

## Criminal Justice / June 2022

The purpose of CTE program-level assessment at PCC is to look at student achievement of degree and certificate-level outcomes and to help faculty focus on how to improve student learning based on assessment.

Please choose **one** or more of the degree and/or certificate outcomes that were part of this year's Summary Data Report, and provide a more in-depth explanation of your assessment process, results, and how this might be used to enhance teaching and learning.

This form is to be used for both first-round assessments (first time the outcome is assessed) and for re-assessments (a follow-up for the initial assessment of the same outcome). Note that questions marked with an asterisk\* indicate that the accompanying [help document](#) includes information relevant to that question.

### Submission checklist

Due by June 24, 2022:

- Full report
- Numerical results (disaggregated data or raw data) and data analysis as an appendix.

On completing the full report, please email it and attachments to [learningassessment@pcc.edu](mailto:learningassessment@pcc.edu).

### SAC Assessment Contact(s):

<i>Name</i>	<i>e-mail</i>
Jane Ellis / Jim Parks	jparks@pcc.edu

### 1. Which SAC do you represent?

Criminal Justice
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2. Which outcome(s) is/are reported here? (Please provide the text of the outcome, and the degrees/certificates to which it applies).

The outcome we chose to focus on is “Demonstrating an understanding of constitutional and statutory laws, rights and procedures and demonstrating an ability to use professional skills.” We chose to examine this based upon our 20-21 MYP submission and we specifically chose course CJA 211 Civil Liability which was listed in three major areas of our MYP performance assessment. This applies to the AAS Degree.

<ul style="list-style-type: none"><li>• Prepare quality reports of investigations in a manner that communicates concise and factual information and is capable of withstanding courtroom scrutiny.</li><li>• Demonstrates an ability to use professional skills, methods and strategies to interact with and support individuals of diverse populations experiencing mental and emotional distress in crisis.</li></ul>
<ul style="list-style-type: none"><li>• Apply a basic understanding of cultural diversity, equity and biases related to direct and/or indirect work in the justice system and public services.</li><li>• Demonstrate an understanding of constitutional and statutory laws, rights and protections.</li></ul>

3. Please share **how** the outcome(s) were assessed to help us understand your process for assessment. Please attach a rubric, sample score sheet, or other assessment tool.\* We have worked toward using a uniform rubric across the department for discussions posts. Our grading system weighs heavily on an interactive discussion component.

Two staff volunteered to monitor their discussion post in two terms using the same rubric and the outcomes. By sharing a more high level rubric, students rose to the challenge. Answers reflected self reflection as well as core learning applications.

Outcome was assessed through online discussion topics within the course. Example:

### Discussions

There are **10 Weekly Discussions**. Each week in the course has a new topic of discussion with its own set of instructions, though all follow the same pattern of initial input and responses. Discussions have two parts; first you will offer a post on a given question/topic, and then you will comment on two other students' original posts. **Part one** of each Discussion is due no later than 11:59 PM on Wednesday evenings and **part two** is due no later than 11:59 PM on Saturday evenings.

Each part is worth 25 points, so there are **50 total points** available for each Discussion assignment. Discussion posts containing full, substantive, and engaging information will receive the maximum points. Incomplete, off-topic, or otherwise unsatisfactory posts will receive fewer points. *Note, it is hard to read or benefit from posts that are unreadable due to lack of proper grammar, punctuation, spelling, etc. I don't need you to be perfect, but I do want to understand what you write!*

**\*\*Note that discussions are about participation and effort, rather than being "right." Don't just quote the textbook to me, or copy from outside sources. Use this chance to share your understanding and ideas, and let me and your peers chime in and affirm your thinking or add to it. Just like we do in live class discussions!\*\***

Consider writing a draft of your post on your computer first, and saving that in case you have a D2L problem. It is the student's individual responsibility to make sure your discussions are posted and to keep your own archived copy.

As your instructor, I will participate in your Weekly Discussions, providing feedback and information intended to help you understand the course material and succeed in my class. The Weekly Discussions are an opportunity for all of us to talk, comment, ask questions, and provide opinions. **Weekly discussions must be completed by the deadline provided, and cannot be made up later.**

Here is the discussion grading rubric:

Criteria	Level 1 0 points	Level 2 15 points	Level 3 20 points	Level 4 25 points
First post: Follows instructions, is timely, is complete, positively adds to the discussion.	No first post.	First post is significantly late (more than 24 hours), or it is missing information, leaves unanswered questions, or is too short. I want more!	Complete first post contains all required information. Meets expectations, shows good effort to understand and share. Nice participation.	Complete first post contains all required information and adds significantly to the discussion. This post shows effort, unoriginal thinking, and engagement with the material. Above and beyond!

**Replies:**

Follow instructions, comment on and support peer posts with specific information/feedback/discussion

No replies, or single, weak replies.

One (of two) replies is missing, but the other is good; OR two replies, but they do not fully meet expectations of engagement with peer posts. I want more!

Two solid replies that engage with peers and meet class expectations. Nice participation.

