

Imperial Valley College Course- Legal Aspects of Evidence AJ

104

Semester:	Summer 2023	Instructor Name:	Kathy Rodriguez
Course Title & #:	Legal Aspects of Evidence AJ 104	Email:	Kathy.rodriquez@imperial.edu
CRN #:	30075	Webpage:	
Classroom:	Online	Office #:	3209
Class Dates:	06/20/2023-07/27/2023	Office Hours:	No winter/summer office hours
Class Days:	online	Office Phone #:	760-355-6245
Class Times:	online	Emergency Contact:	760-355-6280
Units:	3		

Course Description

This course examines the 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; judicial decisions interpreting individual rights and case studies.

Student Learning Outcomes

Required language: 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)

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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

Required language: 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 admission
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

Criminal Evidence 9th edition, Norman M. Garland. Publisher is McGraw Hill

Course Requirements and Instructional Methods

We will be using Canvas to conduct this online course

Logging into Canvas

- a. Go to <http://imperial.canvas.com> and follow the login instructions to login.
- b. Once logged in, click on the ‘courses’ tab located on the top right of the page.
- c. Click on the course to enter the class.
- d. Read the course syllabus.

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

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Assignment Descriptors	Points
1. Class Assignments	300
2. Tests	500
3. Final Exam	200
TOTAL POINTS	1000

Grading Scale

A = 90 - 100%

B = 80 - 89%

C = 70 - 79%

D = 60 - 69%

F = 59 or below

PLEASE NOTE: Assignments are due on the date stated on the syllabus. No late assignments accepted. Make every effort to turn in assignments on time or you may receive a zero for those assignments.

Attendance

- It is the student’s responsibility to drop or officially withdraw from the class. See [General Catalog](#) for details.
- For online courses, students who fail to complete required activities within the first week of class 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.

Online Netiquette

What is netiquette? Netiquette is internet manners, online etiquette, and digital etiquette all rolled into one word. Basically, netiquette is a set of rules for behaving properly online.

- Students are to comply with the following rules of netiquette: (1) identify yourself, (2) include a subject line, (3) avoid sarcasm, (4) respect others' opinions and privacy, (5) acknowledge and return messages promptly, (6) copy with caution, (7) do not spam or junk mail, (8) be concise, (9) use appropriate language, (10) use appropriate emoticons (emotional icons) to help convey meaning, and (11) use appropriate intensifiers to help convey meaning [do not use ALL CAPS or multiple exclamation marks (!!!)].

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 importance 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

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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 LMS.** Canvas is Imperial Valley College’s main Learning Management System. To log onto Canvas, use this link: [Canvas Student Login](#). The [Canvas Student Guides Site](#) provides a variety of support available to students 24 hours per day. Additionally, a 24/7 Canvas Support Hotline is available for students to use: 877-893-9853.
- **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 provide basic health services for students, such as first aid and care for minor illnesses. Contact the IVC [Student Health Center](#) at 760-355-6128 in Room 1536 for more information.
- **Mental Health Counseling Services.** Short-term individual, couples, family and group counseling services are available for currently enrolled students. Services are provided in a confidential, supportive, and culturally sensitive environment. Please contact the IVC Mental Health Counseling Services at 760-355-6310 or in the building 1536 for appointments or more information..

Veteran’s Center

The mission of the [IVC Military and Veteran Success Center](#) is to provide a holistic approach to serving military/veteran students on three key areas: 1) Academics, 2) Health and Wellness, and 3) Camaraderie; to serve

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as a central hub that connects military/veteran students, as well as their families, to campus and community resources. Their goal is to ensure a seamless transition from military to civilian life. The Center is located in Building 600 (Office 624), telephone 760-355-6141.

Extended Opportunity Program and Services (EOPS)

The Extended Opportunity Program and Services (EOPS) offers services such as priority registration, personal/academic counseling, tutoring, book vouchers, and community referrals to qualifying low-income students. EOPS is composed of a group of professionals ready to assist you with the resolution of both academic and personal issues. Our staff is set up to understand the problems of our culturally diverse population and strives to meet student needs that are as diverse as our student population.

Also, under the umbrella of EOPS our CARE (Cooperative Agency Resources for Education) Program for single parents is specifically designed to provide support services and assist with the resolution of issues that are particular to this population. Students that are single parents receiving TANF/Cash Aid assistance may qualify for our CARE program, for additional information on CARE please contact Lourdes Mercado, 760-355- 6448, lourdes.mercado@imperial.edu.

EOPS provides additional support and services that may identify with one of the following experiences:

- Current and former foster youth students that were in the foster care system at any point in their lives.
- Students experiencing homelessness
- Formerly incarcerated students

To apply for EOPS and for additional information on EOPS services, please contact Alexis Ayala, 760-3555713, alexis.ayala@imperial.edu.

Student Equity Program

- The Student Equity Program strives to improve Imperial Valley College’s success outcomes, particularly for students who have been historically underrepresented and underserved. The college identifies strategies to monitor and address equity issues, making efforts to mitigate any disproportionate impact on student success and achievement. Our institutional data provides insight surrounding student populations who historically, are not fully represented. Student Equity addresses disparities and/or disproportionate impact in student success across disaggregated student equity groups including gender, ethnicity, disability status, financial need, Veterans, foster youth, homelessness, and formerly incarcerated students. The Student Equity Program provides direct supportive services to empower students experiencing insecurities related to food, housing, transportation, textbooks, and

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shower access. We recognize that students who struggle meeting their basic needs are also at an academic and economic disadvantage, creating barriers to academic success and wellness. We strive to remove barriers that affect IVC students' access to education, degree and certificate completion, successful completion of developmental math and English courses, and the ability to transfer to a university. Contact: 760.355.5736 or 760.355.5733 Building 100.

- The Student Equity Program also houses IVC's Homeless Liaison, who provides direct services, campus, and community referrals to students experiencing homelessness as defined by the McKinney-Vento Act. Contact: 760.355.5736 Building 100.

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

Date or Week	Activity, Assignment, and/or Topic	Due Dates/Tests
Week 1 06/20 - 06/25	Chapter 1: Introduction to the Law of Evidence and the Pretrial Process Chapter 2: The Trial Process Chapter 3: Evidence-Basic Concepts	Assignments/ Discussions/ Test
Week 2 06/26 – 07/02	Chapter 4: Witnesses-Competency and Privileged Communication Chapter 5: Witnesses-Lay and Expert Chapter 6: Credibility and Impeachment	Assignments/ Discussions/ Test
Week 3 07/03 - 07/09	Chapter 7: The Hearsay Rule Chapter 8: Opposing Party's Statements (Admissions) and Confessions Chapter 9: The Exclusionary Rule-Search and Seizure	Assignments/ Discussions/ Test

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Week 4 07/10 - 07/16	Chapter 10: Exclusionary Rule-Identification Procedures Chapter 11: Circumstantial Evidence Chapter 12: Documentary Evidence and the Right to Discovery	Assignments/ Discussions/ Test
Week 5 07/17 – 07/23	Chapter 13: Physical Evidence Chapter 14: Photographic, Recorded, and Computer-Generated Evidence	Assignments/ Discussions/ Test
Week 6 07/24-07/27	Chapter 15: How to Testify Effectively FINAL EXAM	Discussion/Final Exam

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

The instructor reserves the right to make an announced modification to this course outline.