



CC APPROVAL: 02/20/2018
ACADEMIC SENATE APPROVAL: 02/28/2018
BOT APPROVAL: 03/12/2018
STATE ID: CCC000231563
EFFECTIVE TERM: Fall 2018

College of the Sequoias Course Outline of Record

SUBJECT AREA AND COURSE NUMBER: AJ 112

COURSE TITLE: LEGAL ASPECTS OF EVIDENCE

UNITS/HOURS

Units: 3

Hours:

Lecture Hours Per Week: 3

Lab Hours Per Week:

Total Lecture Hours Per Semester: 52.5

Total Lab Hours Per Semester:

Activity Hours Per Week:

Total Activity Hours Per Semester:

Total Hours Per Week: 3

Total Contact Hours Per Semester: 52.5

TOP CODE: 2105.00 - Administration of Justice*

SAM CODE: Clearly Occupational

Cross-Listed Courses:

CATALOG COURSE DESCRIPTION:

The origin, development, philosophy, constitutional and procedural basis of evidence; judicial decisions and statutory rules of evidence governing the admissibility of testimony, writings and material objects.

REQUISITES:

Advisories:

- ENGL 251
- or ENGL 261

FIELD TRIP REQUIREMENTS: Not Required

GRADING: S - Standard Grading A-F

REPEATABLE:

TRANSFERABLE:

Approved CSU BA Transferable (1-199 level)
YES

METHODS OF INSTRUCTION:

Methods of instruction may include, but are not limited to, the following:

- * Distance Education
- * Lecture and/or Discussion

METHODS OF EVALUATION:

A student's grade will be based on multiple measures of performance unless the course requires no grade. Multiple measures may include, but are not limited to, the following:

- Essay quizzes or exams
- Written essays or extended papers
- Multiple choice tests
- Short answer quizzes or exams
- Oral presentations

COURSE TOPICS:

1. Introduction to Evidence

- Definition of Evidence
- Proof
- Burden of proof
- Reasons for the Rules of Evidence
- Purposes for offering evidence in court
- Tests for admissibility of evidence
- Sources of evidence law
- U.S. and California State case law as applied to Rules of Evidence

2. Types of Evidence

- Testimonial
- Documentary (writings)
- Real (material objects)
- Demonstrative evidence
- Physical evidence
- Relevant evidence
- Admissions and confessions
- Hearsay evidence
- Consciousness of guilt

3. Ways of Presenting Evidence:

- Direct evidence
- Circumstantial evidence
- Presumption
- Inference
- Judicial notice
- Stipulation

4. Witness Testimony:

- Types of witnesses
- Subpoenas
- Opinion evidence rule

5. Witness Competency and Credibility:

- Competency
- Credibility

6. Documentary Evidence (Writings):

- Authentication
- Best and secondary evidence
- Gruesome photographic evidence

7. Real and Physical Evidence (material objects):

- Fruits of the crime
- Instrumentalities of the crime
- Contraband
- Physical evidence

8. Introduction of Evidence:

- Authentication
- Chain of possession
- Duty to collect/preserve evidence

9. Privileges and Privileged Communications:

a. Testimonial privileges

- Privilege against self-incrimination
- Husband/wife testimonial privilege
- Officer/informant privilege
- News shield privilege

b. Confidential Communications privilege

- Husband/wife communications privilege
- - Attorney/client privilege
- - Doctor/patient privilege
- - Clergy/confessor privilege

10. Hearsay Evidence:

a. Why hearsay evidence is admissible

b. Exceptions to hearsay evidence

- Admissions and confessions
- Dying declarations
- Spontaneous statements
- Business and official records
- Prior statements of witnesses/past recollection recorded

11. Hearsay Testimony at Preliminary Hearings (872(b) CPC

12. Search and Seizure:

a. Search and seizure introduction

- 4th and 14th Amendment, California Constitution
- Warrant provision and probable cause
- Definitions

b. Exclusionary rule

- Legal provisions and impact
- Purposes of the exclusionary rule
- Fruits of the poisonous tree
- Exceptions to the exclusionary rule

c. Major case decisions

- Plain view doctrine
- Detentions and contacts
- Frisk or pat-down search
- Arrest search
- Vehicle search
- Search warrant
- Consent search
- Emergency searches

- Parole/Probation searches
 - Administrative searches
 - Forcible searches of evidence
13. Methods of Identification:
- In field show up
 - Photographic lineups
 - Physical lineups
14. Self-Incrimination and Miranda:
- When the Miranda Rule applies (adults and minors)
 - Custody and interrogation defined
 - Admonition, waiver, assertion
 - Effect of silence assertion – exceptions
 - Effect of counsel assertion – exceptions
 - 5th Amendment violation and exclusionary rule
 - Exceptions to Miranda
15. Introduction to Evidence
- Definition of Evidence
 - Proof
 - Burden of proof
 - Reasons for the Rules of Evidence
 - Purposes for offering evidence in court
 - Tests for admissibility of evidence
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OUTCOMES:

Course Objectives

The main concepts for this course will ask students to...

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

Assignments

Reading:

Assignments typically associated with this particular course of instruction may include but are not limited to:

- Students are required to read the assigned chapter and answer at least two of the chapter review questions.
- Students are required to read the assigned chapter and complete a short chapter quiz each week.
- Students are expected to read the assigned chapter(s) each week in preparation for classroom discussion.

Writing:

Writing assignments typically associated with this particular course of instruction may include but are not limited to:

- Students are required to identify at least one current course specific criminal justice issue that is in the news (print or electronic), and write a one- to two-page observation paper, relating course content to their response.
- Students are required to maintain a journal as it relates to the topic instructed in class (reflection) and to make entries during the week that relate to events in the news that are related to evidence.
- Students are required to prepare written documents (outline, test questions, resources and expert interview information) in support of their chosen presentation assignment.
- Students are required to choose a particular topic that is related to the course of study (prior approval required) and then write a five-page paper regarding the chosen topic.

Homework:

Homework assignments typically associated with this particular course of instruction may include but are not limited to:

- Students are expected to read the assigned chapter(s) each week in preparation for classroom participation.
- Students are required to read the assigned chapter(s) and define key terms associated with the content of each chapter.
- Students are expected to do research work and otherwise prepare for their respective presentations as required for this course.
- Students are assigned a research project that directly relates to the topic of evidence.

TEXTS AND SUPPLIES:

Textbooks may include, but are not limited to:

TEXTBOOKS:

1. HILL, Raymond M.. California Criminal Evidence Guide: A Handbook for the Criminal Justice Student. 12th ed. Hallett Publishing Company, 2017, ISBN: 0-9620412-1-1-9

MANUALS:

PERIODICALS:

MATERIALS FEE: NO

OTHER:

Distance Ed

[DLA](#)

SLO: <http://cos.edu/CO318>

[AJ Outcomes](#)

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