

# Imperial Valley College

## Administration of Justice

### Course Syllabus

**COURSE NO.**  
AJ 104 (CRN 20406)

**COURSE TITLE**  
Legal Aspects of Evidence

**INSTRUCTOR**  
Esther A. Sanchez-Banda-Room 203  
[esanchezbanda@gmail.com](mailto:esanchezbanda@gmail.com)

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

<b>TERM</b>	<b>UNITS</b>	<b>CLASS TIMES</b>
Spring 2014	3	Tues and Thursdays 3:05pm-4:30pm

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#### **I. 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.

#### **II. 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.

#### **III. 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.

**IV. INSTRUCTIONAL METHODS:** The instructor reserves the right to adjust the course design.

Course objectives will be achieved through the use of several methods:

1. Lectures and class discussions
2. Readings in required texts and reserve readings
3. Guest speaker(s)
4. Quizzes
5. Article discussions

**V. Course Format:**

The idea behind this type of course format is that the instructor creates an interactive learning environment where each person contributes input to the group and that the time spent together is characterized by interactive learning. For you to get the most out of AJ 104 requires high involvement and a commitment to trading ideas. Class periods will include a combination of lecture, discussion, case exercises and small group activities. Discussion material will be drawn from the course text, current research/articles, and relevant work experiences.

**VI. Course Requirements:**

1. **Textbook:** California Criminal Evidence Guide: A Handbook for the Criminal Justice Student, Raymond Hill, Santa Rosa Junior College
2. **Examinations:** There will be five exams during the semester. The exams may include multiple choice questions, short answer questions and essays. The exams will cover the material discussed in class as well as the assigned readings and cases. The exams may or may not be cumulative. If a student misses more than one exam, those exam(s) will receive a grade of zero. There are no make-up exams. Further explanation of the requirements will be provided during the semester
3. In place of a research paper, students will be required to review professional journals and select at a minimum of 15 articles (ideally one each week) related to the subjects being discussed in class during the semester. Students are to highlight the important points in the selected article showing that the article has been read. All 15 articles should be numbered 1 through 15 and attached to a single cover sheet (table of contents) Listing the Source, Title, Author and Date of the article. No more than **3** articles will be accepted from local newspapers. Articles can be obtained from the internet and from professional journals at the IVC Library. Students will select from their articles one or more items to be discussed in class

to help stimulate learning and interest. Students should be prepared to present and discuss their articles when they are selected for presentation in class. Topics will be discussed in greater detail in the class. Your work will be graded on clarity of purpose, organization, strength of analysis, and conclusions drawn.

4. **Case studies and small group exercises:** Case discussion and small group exercises are a particularly important method for applying course material. Prior to class, students will read and be prepared to discuss the cases and exercises in class.
5. **Regular Attendance & Participation.** One of the institutional learning outcomes at IVC is personal responsibility. It is the participant's responsibility to obtain materials for any missed classes from other students. Missing three sessions or more will be noted negatively. Good and active class participation will be rewarded. *(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 pages 23–24 of your General Catalog for “ATTENDANCE AND AUTOMATIC WITHDRAWALS.”
6. **Preparedness:** Read all materials as outlined in the syllabus as well as any handouts and be prepared to discuss in class. It is highly recommended that you read the assigned chapters before attending the class.
7. **Appropriate Behavior:** Students are expected to maintain civility in the classroom. No disrupting the class chatting to others, or working on other course projects is tolerated. Students must maintain respect for themselves and others in the class through appropriate language and body language. Failure to comply with behavioral codes of conduct will impact upon grades. **Cell phone usage will not be tolerated in class.** It is disrespectful and disruptive.
8. **Evaluation Criteria:** Student performance will be assessed in several ways during the semester. Evaluation will be based on the following elements. Naturally, how much you learn in the course depends on the effort you put into to the readings, assignments, and class preparation.
  - Attendance
  - Class Participation
  - Exams
  - Articles

**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.

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

## **VII. GRADING PROCEDURE:**

Your Final Grade is based on scores received on quizzes, extra credits earned, the News Articles, Presentation, or Group Research Projects (if required), and Final Exam grades.

Grades will be assigned on the basis of the following weights:

Final & In-class test	50%
Class Participation/Attendance	40%
<u>Articles</u>	<u>10%</u>
Total	100%

A = 90 or above

B = 80-89

C = 70-79

D = 60-69

F = 60 below

*(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 Spring Class Schedule 2012 catalogue for “ATTENDANCE AND AUTOMATIC WITHDRAWALS”; you are RESPONSIBLE!

