

Evidence and Criminal Procedure

CJS 213
Spring 18

Three Rivers Community College
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Norwich, Connecticut 06360

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Office Hours:

M/W 12:30 to 2:00

T/R 11:00 to 12:00

I. **Course Title:** Evidence and Criminal Procedure

II. **Course Information:**

A. CJS K213

B. Room: D 215

C. Day/Time: M/W 9:30 to 10:45

III. **Course Description:**

This course explores the historical background, kinds of evidence, and the development of the rules of evidence. Considered are the hearsay rule and its major exceptions, burden of proof, judicial notice, and presumptions. Students will examine the roles of the judge, jury, and prosecuting attorney. Other areas of study will include the grand jury, prosecution by indictment, as well as other court procedures.

IV. **Course Goals:**

Goals and Objectives:

1. Demonstrate an understanding of through applying the rules of evidence and criminal procedure.
 - A. Read and assess case study/law and articulate the appropriate application of rules.
 - B. Assess visual scenarios and describe errors and/or appropriate actions on the part of criminal justice professionals.
 - C. Research the history and rationale for rules of evidence and criminal procedure.
 - D. Demonstrate a relationship between course work and other degree requirements.
2. Utilize critical thinking skills within the context of evidentiary process requirements in the criminal justice system.
 - A. To acquire and analyze information to determine its quality and utility.
 - B. To recognize parallels between and among disciplines and apply knowledge, skills, or abilities learned in one discipline to another.
 - C. To summarize, analyze, evaluate, and use argumentation and persuasion.
 - D. To utilize inductive and deductive thought processes.
 - E. Apply ethical concepts to an ethical question and state the objective, assumptions, and implications of different ethical concepts

3. To understand and convey ideas in diverse contexts using reading, writing, speaking, and listening.
 - A. To comprehend and evaluate written passages.
 - B. Utilize social science methodology to differentiate between fact, information, and opinion.
 - C. Produce a research paper that conforms to APA standards.
 - D. To speak clearly.
 - E. To understand lectures, arguments, and other speech.
4. Articulate the relationship between building and demonstrating collaborative learning skills.
 - A. Demonstrate the ability to collaborate with diverse groups in a variety of settings
 - B. Engage collaboratively with peers in the classroom setting to meet a shared goal
 - C. Analyze the effectiveness of the collaborative endeavor

V. Instructional Methods:

- A. Lecture
- B. Discussion
- C. Group Work

VI. Required Text:

Criminal Evidence, Principles and Cases, 9th Edition, Thomas Gardner & Thomas Anderson, Wadsworth Publishing, 2015, ISBN: 978-1-111-83803-4

VII. Disabilities Statement:

If you are a student with a disability and believe you will need accommodations for this class, it is your responsibility to contact the Disabilities Counseling Services at 860-215-9265. To avoid any delay in the receipt of accommodations, you should contact the counselor as soon as possible. Please note that I cannot provide accommodations based upon disability until I have received an accommodation letter from the Disabilities Counselor. Your cooperation is appreciated.

VIII. Course Outline:

The following is a tentative class schedule. This is subject to change depending on the time required to cover the material and the needs of the students.

IV. Course Outline:

- Week #1 – Jan. 17, Introduction to Course/Instructor
- Week #2 – Jan. 22/25, Chapter 1
- Week #3 – Jan. 29/31, Chapter 2, **Korematsu v. United States**
- Week #4 – Feb. 5/7, Chapter 3, **Gideon v. Wainwright**
- Week #5 – Feb. 12/14, Chapter 9, **Mapp v. Ohio**
- Week #6 – Feb. 19/21, Chapter 10, **No Class on 19th**
- Week #7 – Feb. 26/28, Chapters 5 & 6, **Midterm Distributed**
- Week #8 – March 5/7, Chapters 7 & 8, **Mid-Term Due**
- Week #9 – March 12/14, **No Class Spring Break**
- Week #10 – March 19/21, Chapter 18, **Terry v. Ohio**
- Week #11 – March 26/28, Chapter 11, **Miranda v. Arizona**
- Week #12 – April 2/4, Chapter 12, **Paper Presentations**
- Week #13 – April 9/11, **Paper Presentations**
- Week #14 – April 16/18, Chapter 13, **Research Paper Due**
- Week #15 – April 23/25, Chapter 14, **Riot Video and Group Work**
- Week #16 – April 30/May 2, Chapter 15 & 16
- Week #17 – May 7/9, Chapter 17, **Final Exam Due On 13th**

XI. Evaluation Procedures

Your final grade will be determined by a combination of exams, a research paper, and class participation.

