

### Basic Course Information

Semester	<b>Fall 2018</b>	Instructor Name	<b>George Chavarria</b>
Course Title & #	<b>AJ 104: Legal Aspects of Evidence</b>	Email	<a href="mailto:george.chavarria@imperial.edu">george.chavarria@imperial.edu</a>
CRN #	<b>10687</b>	Office	<b>N/A</b>
Room	<b>3211</b>	Office Hours	<b>By Appointment</b>
Class Dates	<b>08/13/18 – 12/08/18</b>	Office Phone #	<b>No office number</b>
Class Days	<b>Thursday</b>	Office contact if student will be out or emergency	<b>Rhonda Ruiz at 760-355-6280</b>
Class Times	<b>06:00 PM – 09:10 PM</b>	Units	<b>3</b>

### Course Description

This course examines the origin, development, philosophy, and constitutional basis of evidence; constitutional and procedural considerations affecting arrest, search and seizure; kinds and degrees of evidence and rules governing admissibility; judicial decisions interpreting individual rights and case studies

### Student Learning Outcomes

Upon course completion, the successful student will have acquired new skills, knowledge, and or attitudes as demonstrated by being able to:

1. Identify the historical development and the constitutionality of the rules of evidence and how it ties into the criminal justice system. (ILO2, ILO4)
2. Explain and identify the procedural rules and constitutionality for arrest, search and seizure. (ILO1, ILO2, ILO4, ILO5)
3. Identify hearsay, rules of admissibility, and the exceptions to the Hearsay Rule. (ILO2, ILO4)

### Course Objectives

**Required language:** Upon satisfactory completion of the course, students will be able to:

1. Describe the historical development and the constitutionality of the rules of evidence.
2. Explain the procedural rules and constitutionality of arrest, search and seizures.
3. Describe the admissibility and categories of privileged communication.
4. Recognize the different requirements and responsibility of lay and expert witnesses.
5. Define hearsay, the rules of admissibility, and the exceptions to the Hearsay Rule.
6. Describe the rules and procedures used to determine the admissibility of confessions and admissions.
7. Identify different kinds of documentary evidence and the rules relating to admissibility.
8. Explain the preservation and custody of physical and scientific evidence.

### Textbooks & Other Resources or Links

**Required Information—Criminal Evidence by Matthew Lippman. Publisher is Sage**

**This is your main textbook for the course. The questions contained in the exams will come from this book so read and study it carefully. This textbook takes an in-depth look at the procedures of Criminal evidence.**

### Course Requirements and Instructional Methods

We will be using Canvas to conduct this online course: Logging into Canvas:

- a. Go to <http://imperial.canvas.com> and follow the login instructions to login.
- b. Once logged in, click on the ‘courses’ tab located on the top right of the page.
- c. Click on AJ 104 to enter the course.
- d. Read the course syllabus.

The class will involve lectures, presentations, group assignments and guest speakers to enhance information and materials from the textbook. There will be a research paper due at the end of the semester on any topic from the current textbook and one field trip during class hours to Calipatria State Prison. The tour will give students a realistic first-hand view of our correctional system, which is subsequent to our judicial system. Students not being able to attend the field trip will have an alternate assignment in order to make up for those points earned during the field trip.

Out of Class Assignments: The Department of Education policy states that one (1) credit hour is the amount of student work that reasonably approximates not less than one hour of class time and two (2) hours of out-of-class time per week over the span of a semester. WASC has adopted a similar requirement.

### Course Grading Based on Course Objectives

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Assignment Descriptors	Points
1. Quizzes	140
2. Mid-term	100
3. Final	100
4. Research Paper	60
<b>Total</b>	<b>400</b>

<b>Grade</b>	<b>Points Required</b>
<b>A</b>	<b>360-400 points</b>
<b>B</b>	<b>320-359 points</b>
<b>C</b>	<b>280-319 points</b>
<b>D</b>	<b>240-279 points</b>
<b>F</b>	<b>0-239 points</b>

Extra Credit: Up to 40 points in extra credit can be earned for an oral presentation on research paper.

