

Laws Of Evidence

Mon. / Weds. / Fri. - 1:00 p.m. -1:50 p.m.

Udvar Hazy Bldg., Room 203

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Success is less a matter of personal charisma, high I/Q., and so called "natural talent";... than it is a matter of loyalty, commitment, personal discipline, hard work, and personal motivation. In other words; give me a hard working "average Joe" who is dedicated, focused, and well disciplined over a lazy genius any day.

"Will it matter that I was"

BASIC COURSE DESCRIPTION:

This is a course for the student who may be interested in a career in law enforcement, adult or juvenile probation, corrections, private or industrial security, law, criminology, education, or just interested in human interaction and relationships. The academic discipline of criminal justice is a combined product of psychology, sociology, anthropology, history, criminology, law, political science, human behavior, etc.. While this particular course specifically deals with the principles and rules of law and order, emphasizing evidentiary problems and issues related to criminal cases, it also emphasizes the need and purpose for law in our lives.

This course will incorporate the use of lectures, videos, guest speakers, assigned texts, and practical demonstration to make those basic criminal justice points and should therefore provide a foundation for work in the criminal justice field as well as for students intending to attend any law enforcement or corrections academy. It provides also a solid foundation and understanding of the founding of America and the legal system that supports this great governmental experiment.

TEXT: "Criminal Law, Procedure, and Evidence", Walter P. Signorelli, CRC Press, 2011

COURSE GOALS AND OBJECTIVES:

The student will learn of the origin and purpose of evidence law; it's importance and application; and the exceptions and exclusions that allow fairness in practice. The student will learn to think critically about the trial process, evidentiary issues, and constitutional limitations and privileges. The understanding of these issues will provide the skills and knowledge necessary for the next phase of the student's criminal justice career.

At the conclusion of this course the student should be able to basically discuss the following topics:

- The dynamic relationship between general human behavior, society, Government, and the concept of "law and order";
- The concept of American law: The U.S. Constitution, (specifically the Bill of Rights) / The trial process / Substantive law vs. procedural law / Civil law vs. criminal law;
- The concept of identifying, collecting, preserving and presenting evidence / (Legal "foundation");
- The importance of testimony as evidence / "Lay" vs. "Expert" witnesses / The Hearsay rule;
- Factors of "Competency" / Jury selection / Impeachment;
- Search and Seizure Rules / Direct evidence vs. circumstantial evidence / "Admissibility".

EXPECTATIONS:

* **Attendance** and participation is a necessary component of this course, (i.e., to understand the legal "*privileges against testifying*", talked about in chapter 10, it will have been necessary to understand the *admissibility of testimonial evidence* discussed in chapter 4, weeks earlier);

* **Reading assignments** should be completed ahead of the corresponding lecture. The lecture is meant to **clarify** and **expound** upon the basics of the text. (Also, guest speakers and other outside resources may be used during the semester and class lecture time may then be limited). Therefore, the student may be held responsible for all assigned reading for testing purposes, regardless of whether such material was discussed in the classroom.

* **Outside assignments** may be given as extra credit, on an "as need basis" only.

* **Quizzes** on the reading material may be given periodically and said grade will be included in the participation portion of your overall grade.

* **Note-taking** is highly recommended due to the fact that a great deal of "case law" and material from several additional texts will be used by the instructor to make points discussed in the main text. * **Respect** to discussion leader and/or students asking questions is mandatory and will be controlled by the instructor.

* **Excused absences;** while this instructor fully understands that each person's life is unique and complicated, and I am fairly easy to work with in that regard, there must be **limitations** and I will expect you to regulate your own circumstances as much as is possible and to give me prior notice on a priority basis.

Contract: In return, you may expect of me that I will never waste your time. I will commit to you that I will continue to study, research, and plan meaningful information for you on a daily basis. I will do all in my power to make this class as interesting as possible and I will work with you to the extent that I am able in achieving the grade and information you need. I will especially be attentive to your needs in cases of family emergency within the limitations set by college policy and if you should come down with a particularly contagious cold or flu I will reward you for sparing the rest of the class the same misery by working with you through email.

CLASS RULES:

(#1): ***Respect*** for those responsible by law for the conduct and substance of this course, mainly the instructor. Though class participation is appreciated and encourage, the instructor is ultimately responsible for covering a certain amount of academic material and will control all class activity. Unnecessary disruption of class schedule or substance is legal grounds for dismissal. ***Respect*** for the course time line and curriculum; meaning that if you still have questions about a particular topic that may have only been briefly addressed in the classroom you may take it up with the instructor in out-of-class time. ***Respect*** for other members of this particular class; meaning there will be no tolerance for open disrespect of one's opinions, beliefs, nationality, race, religion, gender, politics, etc. This will be closely monitored and controlled by the instructor as well.

(#2): Disruptive behavior in class may also lead to an administrative withdrawal. Disruptive behavior is defined as any behavior that interferes with the teacher's ability to teach or the learning of other students. (Cellular telephone calls and text messaging during class is strictly PROHIBITED. **(CELLS PHONES MUST BE TURNED OFF IN CLASS per DSC policy)**)

Administrative withdrawals It is the policy at DSC that students who fail to attend the first scheduled class meeting or to contact the instructor regarding absence prior to the first scheduled class meeting may be withdrawn by the instructor to allow enrollment by the other students. If a student fails to attend class at all during the first week or two, an administrative withdrawal card will be filled out and the student will be officially removed from the class rolls before the end of the third week of the term. Therefore, class tolls are important

<u>GRADING:</u>	Attendance - 10%	Participation - 10%	Test #1 - 20%
	Test #2 - 20%	Test #3 - 20%	Test #4 - 20%

Final grades will be determined on a percentage basis:

A = 93%, A- = 90%, B+=87%, B=83%, B-=80%, C+=77%, C= 73%, C-=70, D=68, F=67% and below.

ATTENDANCE: Prompt attendance is critical in the legal field. Attorneys, law enforcement, and witnesses have been sanctioned, fined or even jailed when they failed to appear or show up promptly at a designated time. It is a sign of maturity and discipline. As a main component of the overall learning experience, students of this class will be held to the same standard. Attendance will be excused for special or exceptional circumstances only, with prior approval of the instructor or official documentation after the fact. Un-excused absences and excessive tardiness will affect your "participation" grade. Make-up exams will be considered only under the same limitations and requirements as the attendance policy.

DISCLAIMER: Information contained in this syllabus, other than the grading, late assignments, makeup work, and attendance policies, may be subject to change with advance notice, as deemed appropriate by the instructor. ***The reading and lecture schedule will remain flexible in order to facilitate guest speakers, demonstrations, outside resource opportunity, and a learning pace at which the majority of the class is comfortable.***