Exams	400 – 2 @ 200 each
Paper	260
Paper Presentation	100
<u>Group Case Work</u>	<u>240 – 6@ 60 each</u>
	1000

Group Case Work- Students must be present in class and participate with their group in order to obtain the points for this assignment.

Exams: Exams will be take-home essay.

Research Paper: The paper must be at least eight but no more than ten pages long. A topic approval form must be submitted to the instructor by the end of week five of the semester. The paper must have at least five references; one reference must be from an academic journal the rest must be from academically acceptable sources.

Late papers will be penalized 10 percentage points per week or part thereof.

The paper will be in APA style and will be written in Times New Roman 12 point type with standard margins. The paper will include a cover page that notes the title of the paper and all the relevant course and student information. Failure to use the APA format will result in an automatic 25 percentage point reduction in the paper grade.

The paper presentations is to be three to five minutes long. A rubric will be provided to the student.

Grades: All grades will be posted on Blackboard. The grades will be expressed in a point value. For example: an exam is worth 25 percentage points, a grade of between 0 and 25 points will be recorded. The total amount of points earned during the semester will correspond to the grade scale listed below.

X. Final Grade Scale

A	=	94 - 100
A-	=	90 - 93
B+	=	87 - 89
B	=	83 - 86
B-	=	80 - 82
C+	=	77 - 79
C	=	73 - 76
C-	=	70 - 72
D+	=	67 - 69
D	=	63 - 66
D-	=	60 - 62
F	=	00 - 59

W	=	Withdrawal
I	=	Incomplete
P / F	=	Pass / Fail
AU	=	Audit

XI. College Withdrawal Policy

Students may withdraw from a course by completing a withdrawal form. The form must be submitted to the Registrar's Office. The last date for withdrawal is listed in the academic calendar.

XII. Instructor's Attendance Policy

Consistent attendance at class meetings is crucial to success in this course. You are expected to attend all classes in order to receive full benefit from instruction.

XIII. Academic Dishonesty

Conduct which as its intent or effect the false representation of a student's academic performance and/or knowingly and intentionally assisting another student to do so in any way constitute academic dishonesty. In the event of academic dishonesty, the College's policy will be enforced.

XIV. Electronic Devices etc.

Students are notified that cellular phones are allowed in class or in the Learning Resource Center only if they are turned off or turned to a silent mode. Under no circumstances are phones to be answered in class and there will be no texting in class. When there are extenuating circumstances that require that a student be available by phone, the student should speak to the instructor prior to class so that together they can arrive at an agreement.

XV. Digication Portfolio

All students are required to maintain an online learning portfolio in Digication that uses the college template. Through this electronic tool students will have the opportunity to monitor their own growth in college-wide learning. The student will keep his/her learning portfolio and may continue to use the Digication account after graduation. A Three Rivers General Education Assessment Team will select and review random works to improve the college experience for all. Student work reviewed for assessment purposes will not include names and all student work will remain private and anonymous for college improvement purposes. Students will have the ability to integrate learning from the classroom, college, and life in general, which will provide additional learning opportunities. If desired, students will have the option to create multiple portfolios.

XVI. Board of Regents for Higher Education and CSU Policy Regarding Sexual Misconduct Reporting, Support Services, and Processes Policy

Statement of Policy for Public Act No. 14-11: An Act Concerning Sexual Assault, Stalking and Intimate Partner Violence on Campus:

“The Board of Regents for Higher Education (BOR) in conjunction with the Connecticut State Colleges and Universities (CSCU) is committed to insuring that each member of every BOR governed college and university community has the opportunity to participate fully in the process of education free from acts of sexual misconduct, intimate partner violence and stalking. It is the

intent of the BOR and each of its colleges or universities to provide safety, privacy and support to victims of sexual misconduct and intimate partner violence.”

**UNITED STATES DEPARTMENT OF EDUCATION AND OFFICE OF CIVIL RIGHTS
TITLE IX STATEMENT OF POLICY:**

“Title IX of the Education Amendments of 1972 (Title IX) prohibits discrimination based on sex in education programs and activities in federally funded schools at all levels. If any part of a school district or college receives any Federal funds for any purpose, all of the operations of the district or college are covered by Title IX.

Title IX protects students, employees, applicants for admission and employment, and other persons from all forms of sex discrimination, including discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity. All students (as well as other persons) at recipient institutions are protected by Title IX – regardless of their sex, sexual orientation, gender identity, part-or full-time status, disability, race, or national origin-in all aspects of a recipient’s educational programs and activities.”

If any student experiences sexual misconduct or harassment, and/or racial or ethnic discrimination on Three Rivers Community College Campus, or fears for their safety from a threat while on campus, please contact Edward A. Derr, the Diversity Officer and Title IX Coordinator: