

LEGAL ASPECTS OF EVIDENCE ADMINISTRATION OF JUSTICE 3 FALL 2014

Instructor: Steven J. Katz • POPP@ARTC - WLAC
Course Section No.7572 • Mon-Wed. 7:35 – 9:00 a.m. • ARTC
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Office Hours: Wednesdays 7:00 a.m. (by appointment please)

COURSE DESCRIPTION

This course presents the legal aspects of evidence, constitutional and procedural considerations affecting arrest, search and seizure, kinds and degrees of evidence, rules governing the admissibility of evidence in court, judicial decisions interpreting individual rights and case studies. Legal practitioners and subject matter experts will provide additional insight during scheduled classroom visitation. In addition, career opportunities in all aspects of law enforcement will be presented.

STUDENT LEARNING OUTCOMES

- Student will be able to effectively apply the constitution considerations of legally collecting and preserving evidence
- Students will be able to formulate appropriate procedures and techniques to maintain the value and admissibility of evidence in court.
- Students will gain a clearer understanding of how the collection, processing and presentation of evidence relates to the criminal justice system.
- You will develop an understanding of how the separate functions of law enforcement, prosecution, defense and the courts interpret and present evidence in criminal cases.

COURSE REQUIREMENTS

A. TEXT

Hails, Judy, **CRIMINAL EVIDENCE**, 6th Edition - **Required**

B. GRADES*

- | | |
|---------------------------------------|------------|
| 1. FINAL EXAM | 50 points |
| 2. QUIZZES: 4 Periodic Quizzes | 100 points |
| 3. ATTENDANCE AND PARTICIPATION: | 60 points |
| 4. CURRENT EVENT HOMEWORK ASSIGNMENTS | 64 points |

274 points

A 90% to 100% 247 to 274 points

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B	80% to 89%	219 to 246 points
C	70% to 79%	192 to 218 points
D	65% to 69%	178 to 191 points
F	64%	177 points and below

Each periodic quiz is worth a total 25 points. The final exam will be a cumulative review of the course that is worth a total of 50 points. The periodic quizzes and final exam will consist of multiple choice and true/false questions.

***Note:** Students are required to notify the instructor regarding any late assignments or risk a reduction in grade points and / or overall grade.

C. CURRENT EVENT GROUP HOMEWORK ASSIGNMENT

Students groups are required to write a weekly two paragraph narrative of a current event relates to the correlating text book chapter for the week. Only one current assignment paper per group. All group members are expected to participate. Please include the source of where the current event was taken from. The assignment is due at the Thursday meeting for the week. Each group will give an oral presentation of their current event assignment. These presentations should be at the very least a power point presentation and may include videos. Each assignment is worth four points.

COURSE POLICIES

- A.** Cells phones must be turned off or be in silent mode while in class. Texting in class is not permitted. No earphones are allowed to be worn in class. No iPods allowed in class.
- B.** Course materials are divided between lectures and readings. Students are expected to have read required chapters before coming to class.
- C.** Students must attend class. Students are awarded 2 points per class for attendance and participation. If a problem arises, contact the instructor as soon as possible.
- D.** Our class meets on Mondays and Wednesdays from 7:35 am to 9:10 am. I expect all students to be on time to class. I encourage you to actively participate in classroom discussions. I expect all students to be respectful to each other and to all guest at all times.

I expect students to do their own work and not copy from one another. Do not have someone write your current event assignment.

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Disability Support Services (DSPS)

Students with disabilities who need any assistance or accommodations should contact the instructor. Students should also contact the Disabled Student Programs & Services (DSPS) center located in SSB 320 or call 310-287-4420. dsps@wlaac.edu

Do not copy an article verbatim. Plagiarism is a serious violation. For further, see the below paragraph.

Plagiarism, as defined in the 1995 Random House Compact Unabridged Dictionary, is the "use or close imitation of the language and thoughts of another author and the representation of them as one's own original work." Plagiarism by students is considered [academic dishonesty](#) or academic fraud and offenders are subject to academic censure, up to and including [expulsion](#). Some individuals caught plagiarizing claim that they plagiarized unintentionally, by failing to include [quotations](#) or give the appropriate [citation](#). Any student who commits plagiarism in an Administration of Justice course will receive an "F" in the course and a notice sent to the Dean of Student Affairs. When writing papers, we will use the APA format, more on that later.

