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Administration of Justice (ADMJ) 1504 Legal Aspects of Evidence (3 Units) CSU

Prerequisite or Co-requisite: None

Advisory: Successful completion of English 1500 strongly recommended

Total Hours: 48 hours lecture

Catalog Description: This course examines categories of evidence and legal rules governing its admission and exclusion in the criminal process. C-ID: AJ 124

Type of Class/Course: Degree Credit

Text such as: Hails, Judy. *Criminal Evidence*. 7th ed. Independence, KY: Cengage Learning, 2012. Print.

Additional Required Materials: None

Course Objectives:

By the end of the course, a successful student will be able to:

1. Identify and differentiate various types of evidence,
2. Define and describe key rules of evidence, and
3. Critically evaluate and apply the rules of evidence to specific case facts.

Course Scope and Content:

- Unit I Rules of Evidence
- A. What is evidence
 - B. Proof and burden of proof
 - C. Reasons for rules of evidence
 - D. The evidence code
 - E. Application of rules of evidence
 - F. Doctrine of judicial notice
 - G. Presumption
- Unit II Types of Evidence

- A. Relevant evidence
- B. Direct and circumstantial evidence
 - a. weight of evidence
 - b. circumstantial evidence
 - c. character
 - d. other acts of evidence
 - e. offers to plead guilty
 - f. circumstantial evidence involving the victim
- b. Testimonial and real evidence
- D. Substitutes for evidence

Unit III

Witness

- A. Competency of witness
- B. Impeachment
- C. Rehabilitation
- D. Corroboration
- E. Memory failures
- F. Unavailable witness
- G. Types of witnesses
- H. Opinion rule

Unit IV

Privileged Communications

- A. Basis for privileges
- B. Commonly used privileges
- C. Attorney-client privilege
- D. Privilege of official information
- E. Media reporter privilege

Unit V

Privilege against Self-incrimination

- A. Scope of privilege against self-incrimination
- B. Miranda warnings
- C. Sequential interrogations
- D. Special situations
- E. Post-arraignment confessions

Unit VI

Hearsay

- A. Basic hearsay principles
- B. The hearsay rule
- C. Exceptions
- D. Admissions and confessions
- E. Other

Unit VII

Chain of Custody

- A. Definition
- B. Documentation
- C. Custody

- D. Control
- E. Analysis
- F. Disposition

- Unit VIII Identification Procedures
- A. Definitions used for identification procedures
 - B. Fourth Amendment rights during identification procedures
 - C. Fifth Amendment rights during identification procedures
 - D. Sixth Amendment rights during identification procedures
 - E. Due process rights during identification procedures
 - F. Use of identification testimony at trial

- Unit IX Search and Seizure
- A. History and development of Fourth Amendment
 - B. Definitions
 - C. Warrant requirements
 - D. Exclusionary rule
 - E. Impermissible methods of obtaining evidence and apprehending suspects
 - F. Arrests and jail searches
 - G. Plain view, consent, and administrative warrants
 - H. Electronic

Learning Activities Required Outside of Class:

The students in this class will spend a minimum of 6 hours per week outside of the regular class time doing the following:

1. Studying textbook (s)
2. Completing required reading including case studies
3. Completing required written exercises
4. Completing project assignments
5. Library research
6. Internet research

Methods of Instruction:

1. Lectures
2. Class discussions
3. Audio/Visual presentations
4. In- class scenarios
5. Group discussion
6. Research and study of materials

Methods of Evaluation:

1. Substantial writing assignments including:

- a. essay exams
 - b. research paper using APA or other generally accepted social science format
2. Objective and subjective examinations/quizzes
3. Case analysis
4. Projects
5. Homework assignments
6. In class exercises/presentations
7. Forum responses and interaction with other students based on assigned readings from criminal justice literature/or internet sites