

### Basic Course Information

|                   |   |                     |                                  |
|-------------------|---|---------------------|----------------------------------|
| Semester:         | <b>Winter 2019</b>                      | Instructor Name:    | <b>Edward E. Wells</b>           |
| Course Title & #: | <b>AJ-104 Legal Aspects of Evidence</b> | Email:              | <b>Edward.Wells@Imperial.edu</b> |
| CRN #:            | <b>15197</b>                            | Webpage (optional): |                                  |
| Classroom:        | <b>3212</b>                             | Office #:           | <b>3208</b>                      |
| Class Dates:      | <b>01/02/19 - 02/01/19</b>              | Office Hours:       | <b>By Appointment</b>            |
| Class Days:       | <b>MTWRF</b>                            | Office Phone #:     | <b>(760) 355-6279</b>            |
| Class Times:      | <b>10:00 - 12:15 PM</b>                 | Emergency Contact:  | <b>Rhonda Ruiz: 760-355-6280</b> |
| Units:            | <b>3.0</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

- Hails, Judy (2012). *Criminal Evidence* (7th/e). Wadsworth Publishing. ISBN: 978-1111346935
- Kaci, Judy (2008). *Criminal Evidence* (6th/e). Copper House Publishing Placerville, California. ISBN:
- California Criminal Evidence Guide: A Handbook for the Criminal Justice Student by Raymond M. Hill  
ISBN: #0-9620412-1-1-9

### Course Requirements and Instructional Methods

Audio Visual  
Discussion  
Group Activity  
Lecture  
Simulation/Case Study

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

|   |                   |
|---|-------------------|
| Total Available Points:   | <b>650 points</b> |
| <b>Tests:</b> Five tests at 50 points each =                          | <b>250 points</b> |
| <b>Term Paper:</b> (Topic Approved by Instructor) =                   | <b>100 Points</b> |
| <b>Final Exam</b> =   | <b>100 Points</b> |
| <b>Class attendance/participation in discussions, or activities</b> = | <b>100 Points</b> |
| <b>*Bonus (Approved by Instructor)</b> =                              | <b>100 Points</b> |

**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

- 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.
- 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 by the instructor.
- 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.

### **Online Netiquette**

Not applicable to this class presentation.

### **Academic Honesty**

Academic honesty in the advancement of knowledge requires that all students and instructors respect the integrity of one another’s work and recognize the important of acknowledging and safeguarding intellectual property.

There are many different forms of academic dishonesty. The following kinds of honesty violations and their definitions are not meant to be exhaustive. Rather, they are intended to serve as examples of unacceptable academic conduct.

- Plagiarism is taking and presenting 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 “cite a source” correctly, 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 that are prohibited or inappropriate in the context of the academic assignment in question.

Anyone caught cheating or plagiarizing 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 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) using a commercial term paper service.

### Additional Student Services

Imperial Valley College offers various services in support of student success. The following are some of the services available for students. Please speak to your instructor about additional services which may be available.

- **Canvas Support Site.** The Canvas Support Site provides a variety of support channels available to students 24 hours per day.
- **Learning Services.** There are several learning labs on campus to assist students through the use of computers and tutors. Please consult your [Campus Map](#) for the [Math Lab](#); [Reading, Writing & Language Labs](#); and the [Study Skills Center](#).
- **Library Services.** There is more to our library than just books. You have access to tutors in the [Study Skills 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. Please contact them 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.

- **Student Health Center.** A Student Health Nurse is available on campus. In addition, Pioneers Memorial Healthcare District and El Centro Regional Center provide basic health services for students, such as first aid and care for minor illnesses. Contact the IVC [Student Health Center](#) at 760-355-6310 in Room 2109 for more information.
- **Mental Health Counseling Services.** Short-term individual, couples, family, and group therapy are provided to currently enrolled students. Contact the IVC [Mental Health Counseling Services](#) at 760-355-6196 in Room 2109 for more information.

### Student Rights and Responsibilities

Students have the right to experience a positive learning environment and to due process of law. For more information regarding student rights and responsibilities, please refer to the IVC [General Catalog](#).

### Information Literacy

Imperial Valley College is dedicated to helping students skillfully discover, evaluate, and use information from all sources. The IVC [Library Department](#) provides numerous [Information Literacy Tutorials](#) to assist students in this endeavor.

### Anticipated Class Schedule/Calendar

**[Required Information – Discretionary Language and Formatting:** *The instructor will provide a tentative, provisional overview of the readings, assignments, tests, and/or other activities for the duration of the course. A table format may be useful for this purpose.]*

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

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| <b>Week</b> | <b>Topic</b>   |
|-------------|--|
| <b>1</b>    | Introduction / History of Evidence and the Legal Process/U.S. Constitution and Amendments & Introduction to Evidence (Chapter 1)/ Ways of Presenting Evidence (Chapter 2)/ <b>Test #1:</b> |
| <b>2</b>    | Testimony (Chapter 3)/ Writings (Chapter 4)/ Material Objects (Chapter 5)/ <b>Test #2:</b>   |
| <b>3</b>    | Relevant Evidence (Chapter 6)/ Competency & Credibility (Chapter 7)/ Burdon of Proof (Chapter 8)/ <b>Test #3:</b>  |
| <b>4</b>    | Witness Privileges (Chapter 9)/ Hearsay Evidence (Chapter 10)/ Search and Seizure (Chapter 11)/ <b>Test #4:</b>  |
| <b>5</b>    | <b>Test #5:</b> Miranda and Confession Law (Chapter 12)/Methods of Identification (Chapter 13)<br><b>Final Exam/Term Paper Due.</b>  |

**\*\*\*Tentative, subject to change without prior notice\*\*\***