INSTRUCTOR BIOGRAPHY

Steven J. Katz's professional background is in law enforcement with over 30 years of experience as a sworn police officer. He worked two and ½ years as a deputy sheriff for the Los Angeles County Sheriff's Department assigned to custody operations. Mr. Katz has been a police officer and detective for the Los Angeles Police Department for over 28 years. His assignments include patrol training officer; vice investigator; gang investigations; research and project coordinator; robbery, crimes against persons, and auto theft investigator; and over 11 years as a homicide investigator. Mr. Katz has extensive experience in detective operations, to include crime scene investigation, suspect interrogation, search and arrest warrant preparation, report writing, and court preparation. Mr. Katz currently supervises a team of homicide detectives. Mr. Katz holds a Bachelor of Science degree in Occupational Studies from California State University, Long Beach; and a Master of Arts degree in Behavioral Science: Negotiation and Conflict Management from California State University, Dominguez Hills. Mr. Katz is an assistant adjunct professor in Administration of Justice at West Los Angeles College and Los Angeles Southwest College.

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TENTATIVE SCHEDULE

WEEK 1: September 3rd – No Class on Monday, September 1st (Labor Day)

Introduction and Course Overview

Student Profiles & Introductions

Chapter 1 – Introduction

- What is Evidence?
- Burden of Proof
- Role of the Judge and Jury
- History and Development of Rules of Evidence
- Source of Evidence Law
- Impact of Case Law
- How Legal Research is Done

WEEK 2: September 8th & 10th

Chapter 2 – The Court Process

- Introduction
- The Criminal Complaint
- Arraignment
- Preliminary Hearing
- Grand Jury
- Suppression Hearing
- Discovery
- Plea Bargaining
- The Trial
- Sentencing
- Appeal

**Current Event Homework Assignment Due – Chapter 1
(Wednesday September 10th)**

WEEK 3: September 15th & 17th

Chapter 3 – Types of Evidence

- Relevant Evidence
- Direct and Circumstantial Evidence
- Testimonial and Real Evidence
- Substitutes for Evidence

Quiz #1 Review – Chapters 1, 2, & 3 (Handout)

**Current Event Homework Assignment Due Chapters 2
(Wednesday September 17th)**

WEEK 4: September 22nd & 24th

Quiz #1 – Chapters 1, 2, & 3

Chapter 4 – Direct and Circumstantial Evidence

- Basic Definitions
- Weight of Evidence
- Circumstantial Evidence of Ability to Commit the Crime
- Circumstantial Evidence of Intent
- Circumstantial Evidence of Guilt
- Character
- Other Acts of Evidence
- Offers to Plead Guilty
- Circumstantial Evidence Involving the Victim
- Rape Shield Laws

**Current Event Homework Assignment Due – Chapter 3
(Wednesday September 24th)**

WEEK 5: September 29th & October 1st

Chapter 5 – Witnesses

- Competency of Witness
- Impeachment
- Rehabilitation
- Corroboration
- Memory Failures
- Unavailable Witness
- Types of Witnesses
- Opinion Rule

Chapter 6 – Crime Scene Evidence, Experiments, & Models

- Introduction
- Crime Scene Evidence
- Scientific Evidence
- Commonly Accepted Scientific Tests
- Tests That Are Not Commonly Accepted
- Experiments

**Current Event Homework Assignment Due – Chapter 4
(Wednesday October 1st)**

WEEK 6: October 6th & October 8th

Special Guest: Latent Print Practitioner

**Current Event Homework Assignment Due – Chapters 5 & 6
(Wednesday October 8th)**

Quiz #2 Review – Chapters 4, 5, & 6 (Handout)

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WEEK 7: October 13th & 15th

Quiz #2 – Chapters 4, 5, & 6

Chapter 7 – Documentary Evidence

- Definitions Used to Describe Documents
- Authentication
- Forensic Document Examiners
- Introducing the Contents of Documents
- Photographic Evidence
- Models, Maps, and Diagrams