### **Attendance**

- A student who fails to attend the first meeting of a class or does not complete the first mandatory activity of an online class will be dropped by the instructor as of the first official meeting of that class. Should readmission be desired, the student’s status will be the same as that of any other student who desires to add a class. It is the student’s responsibility to drop or officially withdraw from the class. See General Catalog for details.
- Regular attendance in all classes is expected of all students. A student whose continuous, unexcused absences exceed the number of hours the class is scheduled to meet per week may be dropped. Absences attributed to the representation of the college at officially approved events (conferences, contests, and field trips) will be counted as ‘excused’ absences.
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### **Classroom Etiquette**

- Electronic Devices: Cell phones and electronic devices must be turned off and put away during class unless otherwise directed by the instructor. Cell phones and electronic devices must be turned off and put away during class, with the exception of laptops or iPads for note taking purposes only. Cell phones ringing during class and all electronic devices not put away will be held by the instructor until the end of class. Students violating this policy during a class period will have 5 points deducted from their class
- Food and Drink are prohibited in all classrooms. Water bottles with lids/caps are the only exception. Additional restrictions will apply in labs. Please comply as directed.
- Disruptive Students: Students who disrupt or interfere with a class may be sent out of the room and told to meet with the Campus Disciplinary Officer before returning to continue with coursework. Disciplinary procedures will be followed as outlined in the General Catalog.
- Children in the classroom: Due to college rules and state laws, no one who is not enrolled in the class may attend, including children.

### **Academic Honesty**

Academic honesty in the advancement of knowledge requires that all students and instructors respect the integrity of one another’s work and recognize the important of acknowledging and safeguarding intellectual property.

There are many different forms of academic dishonesty. The following kinds of honesty violations and their definitions are not meant to be exhaustive. Rather, they are intended to serve as examples of unacceptable academic conduct.

- Plagiarism is taking and presenting as one’s own the writings or ideas of others, without citing the source. You should understand the concept of plagiarism and keep it in mind when taking exams and preparing written materials. If you do not understand how to “cite a source” correctly, you must ask for help.
- Cheating is defined as fraud, deceit, or dishonesty in an academic assignment, or using or attempting to use materials, or assisting others in using materials that are prohibited or inappropriate in the context of the academic assignment in question.

Anyone caught cheating or plagiarizing will receive a zero (0) on the exam or assignment, and the instructor may report the incident to the Campus Disciplinary Officer, who may place related documentation in a file. Repeated acts of cheating may result in an F in the course and/or disciplinary action. Please refer to the [General Catalog](#) for more information on academic dishonesty or other misconduct. Acts of cheating include, but are not limited to, the following: (a) plagiarism; (b) copying or attempting to copy from others during an examination or on an assignment; (c) communicating test information with another person during an examination; (d) allowing others to do an assignment or portion of an assignment; (e) using a commercial term paper service.

### Additional Services

Imperial Valley College offers various services in support of student success. The following are some of the services available for students. Please speak to your instructor about additional services which may be available.

- CANVAS LMS. Canvas is Imperial Valley College’s main Learning Management System. To log onto Canvas, use this link: [Canvas Student Login](#). The [Canvas Student Guides Site](#) provides a variety of support available to students 24 hours per day. Additionally, a 24/7 Canvas Support Hotline is available for students to use: 877- 893-9853.
- [Learning Services](#). There are several learning labs on campus to assist students through the use of computers and tutors. Please consult your [Campus Map](#) for the [Math Lab](#); [Reading, Writing & Language Labs](#); and the [Study Skills Center](#).
- [Library Services](#). There is more to our library than just books. You have access to tutors in the [Study Skills Center](#), study rooms for small groups, and online access to a wealth of resources.

### Student Counseling and Health Services

Students have counseling and health services available, provided by the pre-paid Student Health Fee.

- [Student Health Center](#). A Student Health Nurse is available on campus. In addition, Pioneers Memorial Healthcare District provide basic health services for students, such as first aid and care for minor illnesses. Contact the IVC [Student Health Center](#) at 760-355-6128 in Room 1536 for more information.
- [Mental Health Counseling Services](#). Short-term individual, couples, family and group counseling services are available for currently enrolled students. Services are provided in a confidential, supportive, and culturally sensitive environment. Please contact the IVC Mental Health Counseling Services at 760- 355-6310 or in the building 1536 for appointments or more information.

### **Veteran's Center**

The mission of the [IVC Military and Veteran Success Center](#) is to provide a holistic approach to serving military/veteran students on three key areas: 1) Academics, 2) Health and Wellness, and 3) Camaraderie; to serve as a central hub that connects military/veteran students, as well as their families, to campus and community resources. Their goal is to ensure a seamless transition from military to civilian life. The Center is located in Building 600 (Office 624), telephone 760-355-6141.

### **Extended Opportunity Program and Services (EOPS)**

The Extended Opportunity Program and Services (EOPS) offers services such as priority registration, personal/academic counseling, tutoring, book vouchers, and community referrals to qualifying low-income students. EOPS is composed of a group of professionals ready to assist you with the resolution of both academic and personal issues. Our staff is set up to understand the problems of our culturally diverse population and strives to meet student needs that are as diverse as our student population.

Also under the umbrella of EOPS our CARE (Cooperative Agency Resources for Education) Program for single parents is specifically designed to provide support services and assist with the resolution of issues that are particular to this population. Students that are single parents receiving TANF/Cash Aid assistance may qualify for our CARE program, for additional information on CARE please contact Lourdes Mercado, 760-355- 6448, [lourdes.mercado@imperial.edu](mailto:lourdes.mercado@imperial.edu).

