

### Basic Course Information

Semester	<b>Fall 2016</b>	Instructor Name	<b>Eddie Silva Madueño</b>
Course Title & #	<b>Legal Aspects of Evidence – AJ 104</b>	Email	<b>eddie.madueno@imperial.edu</b>
CRN #	<b>10686</b>	Webpage (optional)	<b>N/A</b>
Room	<b>3203</b>	Office	<b>N/A</b>
Class Dates	<b>August 15, 2016 – December 5, 2016</b>	Office Hours	<b>N/A</b>
Class Days	<b>Monday</b>	Office Phone #	<b>760-337-4523</b>
Class Times	<b>6:30 PM – 9:40 PM</b>	Office contact if student will be out or emergency	<b>760-425-3740</b>
Units	<b>3</b>		

### Course Description

Origin, development, and philosophy and constitutional basis of evidence; constitutional and procedural considerations affecting arrest, search and seizure; kinds and degrees of evidence and rules governing admissibility; judicial decisions interpreting individual rights and case studies. (CSU)

### 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. Identify the historical development and the constitutionality of the rules of evidence and how it ties into the criminal justice system. (ILO2, ILO4)
2. Explain and identify the procedural rules and constitutionality for arrest, search and seizure. (ILO1, ILO2, ILO4, ILO5)
3. Identify hearsay, rules of admissibility, and the exceptions to the Hearsay Rule. (ILO2, ILO4)

### 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.

### Textbooks & Other Resources or Links

California Criminal Evidence Guide: A Handbook for the Criminal Justice Student, 10<sup>th</sup> Edition, Raymond Hill, Halleck Creek Publishing ISBN #0-9620412-1-1-9

## Course Requirements and Instructional Methods

### Method of evaluation to determine if objectives have been met by students:

Quizzes  
Oral Presentation  
Written Assignments  
Final Exam

### Instructional Methodology:

Audio Visual  
Discussion  
Group Activity  
Lecture  
Case Studies

Out of Class Assignments: The Department of Education policy states that one (1) credit hour is the amount of student work that reasonably approximates not less than one hour of class time and two (2) hours of out-of-class time per week over the span of a semester. WASC has adopted a similar requirement.

## Course Grading Based on Course Objectives

**Grading Procedure:** Total Points: 500

**Quizzes:** 75 points (3 @ 25 points each)

**Individual Presentation:** 100 points

**Individual Presentation Comments:** 100 points

**Textbook Assignments:** 50 points (2 @ 25 points each)

**Attendance & Participation:** 25 points

**Final Exam:** 150 points (50 questions @ 3 points each)

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

### **Chapter Quizzes (75 Points)**

Each quiz (3) is twenty-five questions worth one point per question.

### **Final Exam (150 Points)**

Final exam is 50 questions worth three points per question.

### **Individual Presentation (100 Points)**

You must make an 8 minute oral presentation on a criminal justice topic of your choosing. You may use powerpoint or any other visual aid if you so desire. You must speak in a loud, clear voice and make eye contact with the class. You may include a short video clip but it will only count for up to 2 minutes of your time.

### **Grading Criteria:**

Topic & Content = 50 points

Time – 4 minutes = 25 points

6 minutes = 35 points

8 minutes = 50 points

### **Individual Presentation Comments (100 Points)**

You must write 5 short sentences/bullet points on each presentation.

### **Grading Criteria**

You will earn 20 points per presentation day. You must comment on all presentations made.

Presentations will be made on five separate dates.

### **Textbook Assignment (50 Points)**

You will be given 2 textbook assignments consisting of typing terms & definitions from the textbook.

Due dates are listed in the syllabus.

### **Grading Criteria:**

Each textbook assignment is worth 25 points.

## **Attendance**

- A student who fails to attend the first meeting of a class or does not complete the first mandatory activity of an online class will be dropped by the instructor as of the first official meeting of that class. Should readmission be desired, the student's status will be the same as that of any other student who desires to add a class. ***It is the student's responsibility to drop or officially withdraw from the class.*** See General Catalog for details.
- Regular attendance in all classes is expected of all students. A student whose continuous, unexcused absences exceed the number of hours the class is scheduled to meet per week may be dropped. For online courses, students who fail to complete required activities for two consecutive weeks may be considered to have excessive absences and may be dropped.
- Absences attributed to the representation of the college at officially approved events (conferences, contests, and field trips) will be counted as 'excused' absences.

## **Classroom Etiquette**

- Electronic Devices: Cell phones and electronic devices must be turned off and put away during class unless otherwise directed by the instructor.

## Imperial Valley College Course Syllabus – AJ 104- Legal Aspects of Evidence

- Food and Drink are prohibited in all classrooms. Water bottles with lids/caps are the only exception. Additional restrictions will apply in labs. Please comply as directed.
- Disruptive Students: Students who disrupt or interfere with a class may be sent out of the room and told to meet with the Campus Disciplinary Officer before returning to continue with coursework. Disciplinary procedures will be followed as outlined in the General Catalog.
- Children in the classroom: Due to college rules and state laws, no one who is not enrolled in the class may attend, including children.