Great replies to at least two peers, containing information/discussion/feedback that furthers and encourages the discussion. These replies show effort and engagement. Above and beyond!

## Example of a Discussion Post:



**Discussion 4: "I want to sue!" has two parts, worth a total of 50 points.**

**Part One is worth 25 points and is due by Wednesday.**

Read the following scenario, then answer each (and every) question. Answers do not need to be lengthy, just enough to clearly provide your answer to the question. Don't worry too much about being "right," as long as you can defend your answer based on information we have learned. Creativity is good and many of you will have different "correct" answers. **Label your answers 1-5** so we can see each part of your response.

***A Portland police officer driving his patrol car pulls you over because you are driving a Tesla, and this officer finds Tesla drivers annoying. The officer tells you this as he's getting your license and registration. When you start protesting, the officer finds you even more irritating, so he decides to search you and your car in order to make you late for your meeting at the farmers market. You notice that he is not dressed in his police uniform. He is wearing some odd yellow pants and a camo shirt. The officer finds nothing on you or in the car, and he lets you go after a few hours. Meanwhile, you tripped over your untied shoelace while the officer was doing his paperwork and you ripped a hole in the knee of your fanciest pants and broke your arm. You want to sue.***

1. You really want to sue in federal court. What **federal statute** might you use to sue the officer?
2. If the officer says he wasn't acting under **color of law**, because he wasn't wearing his police outfit, will that be a valid argument? Why or why not? Include specific details from the facts.
3. Will the officer have a good **immunity** defense? Why or why not?
4. Make an argument for two different types of **money damages** you might get if you win.
5. You lose the case because a judge rules in favor of the officer on the facts. Can you **sue the judge** and win some money from the judge? Why or why not?

Your posts need to be complete and respond to the questions asked in order to earn the entire 25 points for this first part. I am expecting a five-part response with answers labeled 1-5.

**Part Two is worth 25 Points and is due by Saturday.**

- After you post part one in Discussions, go to TWO other students' part one Discussion postings and comment on their postings.
- Reply to students who don't have a reply yet, or who have only one reply. If time is running out, you can reply where necessary to get your TWO replies in.
- Your comments should provide constructive and/or interesting feedback to the original posting and/or an earlier reply.
- Your comments should be 2-3 sentences each. Remember your replies can earn a total of 25 points, so make them worthy.

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4. Please include information about your benchmarks (the scores that indicate successful attainment of the outcome), and how they were determined.\*

**The submission below is an example of successful attainment. Below the writer not only answers the questions, but goes beyond and cites examples. As per the grading rubrics we see clear analysis and application of content in their answer. This is an example of two entries both receiving the maximum score =50 points, Additionally, we see another student “build and scaffold” their learning in their reply response.**

1. You would use a 42 USC § 1983 claim against the officer for his violation of the driver’s constitutional right to be free of unreasonable search and seizures and unlawful detention.
2. It could go either way, he didn’t identify himself as a police officer and wasn’t in his uniform, yet, he was driving an official police vehicle and non verbally presented himself as if he were a police officer doing his official duties.
3. No, his actions were so far beyond those included in his professional duties and clearly violated the driver’s constitutional rights.
4. Compensatory:
  - Money awarded to compensate for medical bills accrued from treating injuries sustained by the officer’s actions (broken arm).
  - Loss of work and wages (the missed meeting at a Farmer’s Market might be the possible source of income).
  - Compensation for the emotional distress caused by the officer’s unconstitutional actions.

Punitive: The officer had to have known his actions directly violated the driver’s constitutional rights. But continued to use his official position to ascertain power and control over the driver without probable cause to do so. If the officer’s actions weren’t to stop crime or protect the community then it can be assumed his actions were to intentionally cause the driver distress and hardship.

"In *Smith v. Wade (1983)* the Supreme Court held that actual malice is not necessary to recover punitive damages—reckless or callous indifference to constitutional rights is sufficient."

Even if the jury doesn’t find the presence of malice, the judge can still use his authority to award punitive damages. Malice is not required in order to recover punitive damages. The judge could award a large sum of punitive damages as a statement that such indifference to people’s constitutional rights will not be tolerated.

5. No, Judges have sovereign immunity that protects them from being held liable for acts done in their judicial capacity. Sovereign immunity (sometimes referred to as absolute immunity or judicial immunity) shields the judge from any civil lawsuits seeking monetary damages, however, a plaintiff can sue a judge if asking for equitable relief only.

Acting within the scope of their authority (immunity)

NUMBER FIVE = Absolute immunity, however, is only a defense to damages actions and not claims for equitable relief (*Silver, 2017*). Even judges may be successfully sued for injunctive or declaratory relief, and attorney’s fees will be available to prevailing plaintiffs (*Supreme Court of Virginia v. Consumers Union of the United States, 1980*)."



Student Replied to initial student's thread of "Discussion- 4"

**Discussion- 4 - Detained?**

Oct 23, 2021 4:54 PM 291 words

I was also thinking that the driver was unreasonably detained (4th Amendment Right). In the description provided, there's no mention of the officer having any reason to pull over and detain the driver - other than him just not liking people who drive Teslas. Reasonable suspicion didn't exist at the traffic stop, in the search of the car, or when the officer kept the driver detained for several hours.