EOPS provides additional support and services that may identify with one of the following experiences:

- Current and former foster youth students that were in the foster care system at any point in their lives
- Students experiencing homelessness
- Formerly incarcerated students

To apply for EOPS and for additional information on EOPS services, please contact Alexis Ayala, 760-355-5713, [alexis.ayala@imperial.edu](mailto:alexis.ayala@imperial.edu).

### **Student Equity Program**

- The Student Equity Program strives to improve Imperial Valley College's success outcomes, particularly for students who have been historically underrepresented and underserved. The college identifies strategies to monitor and address equity issues, making efforts to mitigate any disproportionate impact on student success and achievement. Our institutional data provides insight surrounding student populations who historically, are not fully represented. Student Equity addresses disparities and/or disproportionate impact in student success across disaggregated student equity groups including gender, ethnicity,

disability status, financial need, Veterans, foster youth, homelessness, and formerly incarcerated students. The Student Equity Program provides direct supportive services to empower students experiencing insecurities related to food, housing, transportation, textbooks, and shower access. We recognize that students who struggle meeting their basic needs are also at an academic and economic disadvantage, creating barriers to academic success and wellness. We strive to remove barriers that affect IVC students’ access to education, degree and certificate completion, successful completion of developmental math and English courses, and the ability to transfer to a university. Contact: 760.355.5736 or 760.355.5733 Building 100.

- The Student Equity Program also houses IVC’s Homeless Liaison, who provides direct services, campus, and community referrals to students experiencing homelessness as defined by the McKinney-Vento Act. Contact: 760.355.5736 Building 100.

**Student Rights and Responsibilities**

Students have the right to experience a positive learning environment and to due process of law. For more information regarding student rights and responsibilities, please refer to the IVC [General Catalog](#).

**Information Literacy**

Imperial Valley College is dedicated to helping students skillfully discover, evaluate, and use information from all sources. The IVC [Library Department](#) provides numerous [Information Literacy Tutorials](#) to assist students in this endeavor.

**Anticipated Class Schedule/Calendar**

<b>Date</b>	<b>Activity, Assignment, and/or Topic</b>	<b>Pages/ Due Dates/Tests</b>
Week 1 August 16	Syllabus Review and Class Introduction	
Week 2 August 23	Chapter 1 Introduction	Read Chapter 1-Library <b>Tour of the Library</b>
Week 3 August 30	Chapter 2 The Criminal Justice Process	Read Chapter 2 <b>Quiz #1 on Chapters 1 and 2</b>
Week 4 September 6	Chapter 3 Types of Evidence	Read Chapter 3
Week 5 September 13	Chapter 4 Direct and Circumstantial Evidence	Read Chapter 4 <b>Quiz #2 on Chapters 3 and 4</b>

Imperial Valley College Course Syllabus – Legal Aspects of Evidence AJ 104

Week 6 September 20	Chapter 5 Witnesses Tour of a local correctional facility and their evidence process.	Read Chapter 5 Field Trip/Tour
Week 7 September 27	Chapter 6	Read Chapter 6 Quiz #3 on Chapters 5 and 6
Week 8 October 4	Chapter 7 Crime Scene Evidence and Experiments	Read Chapter 7
Week 9 October 11	Chapter 8 Documentary Evidence, Models, Maps, and Diagrams	Read Chapter 8 Quiz #4 Chapters 7 and 8
Week 10 October 18	Chapter 9 Hearsay	Read Chapter 9 Mid-Term on Chapters 1 through 8.
Week 11 October 25	Chapter 10 Privileges	Read Chapter 10 Quiz #5 Chapters 9 and 10
Week 12 November 1	Chapter 11 The Exclusionary Rule (Research Paper)	Read Chapter 11 (Due Date for Research Paper)
Week 13 November 8	Chapter 12 Searches and Seizures	Read Chapter 12 Quiz #6 Chapters 11 and 12
Week 14 November 15	Chapter 13 and 14 Stop and Frisk Probable Cause and Arrests Presentations	Read Chapter 13 and 14 (Scheduled Presentations)
Week 15 November 22	NO CLASS – Thanksgiving Day	No Class
Week 16 November 29	Chapter 15, 16 and 17 Searches and Seizures of Property Interrogations and Confessions Eyewitness Identifications	Read Chapter 15, 16, 17 Quiz #7 Chapters 13 through 17
Week 17 December 6	Final Exam	Final on 2 <sup>nd</sup> part of Semester on Chapters 9 through 17

\*\*\*Tentative, subject to change without prior notice\*\*\*