### Academic Honesty

- Plagiarism is to take and present as one's own the writings or ideas of others, without citing the source. You should understand the concept of plagiarism and keep it in mind when taking exams and preparing written materials. If you do not understand how to correctly 'cite a source', you must ask for help.
- Cheating is defined as fraud, deceit, or dishonesty in an academic assignment or using or attempting to use materials, or assisting others in using materials, or assisting others in using materials, which are prohibited or inappropriate in the context of the academic assignment in question.

Anyone caught cheating or will receive a zero (0) on the exam or assignment, and the instructor may report the incident to the Campus Disciplinary Officer, who may place related documentation in a file. Repeated acts of cheating may result in an F in the course and/or disciplinary action. Please refer to the General School Catalog for more information on academic dishonesty or other misconduct. Acts of cheating include, but are not limited to the following: (a) plagiarism; (b) copying or attempting to copy from others during an examination or on an assignment ;(c) communicating test information with another person during an examination; (d) allowing others to do an assignment or portion of an assignment, (e) use of a commercial term paper service

### Additional Help – Discretionary Section and Language

- Blackboard support center: <http://bbcrm.edusupportcenter.com/ics/support/default.asp?deptID=8543>
- Learning Labs: There are several 'labs' on campus to assist you through the use of computers, tutors, or a combination. Please consult your college map for the Math Lab, Reading & Writing Lab, and Learning Services (library). Please speak to the instructor about labs unique to your specific program
- Library Services: There is more to our library than just books. You have access to tutors in the learning center, study rooms for small groups, and online access to a wealth of resources.

### Disabled Student Programs and Services (DSPS)

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. The DSP&S office is located in Building 2100, telephone 760-355-6313 if you feel you need to be evaluated for educational accommodations.

### Student Counseling and Health Services

Students have counseling and health services available, provided by the pre-paid Student Health Fee. We now also have a fulltime mental health counselor. For information see <http://www.imperial.edu/students/student-health-center/>. The IVC Student Health Center is located in the Health Science building in Room 2109, telephone 760-355-6310.

### Student Rights and Responsibilities

Students have the right to experience a positive learning environment and due process. For further information regarding student rights and responsibilities please refer to the IVC General Catalog available online at [http://www.imperial.edu/index.php?option=com\\_docman&task=doc\\_download&gid=4516&Itemid=762](http://www.imperial.edu/index.php?option=com_docman&task=doc_download&gid=4516&Itemid=762)

**Information Literacy**

Imperial Valley College is dedicated to help students skillfully discover, evaluate, and use information from all sources. Students can access tutorials at <http://www.imperial.edu/courses-and-programs/divisions/arts-and-letters/library-department/info-lit-tutorials/>

**Anticipated Class Schedule / Calendar**

Monday	08/15/16	<u>Introduction, Expectations &amp; Syllabus Review</u>
Monday	08/22/16	<u>Chapter 1: Introduction to Evidence</u>
Monday	08/29/16	<u>Chapter 2: Ways of Presenting Evidence</u> <u>Chapter 3: Testimony of Witnesses</u>
Monday	09/05/16	<b>Holiday</b>
Monday	09/12/16	<u>Chapter 4: Writings</u> <b>Quiz #1: Chapters 1-4</b>
Monday	09/19/16	<u>Chapter 5: Material Objects</u> <u>Chapter 6: Relevancy</u>
Monday	09/26/16	<u>Chapter 7: Competency and Credibility</u> <b>Individual Presentations &amp; Comments Due</b>
Monday	10/03/16	<u>Chapter 8: Burden of Proof</u> <b>Quiz #2: Chapters 5-8</b> <b>Textbook Assignment #1 Due</b>
Monday	10/10/16	<b>TBA</b>
Monday	10/17/16	<u>Chapter 9: Witness Privileges</u> <b>Individual Presentations &amp; Comments Due</b>
Monday	10/24/16	<u>Chapter 10: Hearsay Evidence</u> <b>Individual Presentations &amp; Comments Due</b>
Monday	10/31/16	<u>Chapter 11: The Fourth Amendment – Search and Seizure</u> <b>Individual Presentations &amp; Comments Due</b>
Monday	11/07/16	<u>Chapter 12: Miranda and Confession Law</u> <b>Quiz #3 : Chapters 9-12</b> <b>Textbook Assignment #2 Due</b>

Imperial Valley College Course Syllabus – AJ 104- Legal Aspects of Evidence

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Monday	11/14/16	<u>Chapter 13: Methods of Identification</u> <b>Individual Presentations &amp; Comments Due</b>
Monday	11/21/16	<b>Holiday</b>
Monday	11/28/16	<b>AJ 104 Semester Review</b>
Monday	12/05/16	<b>Final Exam – Chapters 1-13</b>