I found this article, below, and it had some info I found interesting so I thought I'd share! I enjoyed reading your post, ++++++.

Here's the article:

An officer's pulling over a driver constitutes a detention—the driver hasn't been arrested, but nevertheless isn't free to leave. Where a typical detention is concerned, officers must have [reasonable suspicion](#) that the detainee is committing or has committed a crime. But since [roadblocks and sobriety checkpoints](#) are, generally speaking, legal, one might wonder whether officers can generally stop drivers on a whim. The answer is no.

In *Delaware v. Prouse*, the Supreme Court considered the case of a man prosecuted for marijuana possession. (440 U.S. 648 (1979).) In the course of a traffic stop, the police officer had seen marijuana on the defendant's car floor.

The officer testified that he hadn't seen the defendant's vehicle violate any traffic laws before he conducted the detention. He hadn't observed any equipment violations, nor had he witnessed any suspicious activity. He enforced the stop only so that he could check the driver's license and the vehicle's registration. He wasn't acting in accordance with any established guidelines or procedures. The Court held that his kind of "spot check," left entirely to the police officer's discretion, is unconstitutional.

Micah Schwartzbach, Attorney. "Can Police Pull You Over for No Reason?" *Nolo.com*, <https://www.nolo.com/legal-encyclopedia/can-officer-pull-over-reason.html>

5. Please provide data collected in the assessment of this outcome (including score distribution and percent of students meeting benchmark). Summarize your findings in the box below. Attach supplemental information or appendices. For this report, **please do not include student and instructor identifying information**, but you can assign an arbitrary identifier, especially if you wish to reference individual scores in your discussion.

For this particular outcome we reviewed 24 student submissions, they broke down as follows:

9 submission were between 40 - 50 points / A  
7 submissions were between 30 - 39 points / B  
3 submissions were between 20 - 29 points / C  
3 submissions were between 15-19 points /D  
2 submissions were not completed / No points given

6. Please discuss your overall findings regarding student learning. (What did you learn from this assessment? What insights into student learning did you gain? Were there any surprises? Do the data make sense? How does the data relate to student learning?)\*

We discussed this "Discussion Post" as a great example for other instructors to use in both its contents as well as the clear inquiry and quality response posts written by the instructor. As a department we have been asking about quality students' responses as they relate to deep and meaningful discussion topics. The FDC and myself sought out this instructor for a sharing example during our SAC meeting.

7. Please reflect on the entire project and share how your CTE SAC will use the results to improve student achievement of this outcome. Are there changes that need to be made to improve teaching and/or learning?\*

This was a very eye opening meeting as several instructors really saw the full dimension in seeking answers that both use gained knowledge as well as lead students to demonstrate inquiry. Having seen all instructors' D2L pages, we are hoping that we will see a shift in their Discussion post prompts such as the example we shared. Quick yes or no answers do not make a discussion post or corresponding threads meaningful for inquiry, using learned core knowledge or personal reflection demonstrates critical thinking.

8. What changes do you plan to make to your teaching and/or your assessment of this outcome in the future?\*

I/ we would like to have an instructor submit one of their discussion prompts and have others review and suggest ways of expansion as well as how exactly this ties to their course objectives. We did get a feeling that many prompts have been "lite" in their D2L courses. We hope this leads to more QM improvement.

Has the outcome been assessed before? (If not, skip this question).

9. Were any modifications to instruction implemented between the prior assessment and this one? How did the SAC use the information from the initial assessment to inform the reassessment of the outcome (i.e. "closing the loop.")? How did the assessment methods and results compare with the prior assessment?

This was an example of one component of demonstrating learned course knowledge application using contextual understanding. This being an exemplary discussion prompt, we ran out of time and did not get time to review additional discussion prompts.

To help us understand your SAC's overall processes, please complete these additional questions.

1a. Was the SAC able to include Part-Time (PT) and Full-Time (FT) faculty for this assessment? If PT faculty did not participate, please explain any barriers that might account for this fact.

Yes Part-time and full-time instructors were involved. (2 instructors total)

1b. How do you plan to share this information with all members of your SAC?

We shared most of this in our Spring SAC. We shared the discussion prompt early in the Fall however we did not get to examine or share new and improved prompts they may have written during the past three terms.

2. Are there any areas that you might want help with from your CTE coach? Please let us know.

New leaders next year in Criminal Justice. They will need help and support.

2b. Identify any barriers to participation in learning assessment within the SAC. Describe any external factors that got in the way of learning assessment this year -- for example, funding, time constraints, canceled courses, faculty workload, etc.

We had low engagement. Few were volunteers (and pay was offered) It seems as though those instructors who are leaders and practice self reflection in teaching are often the ones to volunteer. However, we need those struggling instructors to really be a part of this type of teaching improvement process.

3. Is there anything else you would like to share with us? Please let us know.

Thank you for completing this report!

We hope this has been a useful project to help your CTE SAC assist your students!