

Helpful outside reading (optional):
LAFAVE, ISRAEL & KING, PRINCIPLES OF CRIMINAL PROCEDURE (Thomson-West)
DRESSLER, UNDERSTANDING CRIMINAL PROCEDURE (Mattew Bender)

Web site materials: supplemental reading materials may be posted throughout the term.

I. Introduction to the Course and Incorporation:

1. An Overview of the Criminal Justice Process, pp. 1-24; (skim this section for basic concepts)

2. The Sources of Criminal Procedure Law

   A. Fourteenth Amendment Due Process Clause-Incorporation, pp. 24-35
   B. Retroactivity and habeas corpus review of state court judgments, pp. 35-42
   C. Supervisory Power and Federalism, pp. 42-47

3. The War on Terror, pp. 47-54
   Web site materials:
   Boumediene v. Bush

4. Race and Criminal Procedure, pp. 55-79

II. Arrest, Search and Seizure
1. Introduction to the exclusionary rule, pp. 218-254
   Web site materials: *Herring v. United States*
2. Searches, protected areas and interests, pp. 254-282
3. Probable cause, pp. 282-307
4. Warrants, pp. 307-322
5. Warrant exceptions—searches of the person, pp. 322-353
7. Warrant exception—Cars and Containers, pp. 371-399
   Web site materials: *Arizona v. Gant*
8. Warrant exceptions—“Stop and Frisk,” pp. 399-435
   Web site materials: *Arizona v. Johnson*
9. Administrative Searches, pp. 435-449
12. Electronic Surveillance and Wiretapping, pp. 463-517

**IV. Police Interrogation, Statements, Identification**

1. Torture, Voluntariness and Sixth Amendment violations, pp. 539-561
2. *Miranda*, pp. 561-585
   Web site materials: Petition for Writ of Certiorari and Brief in Opposition, "*Florida v. Powell*
3. The Application of *Miranda*: Custody, Interrogation and Waiver, pp. 585-628;
4. Assertion of **Miranda** rights, pp. 628-656
   Web site materials: *Montejo v. Louisiana*
   Petition for Writ of Certiorari and Brief in Opposition,  *Maryland v. Shatzer*

5. The future of ***Miranda***, pp. 656-690

6. Sorting out the 14th, 5th and 6th Amendment contours of interrogations, pp. 711-743
   Web site materials: *Kansas v. Ventris*

V. **Identification procedure, pp. 744-773**

VI. **The scope of the Exclusionary Rules**

1. Standing, pp. 872-886

2. “Fruit of the Poisonous Tree,” pp. 886-896

3. Inevitable Discovery, pp. 896-904

4. Impeachment, pp. 905-916

VII. Review