**As part of the attendance of this course, we will be attending a tour TBA in the latter part of the semester. This tour will be part of the requirements for this course, attending this tour will be the same as if you were to attend class that day.**

### **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 own 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”**.

### **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.

### **STUDENT COUNSELING & HEALTH SERVICES**

Students have counseling and health services available, provided by the prepaid Student Health Fee. You can find out more about services available for students at <http://www.imperial.edu/students/student-health-center/>. The IVC Student Health Center is located in the Health Science building in Room 2109, telephone 760-355-6196.

### **STUDENT RIGHTS AND RESPONSIBILITIES**

Students have the right to experience a positive learning environment; students who disrupt that environment can be asked to leave the class. Faculty and students also have the right of due process. For further information regarding student rights and responsibilities please refer to the IVC General Catalog available online at [www.imperial.edu](http://www.imperial.edu).

**AJ 104, Legal Aspects of Evidence**  
(Tuesday and Thursday 3:05pm-4:30pm)  
**Tentative Assignment Schedule**  
(Subject to change as necessary)

#### **Class Schedule:**

Tues	01-21-14	Class begins/Introduction/Syllabus Read and Review Syllabus. Discuss the purpose and structure of the course. The syllabus is a required reading and should be read thoroughly by the next session.
Thurs	01-23-14	Syllabus cont. (If needed)
Tues	01-28-14	Chapter 1: Introduction to Evidence
Thurs	01-30-14	cont. Chapter 1
Tues	02-04-14	Review Chapter 1
Thurs	<b>02-06-14</b>	<b>Test 1: Chapter 1</b>
Tues	02-11-14	Chapter 2: Ways of Presenting Evidence
Thurs	02-13-14	Chapter 3: Testimony of Witness
Tues	02-18-14	Chapters 2&3 Review
Thurs	<b>02-20-14</b>	<b>Test 2: Chapter 2&amp;3</b>
Tues	02-25-14	Chapter 4: Writings
Thurs	02-27-14	Chapter 5: Material Objects
Tues	03-04-14	<b>Guest Speaker/Movie (tentative)</b>
Thurs	03-06-14	Chapters 4&5 Review
Tues	<b>03-11-14</b>	<b>Test 3: Chapters 4&amp;5</b>
Thurs	03-13-14	Chapter 6: Relevancy
Tues	03-18-14	Chapter 7: Competency and Credibility
Thurs	03-20-14	Chapter 8: Burden of Proof
Tues	03-25-14	<b>Guest Speaker/Movie(tentative)</b>
Thurs	03-27-14	Chapters: 6,7&8 Review
Tues	<b>04-01-14</b>	<b>Test 4: Chapters 7&amp;8</b>
Thurs	04-03-14	Chapter 9: Witness Privileges
Tues	04-08-14	Chapter 10: Hearsay Evidence
Thurs	04-10-14	<b>Guest Speaker/Movie (tentative)</b>
<b><u>Friday</u></b>	<b><u>04-11-14</u></b>	<b><u>LAST DAY TO DROP CLASS</u></b>

Tues	04-15-14	Chapter Review 8,9,&10
Thurs	<b>04-17-14</b>	<b>Test 5: Chapters 8,9,&amp;10</b>
Tues	04-22-14	<b>Spring Recess. No Classes</b>
Thurs	04-24-14	<b>Spring Recess. No Classes</b>
Tues	04-29-14	<b>Jail Tour (tentative)</b>
Thurs	05-01-14	Chapter 11: The Fourth Amendment-Search and Seizure
Tues	05-06-14	Chapter 12&13: Miranda and Confession Law/Methods of Identification
Thurs	05-08-14	Discuss and Review for Final
Tues	05-13-14	<b>Articles Due (15)</b>
Thurs	<b>05-15-14</b>	<b>Final Exam Class Ends</b>

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\*Your exams and final exam will be a mixture of multiple choice, true/false, short answer and essay questions. NO makeup test will be allowed.

Students are expected to arrive on time to class. You should be prepared, having thoroughly read and reviewed the assignment and ready to discuss it.

Note: If you have any questions concerning this Tentative Assignment Schedule, please contact the Instructor. Remember, it is your responsibility to have read the Reading Assignment *PRIOR* to that week's class, in order to receive the full benefit from the lecture period on that material.