

CATALOG INFORMATION

Dept & Nbr: ADJ 104 Title: LEGAL ASPECTS OF EVIDENC  
Full Title: Legal Aspects of Evidence

Units	Course Hours	Per Week	Nbr of Weeks	Course Hours	Total
Max: 3.0	Lecture	3.0	17	Lecture	51.0
Min: 3.0	Lab	0.0		Lab	0.0
	Contact DHR	0.0		Contact DHR	0.0
	Contact Total	3.0		Contact Total	51.0
	Non-contact DHR	0.0		Non-contact DHR	0.0

Title 5 Category: 01 AA Degree Applic  
Grading: GC Credit course for grade or CR/NC  
Repeatability: 00 No repeatability allowed or defined  
Also listed as:

CATALOG DESCRIPTION:

Origin, development, constitutional basis, and application of the laws of evidence, search, and seizure. Covers types of evidence, rules of admissibility, and judicial decisions interpreting rights of the individual and the police.

PREREQUISITES:

COREQUISITES:

RECOMMENDED PREPARATION:

No advisories.

LIMITS ON ENROLLMENT:

SCHEDULE OF CLASSES INFORMATION:

Do you know your rights regarding search and seizure of your home? Your car? Yourself? Learn what every citizen should know. (Grade or CR/NC)  
Transfer Credit: CSU.

ARTICULATION and CERTIFICATE INFORMATION

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ASSOCIATE DEGREE:	Effective:	Inactive:
Area:		
CSU GE:	Effective:	Inactive:
Transfer area:		
IGETC:	Effective:	Inactive:
Transfer area:		
CSU TRANSFER: TRANSFERABLE	Effective: FALL 1985	Inactive:
UC TRANSFER:	Effective:	Inactive:

CAN:

CERTIFICATE APPLICABLE: C CERTIFICATE APPLICABLE COURSE

APPROVAL AND DATES

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Version 02 Submitted by: GARY HUDSON Date: 03/15/1985  
Department approved: Date:  
Curriculum approved: 05/09/1985 Version approved: 05/09/1985  
Prerequisites approved: Last reviewed: 05/09/1985  
Term effective: FALL 1985 Last taught: SPRING 2008 Inactive:

COURSE CONTENT

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OUTCOME AND OBJECTIVES:

1. Understand and have a working knowledge of the concepts and rules of evidence, the burden of proof, and the laws of arrest, search and seizure.
2. Properly apply the rules of evidence to police activities.
3. Differentiate between legal and illegal searches and seizures.
4. Anticipate problems associated with the collection of various types of evidence and develop solutions.

TOPICS AND SCOPE:

1. Concepts of Evidence
  - a. Types of evidence
  - b. Purposes for offering evidence in court
  - c. Minimal tests of evidence
  - d. Main purpose for the rules of evidence
2. Rules of Evidence
  - a. History and effects of the exclusionary rule
  - b. Hearsay rule
  - c. Exceptions to the hearsay rule
3. Burden of Proof
  - a. Criminal guilt
  - b. Corpus delicti
  - c. Jurisdiction
  - d. Double jeopardy
  - e. Self defense
4. Search and Seizure Concepts
  - a. Definitions of search and seizure
  - b. Circumstances authorizing searches and seizures
  - c. Items which may be searched for or seized
  - d. Use of force to effect a seizure
  - e. Arrests as seizures
  - f. Effect of suspect's refusal to submit to search or seizure
5. Testimonial Evidence
  - a. Witness statements
    - 1) Victims as witnesses
    - 2) Competency of witnesses
    - 3) Offering opinions
  - b. Suspect statements
    - 1) Interviews
    - 2) Interrogation
    - 3) Confessionals and admissions
    - 4) Spontaneous statements
    - 5) "Miranda" rights
6. Privileged Communications
  - a. Attorney/client
  - b. Marital communication
  - c. Physician/patient

- d. Psychotherapist/patient
  - e. Clergyman/confessor
  - f. Informers
  - g. News media
  - h. Suspect
- 7. Identification of Suspects
    - a. In-field show-ups
    - b. Photographic line-ups
    - c. In-person line-ups
  - 8. Subpoenas
    - a. Definition of subpoena
    - b. Power of subpoena
  - 9. Discovery
    - a. Pretrial discovery
    - b. Discovery at preliminary hearing and at trial
    - c. Reciprocal discovery

**ASSIGNMENTS:**

**READING ASSIGNMENTS:**

Students will be required to read and study the assigned chapters in the textbook and any handout material. Assigned reading will form the basis for classroom discussion.

**WRITING ASSIGNMENTS:**

Students will be assigned substantial writing assignments which may include a course notebook, essay answer study questions, term papers, or research reports.

**OUTSIDE ASSIGNMENTS:**

Students are expected to spend time out of class working on the following:

- 1. Study
- 2. Required reading
- 3. Written assignments

**ASSIGNMENTS THAT DEMONSTRATE CRITICAL THINKING:**

Students will demonstrate the ability to think critically and apply concepts taught in the course by participating in the following activities:

- 1. Classroom discussion.
- 2. Essay answer study questions and tests.
- 3. Problem solving activities or exercises.
- 4. Case law analysis.

**METHOD OF INSTRUCTION:**

Lecture, discussion, audio-visual presentations, handouts, and reading assignments.

**METHODS OF EVALUATION:**

- 1. Writing Assignments - Approximately 30-40%  
Students will complete at least eight writing assignments. They may include a term paper, written reports, and essay answer study questions.
- 2. Problem Solving Demonstrations - Approximately 60-70%  
Students will receive a mid-term and a final exam. Students will also receive homework problems.

**BASIS FOR GRADING:**

The assignment of a grade is based on the level of achievement of the outcomes and objectives of the course outline and is reflected in quantifiable terms in the course syllabus.

**REPRESENTATIVE TEXTBOOKS:**

California Evidence Handbook, Raymond Hill, Halleck Creek Press, 1991