

LAW 206 – Criminal Procedure: Investigations
George Mason University Scalia Law School
Fall 2026

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Class Meetings: Mondays and Wednesdays, 9:40 a.m.–11:10 a.m.

Office Hours: Mondays & Wednesdays, 1:00–3:00 p.m. (In Person or Zoom).
Additional appointments available by request.

Welcome to Criminal Procedure

For nearly two decades, I served as a trial judge in Virginia. Criminal Procedure is a course about judgment. Constitutional rules govern police conduct, but real cases rarely present neat facts or obvious answers. This course examines constitutional limitations on criminal investigations, focusing on the Fourth, Fifth, and Sixth Amendments. Particular emphasis will be placed on suppression issues commonly encountered in criminal practice. Students will analyze issues from the perspective of defense counsel, prosecutors and trial judges. The goal is to develop sound judgment in applying constitutional doctrine to real cases.

Required Text

Joshua Dressler & George C. Thomas III, *Understanding Criminal Procedure: Volume 1 – Investigation*, 8th Edition. ISBN: 978-1531021535.

Course Learning Objectives

1. Analyze constitutional limitations on criminal investigations.
2. Apply Fourth, Fifth, and Sixth Amendment doctrine.
3. Evaluate suppression issues.
4. Construct persuasive constitutional arguments.
5. Draft and analyze suppression motions.
6. Predict likely judicial outcomes.
7. Understand constitutional doctrine in actual litigation.

Course Methodology

The course combines case analysis, Socratic discussion, and practical exercises to connect doctrine with courtroom practice.

Attendance and Professional Responsibility

Attendance will be taken at each class session. Students are expected to arrive on time, remain for the entirety of class, and come prepared. Students are responsible for all material covered during any class they miss.

Classroom Technology Policy

Email, texting, social media, non-course internet browsing, and unrelated electronic communications are prohibited during class. Laptops and tablets may be used solely for course-related purposes.

Recording Policy

No portion of a class session may be recorded, photographed, livestreamed, screen-captured, or transcribed without express permission of the professor.

Grading

Final Examination: 100%

Detailed Course Schedule

Make-Up Instructional Time: September 30, October 26, and November 18 will be extended by 30 minutes due to no class on September 23.

Date	Topic	Reading Assignment	Principal Cases
Aug. 17	Introduction to Criminal Procedure & Criminal Justice Models	Chapter 1 §§ 1.01-1.03 Chapter 2	Due Process Model; Crime Control Model
Aug. 19	Fourth Amendment Overview & Constitutional Foundations	Chapter 4	Weeks v. United States
Aug. 24	Persons, Houses, Papers & Effects	Chapter 5	Oliver v. United States
Aug. 26	Searches: Katz and Reasonable Expectations of Privacy	Chapter 6 §§6.01–6.04	Katz v. United States
Aug. 31	Modern Search Doctrine & Technology	Chapter 6 §§6.05–6.10	Jones; Jardines; Carpenter
Sept. 7	NO CLASS – Labor Day	—	—
Sept. 9	Seizures of Persons and Property	Chapter 7	Mendenhall; Terry

Date	Topic	Reading Assignment	Principal Cases
Sept. 14	Probable Cause Fundamentals	Chapter 8 §§8.01–8.04	Illinois v. Gates
Sept. 16	Informants and Totality of Circumstances	Chapter 8 §§8.05–8.07	Aguilar; Spinelli; Gates
Sept. 21	Arrests and Arrest Warrants	Chapter 9	Payton; Steagald
Sept. 23	NO CLASS	—	—
Sept. 28	Search Warrants	Chapter 10	Johnson
Sept. 30*	Exigent Circumstances	Chapter 11	Brigham City; Kentucky v. King
Oct. 5	Searches Incident to Arrest	Chapter 12 §§12.01–12.03	Chimel; Robinson
Oct. 14	Modern Search Incident Doctrine	Chapter 12 §§12.04–12.06	Gant; Riley
Oct. 19	Automobile Searches	Chapter 13	Carroll; Acevedo
Oct. 21	Plain View Doctrine	Chapter 14	Horton; Hicks
Oct. 26*	Inventory & Consent Searches	Chapters 15–16	Opperman; Schneckloth; Randolph
Oct. 28	Terry Stops and Reasonable Suspicion	Chapter 17 §§17.01–17.09	Terry; Wardlow; Long
Nov. 4	Administrative & Special Needs Searches	Chapter 18	Sitz; Vernonia
Nov. 9	Fourth Amendment Standing	Chapter 19	Rakas
Nov. 11	The Exclusionary Rule	Chapter 20	Mapp; Leon; Wong Sun
Nov. 16	Interrogation Law & Voluntariness	Chapters 21–22	Brown; Spano; Connelly
Nov. 18*	Fifth Amendment Privilege/ Review	Chapter 23	Muniz

* Extended class session (additional 30 minutes)

Important Dates

September 23 – No Class

Fall Break – October 8–12

Election Day – November 3

Thanksgiving Recess – November 23–29

Reading Day – November 30

Final Exam – Thursday, December 3 at 12pm (In Person)

Final Examination

The final examination will be a comprehensive closed-book examination consisting of short essay questions and multiple-choice questions. Students will analyze factual scenarios involving evidentiary disputes, identify applicable rules, evaluate competing arguments, and explain how a court should rule.

Academic Integrity and University Policies

Students are expected to comply with all George Mason University and Antonin Scalia Law School policies regarding academic integrity, accommodations, Title IX, and other required university policies.

Principal Cases and Citations

Fourth Amendment

Case	Citation
Weeks v. United States	232 U.S. 383 (1914)
Katz v. United States	389 U.S. 347 (1967)
Oliver v. United States	466 U.S. 170 (1984)
United States v. Jones	565 U.S. 400 (2012)
Florida v. Jardines	569 U.S. 1 (2013)
Carpenter v. United States	585 U.S. 296 (2018)
United States v. Mendenhall	446 U.S. 544 (1980)
Terry v. Ohio	392 U.S. 1 (1968)
Illinois v. Gates	462 U.S. 213 (1983)
Payton v. New York	445 U.S. 573 (1980)
Steagald v. United States	451 U.S. 204 (1981)
Chimel v. California	395 U.S. 752 (1969)
Arizona v. Gant	556 U.S. 332 (2009)
Riley v. California	573 U.S. 373 (2014)
Carroll v. United States	267 U.S. 132 (1925)
California v. Acevedo	500 U.S. 565 (1991)
Schneckloth v. Bustamonte	412 U.S. 218 (1973)
Georgia v. Randolph	547 U.S. 103 (2006)
Rakas v. Illinois	439 U.S. 128 (1978)

Exclusionary Rule

Case	Citation
Mapp v. Ohio	367 U.S. 643 (1961)

Case	Citation
United States v. Leon	468 U.S. 897 (1984)
Wong Sun v. United States	371 U.S. 471 (1963)

Fifth Amendment

Case	Citation
Brown v. Mississippi	297 U.S. 278 (1936)
Spano v. New York	360 U.S. 315 (1959)
Colorado v. Connelly	479 U.S. 157 (1986)
Pennsylvania v. Muniz	496 U.S. 582 (1990)
Miranda v. Arizona	384 U.S. 436 (1966)
Rhode Island v. Innis	446 U.S. 291 (1980)
Edwards v. Arizona	451 U.S. 477 (1981)
Dickerson v. United States	530 U.S. 428 (2000)

Sixth Amendment

Case	Citation
Massiah v. United States	377 U.S. 201 (1964)
Brewer v. Williams	430 U.S. 387 (1977)
Texas v. Cobb	532 U.S. 162 (2001)