WEEK 8: October 20th & 22nd

Chapter 8 – Hearsay and Its Exceptions

- Basic Hearsay Principles
- The Hearsay Rule
- Testimonial Hearsay
- Unavailability of the Hearsay Declarant
- Exceptions to the Hearsay Rule
- Admissions and Confessions
- Declarations against Interest
- Spontaneous Statements
- Contemporaneous Declarations
- Dying Declarations Exceptions
- Mental and Physical State
- Business Records and Official Documents
- Reputation
- Former Testimony
- Prior Inconsistent Statements
- Prior Consistent Statements
- Ancient Documents
- Past Recollection Recorded

**Current Event Homework Assignment Due – Chapter 7
(Wednesday October 22nd)**

WEEK 9: October 27th & 29th

Chapter 9 –Privileged Communications

- Basics for Privileges
- Attorney-Client Privilege
- Husband-Wife Privilege
- Physician-Patient Privilege
- Clergy-Penitent Privilege
- Media Reporter Privilege
- Executive Privilege

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- Privilege for Official Information
- Privilege Not to Disclose Identity of Informant

Quiz #3 Review – Chapters 7, 8, & 9 (Handout)
Current Event Homework Assignments Due – Chapter 8
(Wednesday October 29th)

WEEK 10: November 3rd & 5th

Quiz #3 – Chapters 7, 8, & 9

Chapter 10 – Developing Law of Search and Seizure

- History and Development of the Fourth Amendment
- Definitions
- Warrant Requirements
- Exclusionary Rule
- Impermissible Methods of Obtaining Evidence

Current Event Homework Assignments Due – Chapter 9
(Wednesday November 5th)

WEEK 11: November 10th & 12th

Chapter 11 – Field Interview, Arrests, and Jail Searches

- Right to Use Force to Detain or Arrest Suspects
- Criminal Charges for Using Excessive Force
- Field Interviews
- Arrests
- Booking
- Jail and Prison Searches

Chapter 12 – Plain View, Consent, and Administrative Warrants

- Plain View and Open Field Doctrines
- Abandoned Property
- Consent Searches
- Vehicle Searches
- Administrative Searches

Current Event Homework Assignment Due – Chapter 10
(Wednesday November 12th)

WEEK 12: November 17th & 19th

Quiz #4 Review – Chapters 10, 11 & 12 (Handout)
Current Event Homework Assignment Due – Chapters 11 & 12
(Chapter 11 Monday - Chapter 12 Wednesday)

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WEEK 13: November 24th & 26th

Quiz #4 – Chapters 10, 11 & 12

Chapter 13 – USA PATRIOT Act, Foreign Intelligence, and Other Types of Electronic Surveillance Covered by Federal Law

- Eavesdropping and Electronic Surveillance
- Misplaced Reliance Doctrine
- National Security Letters

WEEK 14: December 1st & December 3rd

Chapter 14 – Self-Incrimination

- Scope of the Privilege against Self-Incrimination
- *Miranda* Warnings
- Sequential Interrogations
- Special Situations
- Post-Arrest Confessions

Chapter 15 – Identification Procedures

- Definitions Used for Identification Procedures
- Fourth Amendment Rights during Identification Procedures
- Fifth Amendment Rights during Identification Procedures
- Sixth Amendment Rights during Identification Procedures
- Due Process Rights during Identification Procedures
- Use of Identification Testimony at Trial

Current Event Homework Assignment Due – Chapter 13 (Wednesday December 3rd)

WEEK 15: December 8th & 10th

Chapter 16 – Preparing the Case for Court

- Introduction
- Reviewing Facts of the Case
- Working with the Prosecutor
- Dress and Demeanor
- Contacts with Lawyers, Witnesses, and Jurors
- Press Coverage

Final Exam Review (Handout)

- Course Review
- Career Information

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**Current Event Homework Assignment Due – Chapters 14 & 15
(Wednesday December 10th)**

WEEK 16: December 15th

Final Exam

**Current Event Homework Assignment Due – Chapter 16
(Turn in written assignment only, no presentation)**