

Imperial Valley College

Administration of Justice

Course Syllabus

COURSE NO.
AJ 104 (CRN 20405)

COURSE TITLE
Legal Aspects of Evidence

INSTRUCTOR

Edward Wells - Room 211

Office Room 209 Phone: (760) 355-6279

Office Hours: T/W/R 10:30 to 11:30am
Edward.Wells@Imperial.edu

TEXTBOOKS

California Criminal Evidence Guide:
A Handbook for the Criminal Justice Student,
Raymond Hill, Santa Rosa Junior College

TERM
Spring 2014

UNITS
3

CLASS TIMES
Tuesday/Thursday 3:05pm - 4:30pm

COURSE DESCRIPTION

This is an introductory course covering the California Evidence Code, Law of Search and Seizure, Legal Aspects of Admissions and Confessions, and Methods of Identification. The class will also cover: Origin, development, philosophy, and constitutional basis of evidence; constitutional and procedural considerations affecting arrest, search and seizure; kinds and degrees of evidence and rules governing admissibility; to include judicial decisions interpreting individual rights and case studies.

COURSE OBJECTIVES

Upon satisfactory completion of the course, students will be able to:

1. Describe the historical development and the constitutionality of the rules of evidence.
2. Explain the procedural rules and constitutionality of arrest, search and seizures.
3. Describe the admissibility and categories of privileged communication.
4. Recognize the different requirements and responsibility of lay and expert witnesses.
5. Define hearsay, the rules of admissibility, and the exceptions to the Hearsay Rule.
6. Describe the rules and procedures used to determine the admissibility of confessions and admissions.
7. Identify different kinds of documentary evidence and the rules relating to admissibility.
8. Explain the preservation and custody of physical and scientific evidence.

STUDENT LEARNING OUTCOMES

Upon course completion, the successful student will have acquired new skills, knowledge, and or attitudes as demonstrated by being able to:

1. Describe the historical development and the constitutionality of the rules of evidence and how it ties into the criminal justice system.
2. Explain and identify the procedural rules and constitutionality for arrest, search and seizure.

3. Define hearsay, rules of admissibility, and understand the exceptions to the Hearsay Rule.
4. Critique and argue the different requirements and responsibilities of law and expert witnesses and how it differentiates from other legal systems in the world.

GRADING PROCEDURE:

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|---|-------------------|
| Total Points: | 500 points |
| Tests: Four tests at 50 points each = | 200 points |
| Term Paper: (Topic Approved by Instructor) = | 100 Points |
| Final Exam = | 100 Points |
| Class attendance/participation in discussions, or activities = | 100 Points |
| *Bonus (Approved by Instructor) = | *50 Points |

A = 450-500 B = 400-449 C = 350-399 D = 300-349 F = 0-299

PLEASE NOTE: Assignments are due on the date stated on the syllabus. Late assignments are subject to reduction of points. Make every effort to turn in assignments on time or you may receive a zero for that assignment.

Failure to take an exam will result in a zero for that exam unless prior approval is given by the instructor. Exams will be thirty minutes long and will be given at the start of class. If you are late to class, you will not be given extra time to take the exam. Bring a No. 2 Pencil and Scantron form to class on exam days.

You must communicate to your instructor any problems that you are having with the course.

ATTENDANCE: One of the institutional learning outcomes at IVC is personal responsibility. You will be expected to demonstrate personal responsibility by attending class, showing up on time, and not leaving early. You will be allowed two absences from class before the drop deadline. Do not assume you will be dropped for non-attendance. Missing more than half a class session will count as a full absence. *(It remains your responsibility to drop yourself from all courses that you no longer attend, or you risk getting a failing grade on your transcript.)* Refer to page 15 of your Fall Class Schedule 2012 catalogue for “ATTENDANCE AND AUTOMATIC WITHDRAWALS”; you are RESPONSIBLE!

ACADEMIC ETHICS: Cheating is defined as copying answers from another student on an exam or assignment, allowing another student to copy answers from you, turning in work as your won that someone else did for you, working with another student on an assignment with the instructor’s express consent, or turning in a writing assignment that uses another’s words or ideas without crediting the source of the words or ideas.

PLAGIRISM will not be tolerated! If a student uses the words or ideas of another person without giving that person credit, the student is committing an act of plagiarism.

CHEATING WILL NOT BE TOLERATED! Anyone caught cheating will get a zero for the assignment or exam and may be dropped from the class with the grade of **“F”**.

PARTICIPATION: Every student is expected to participate in class discussion each week. This includes punctuality, contributions, personal opinions, group efforts if assigned and discussion of issues relating to the current assignment of the class. Newspaper article discussions on how local crime impacts our community, state and federal levels.

CLASSROOM BEHAVIOR: Any conduct that disrupts the learning process cannot be tolerated. Anyone engaging in such conduct will be asked to leave the classroom. Talking, whispering, loud yawning, and cell phones ringing during class are examples of disruptive behavior because such actions are disrespectful and distracting to the instructor and to other students. Respect your fellow students and instructors at all times. **TAKE ADVANTAGE OF THE LEARNING ENVIRONMENT WHILE IN CLASS!**

NOTICE: Any student with a documented disability who may need educational accommodations should notify the instructor or the Disabled Student Programs and Services (DSP & S) Office as soon as possible. [SDP&S, Health Sciences Building 2100, Phone: (760) 355-6312]

AJ 104 Legal Aspects of Evidence
(Tuesday/Thursday 3:05 to 4:30 pm)

Class Schedule:

| Week | Date | Topic |
|-------------|-------------|--|
| 1 | 21 & 23 | Introduction / History of Evidence and the Legal Process |
| 2 | 28 & 30 | U.S. Constitution and Amendments & Introduction to Evidence (Chapter 1) |
| 3 | 4 & 6 | Ways of Presenting Evidence (Chapter 2) |
| 4 | 11 & 13 | Test #1: – Testimony (Chapter 3) |
| 5 | 18 & 20 | Writings (Chapter 4) |
| 6 | 25 & 27 | Material Objects (Chapter 5) |
| 7 | 4 & 6 | Test #2: – Relevant Evidence (Chapter 6) |
| 8 | 11 & 13 | Competency & Credibility (Chapter 7) |
| 9 | 18 & 20 | Burdon of Proof (Chapter 8) |
| 10 | 25 & 27 | Test #3: – Witness Privileges (Chapter 9) |
| 11 | 1 & 3 | Hearsay Evidence (Chapter 10) |
| 12 | 8 & 10 | Test #4: – The Fourth Amendment – Search and Seizure (Chapter 11) |
| 13 | 15 & 17 | The Fourth Amendment – Search and Seizure (Chapter 11) |
| 14 | 22 & 24 | Spring Break – No Classes |
| 15 | 29 & 1 | Miranda and Confession Law (Chapter 12) |
| 16 | 6 & 8 | Methods of Identification (Chapter 13) |
| 17 | 13 & 15 | Final Exam. Term Paper Due. |