

CRIMINAL EVIDENCE AND PROCEDURE

Criminal Justice 200/Item 5017

Instructor: Bill Bryant

Dates: 4-5-16 to 6-17-16

Classroom: D103

Office: D-200F

Class: Tuesdays/Thursdays: 10:30-12:20, Fridays: 11:30 to 12:20

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Office: D-100

Hours: Fridays from 12:30 to 1:30 or by Appt.

Phone: 425-564-2331

Required Text:

Criminal Evidence (8th Edition), by: Judy Hails ISBN: 978-1-285-06286-0. Cengage Learning Publishers, 2014 (softcover).

Course Description: Surveys the steps in collecting evidence, both real and circumstantial, in a criminal case. Students examine the legal processes from investigation through the trial process.

Course Outcomes:

- After completing this class, students should be able to:
- Evaluate the protections afforded by the United States Constitution and the Washington State Constitution.
- Comprehend the roles and procedures of the police in criminal investigations.
- Define proper methods of evidence collection in a criminal case.
- Evaluate the history of rules of evidence in state and federal law.
- Summarize the major case law from the United States Supreme Court in a criminal proceeding.
- Analyze the various classes of evidence; real and demonstrative, direct and circumstantial, physical and testimonial, documentary and scientific.

Schedule: The following schedule is **tentative** and may be modified **with** notice. **Students are responsible for ANY and ALL changes that are made to this schedule, even if not present when changes are discussed.** The assigned readings, which should be completed **prior** to class, and all test dates are in bold.

COURSE OUTLINE:

Week #1 **4/5-4/8**

4/5 Introduction to course and expectations (syllabus)

Read: Chapter 1: Introduction

Read: Chapter 2: The Role of the Courts

Week #2 4/12-4/15

Read: Chapter 3: The Adjudication Process

Read: Chapter 4: Types of Evidence

4/15 Quiz #1: Chapters 1 through 4

Week #3 4/19-4/22

Read: Chapter 5: Direct and Circumstantial Evidence

Read: Chapter 6: Witnesses

Week #4 4/26-4/29

Read: Chapter 7: Crime Scene Evidence and Experiments

Read: Chapter 8: Documentary Evidence, Models, Maps and Diagrams

4/29 Quiz #2: Chapters 5 through 8

Week #5 5/3-5/6

Read: Chapter 9: Hearsay and Its Exceptions

Read: Chapter 10: Privileged Communications

5/6: No Class

Week #6 5/10-5/13

Read: Chapter 11: Developing Law of Search and Seizure

Read: Chapter 12: Field Interviews, Arrests and Jail Searches

5/13: Quiz #3: Chapters 9 through 12

Week #7 5/17-5/20

Read: Chapter 13: Plain View, Consent, Vehicle and Administrative Searches

Week #8 5/24 through 5/27

Read: Chapter 14: USA PATRIOT Act, Foreign Intelligence and Other Types of Electronic Surveillance covered by Federal Law

Read: Chapter 15: Self-Incrimination

Week #9 5/31 through 6/3

Read: Chapter 16: Identification Procedures

6/3 Quiz #4: Chapters 13 through 16

Week #10 6/7 through 6/10

Read: Chapter 17: Preparing the Case for Court

Week #11 6/14 through 6/17

6/14 Review

6/16 Final Exam

There will be a tour of the Bellevue Police Forensics Lab, date TBD.

Occasionally, there will be guest instructors. I have lined up a *Violent Crimes Detective* and a *Senior Deputy Prosecuting Attorney*, dates TBD. I am working on lining up a *Judge* and/or *Criminal Defense Attorney*.

COURSE EVALUATION:

Quizzes	4 @ 40 points = 160
Participation/Attendance/Discussions	110 points = 90
Final Exam	100 points <u>100</u>
Total Points	350

A 94-100%	A- 90-93%	B+ 87-89%
B 84-86%	B- 80-83%	C+ 77-79%
C 74-76%	C- 70-73%	D+ 67-69%
D 60-66%	F 0-59%	

Academic Etiquette: Classes will begin promptly as listed above. Please make every effort to be in class and to be here on time. If it is unavoidable that you arrive late- or even leave early- please do not disrupt the class. **Respect for opinions voiced in class is essential, and I expect all students to treat each other courteously.** Any type of disruptive or discourteous behavior is unacceptable and will not be tolerated; these types of behaviors will result in the student(s) being asked to leave the class. **Classroom restrictions: cell phones must be turned off for class (or on vibrate for emergency purposes) and stored (phones should be in your bag, purse, pocket, NOT ON YOUR DESK), (if they go off you may be asked to leave the class). Laptops are permitted in the last row only.** If you are not taking notes, you will be banned from use of your laptop (no Facebook, checking e-mail, etc. PLEASE DO IT ON YOUR OWN TIME).

Affirmation of Inclusion: Bellevue College is committed to maintaining an environment in which every member of the campus community feels welcome to participate in the life of the college, free from harassment and discrimination. We value our different backgrounds at Bellevue College, and students, faculty, staff members, and administrators are to treat one another with dignity and respect.

Academic Integrity: *Plagiarism or cheating of ANY kind will not be tolerated and will result in failing the test and/or the course as well as other disciplinary action (see Bellevue College Handbook, Academic Dishonesty).* If you are at any time unclear about what constitutes plagiarism or cheating, see me ASAP. In all instances, you must do your own work.

Attendance: All students are expected to attend every class. Obviously, if students do not attend class regularly, the opportunity to perform well in this course is greatly diminished.

Students with Disabilities: I am committed to providing assistance to help you be successful in this course. If you require accommodation based on a documented disability, have emergency medical information to share, or need special arrangements in case of emergency evacuation; please make an appointment with DRC (Disability Resource Center.) If you would like to inquire about becoming a DRC student, you may call 425-564-2498 or go in person to the DRC program office in B-132.

Course Requirements: All students are expected to read the required chapters of the textbook as outlined in the schedule section of this syllabus. Students are also expected to attend class regularly, take notes, ask questions, and participate in class discussions.

Make-up Policy: Any make-up quizzes or assignments are allowed *only at the discretion of the instructor* and immediate notification from the student is imperative. Additionally, *all* make-up quizzes (for *any un-excused* circumstance) will adhere to the following criteria: 1) administered *only* by the instructor during office hours/or instructor's choosing 2) *cumulative* in nature; and 3) given in an *all-essay* format. Any excused absence (with documentation) will be allowed to take the make-up quiz or assignment without penalty.

Extra Credit: As a general rule, there is usually no extra credit available in this introductory level course. I may, however, **at any time during the quarter** provide in-class extra credit opportunities. Obviously, if you are not in class on these days, you are not eligible for these opportunities.

Bellevue College E-mail

All students registered for classes at Bellevue College are entitled to a network and e-mail account. Your student network account can be used to access your student e-mail, log in to computers in labs and classrooms, connect to the BC wireless network and log in to MyBC. All e-mail communication from you should come to me from your BC account (not your g-mail, Hotmail, yahoo, etc.). Please e-mail me through CANVAS for the quickest reply. I will respond to you within 24-48 hours (except on weekends). BC offers a wide variety of computer and learning labs to enhance learning and student success. Find current campus locations for all student labs by visiting the [Computing Services website](#).

Public Safety

The Bellevue College (BC) Public Safety Department's well trained and courteous non-commissioned staff provides personal safety, security, crime prevention, preliminary investigations, and other services to the campus community, 24 hours per day, 7 days per week. Their phone number is 425.564.2400. The Public Safety website is your one-stop resource for campus emergency preparedness information, campus closure announcements and critical information in the event of an emergency. Public Safety is located in K100 and on the web at: <http://bellevuecollege.edu/publicsafety/>

Cheating, Stealing and Plagiarizing*

Cheating, stealing and plagiarizing (using the ideas or words of another as one's own without crediting the source) and inappropriate/disruptive classroom behavior are violations of the Student Code of Conduct at Bellevue College. Examples of unacceptable behavior include, but are not limited to: talking out of turn, arriving late or leaving early without a valid reason, allowing cell phones/pagers to ring, and inappropriate behavior toward the instructor or classmates. The instructor can refer any violation of the Student Code of Conduct to the Dean of Student Services for possible probation or suspension from Bellevue College. Specific student rights, responsibilities and appeal procedures are listed in the Student Code of Conduct, available in the office of the Dean of Student Services.

Incomplete

If a student fails to complete all the required work for a course, an instructor may assign the grade of Incomplete ("I"). The student must complete the coursework by the end of the next quarter, or receive the assigned letter grade (usually an "F").

F Grade

Students who fail a course will receive a letter grade of "F."

Final Examination Schedule

The Social Science Division will adhere to the final examination schedule as stated in the BC Schedule. Final examinations will be held at the end of each quarter at fixed times. Instructors will not give examinations in advance of the regular schedule. A student who is absent from any examination held at any time during the quarter may forfeit the right to make up the examination. If, for illness or some other circumstance beyond the student's control, the student is unable to be present at any scheduled examination and has contacted the instructor on a timely basis, the student may be permitted to take such examination at a time designated by the instructor.

Withdrawal from Class

College policy states that students must formally withdraw from a class by the end of the seventh week of the quarter (Registration Office, B125). If a student has not withdrawn by that date, an appropriate letter grade will be assigned for the course.

Hardship Withdrawal

Instructors may assign the grade of “HW” (hardship withdrawal) at their discretion in the event that a student cannot complete the coursework due to extreme and exceptional circumstances. Students may also contact the Enrollment Services office BEFORE grades are assigned in cases of hardship.

Distribution of Grades

Grades will not be posted in the Social Science Division or in faculty offices, and secretaries will not give out grades. Students should access their grades through the BC Web site.

Return of Papers and Tests

Paper and/or Scantron score sheet returns will be arranged in the following ways ONLY: by mail, if student supplies the instructor with stamped, self-addressed envelope (with appropriate postage); or by the instructor designating a time and place whereby the student may retrieve his/her papers. Unclaimed papers and/or Scantron score sheets must be kept by the instructor for a minimum of sixty (60) instructional days following the end of the quarter.