

Tompkins Cortland Community College
Master Course Syllabus

Course Discipline and Number: PARC 216
Course Title: Legal Aspects of Evidence

Year: 2021-2022
Credit Hours: 3

Attendance Policy: *To maintain good grades, regular attendance in class is necessary. Absence from class is considered a serious matter and absence never excuses a student from class work. It is the responsibility of all instructors to distribute reasonable attendance policies in writing during the first week of class. Students are required to comply with the attendance policy set by each of their instructors. Students are not penalized if they are unable to attend classes or participate in exams on particular days because of religious beliefs, in accordance with Chapter 161, Section 224-a of the Education Law of the State of New York. Students who plan to be absent from classroom activity for religious reasons should discuss the absence in advance with their instructors. See college catalog for more information.*

Services for Students with Disabilities: *It is the College's policy to provide, on an individual basis, appropriate academic adjustments for students with disabilities, which may affect their ability to fully participate in program or course activities or to meet course requirements. Students with disabilities should contact the Coordinator of Access and Equity Services, to discuss their particular need for accommodations. All course materials are available in alternate formats upon request.*

Course Description

The course emphasizes constitutional and procedural considerations affecting arrest, search and seizure, eyewitness identification, and confessions. It also explores rules governing admissibility of evidence at trial, witness competency and credibility, hearsay, testifying effectively, judicial decisions interpreting individual rights, and case studies. Prerequisites: RDNG 116 if required by placement testing; prior completion or concurrent enrollment in MATH 090 if required by placement testing; C or better grade in CRJU 105 or PARA 101 or PARC 101; prior completion or concurrent enrollment in ENGL 101. 3 Cr. (3 Lec.) Spring semester.

Course Context/Audience

This course is required in the Criminal Justice A.A.S. and certificate programs. It can be taken to fulfill the Criminal Justice Elective requirement in the Criminal Justice A.S. degree program. The course is cross-listed under PARA 216 and should be of interest to students in the Paralegal degree program. Other students may use the course to satisfy an unrestricted elective requirement but should consult with their faculty advisors about the course's applicability to their educational goals and degree programs. The course focuses on evidentiary proceedings and methods. It is technical in nature and does not satisfy any of the SUNY general education requirements. It is beneficial to those interested in pursuing criminal justice or legal careers.

Basic Skills/Entry Level Expectations

Writing: WC College level writing skills are required. See course co-requisites or pre-requisites.

Math: M1 Taking MATH 090 (if needed) – Course requires limited use of very basic mathematical skills.

Reading: R4 Before taking this course, students must satisfactorily complete RDNG 116 or have assessment indicating that no reading course was required.

Course Goals

By successfully completing this course, the student will

1. Learn basic court structure, both at the trial and appellate level;
2. Learn how a case progresses through the courts;
3. Understand the rationale for the rules pertaining to witness testimony
4. Understand the 6th amendment right to confront and cross-examine witnesses and how to impeach a witness
5. Learn rules concerning collection and admissibility of physical evidence;
6. Gain knowledge about search and seizure and confessions;
7. Understand the legal and psychological issues involved with eyewitness identification.

Course Objectives/Topics

| Objective/Topic | % Course |
|---|----------|
| Students will be able to understand rules governing and admissibility and scope of both testimonial and physical evidence | 40-60% |
| Students will recognize legal aspects of search and seizure and identification procedures | 15-20% |
| Students will be able to identify constitutional methods of interrogation and confession | 15-20% |
| Students will be able to identify proper methods of collecting, labeling and storing of evidence | 0-5% |
| Students will be familiar with criminal courts and the procedural stages of a case | 20-25% |

General Education Goals - Critical Thinking & Social/Global Awareness

| CRITICAL THINKING OUTCOMES | HOW DOES THE COURSE ADDRESS THE OUTCOMES (Include required or recommended instructional resources, strategies, learning activities, assignments, etc., that must or could be used to address the goal/outcomes) |
|--|---|
| <p>Students will be able to</p> <ul style="list-style-type: none"> ➤ develop meaningful questions to address problems or issues. ➤ gather, interpret, and evaluate relevant sources of information. ➤ reach informed conclusions and solutions. ➤ consider analytically the viewpoints of self and others. | <p>During class discussions, students are asked to discern the rationale behind particular rules of evidence, and then come up with questions for how the rules would apply in various situations</p> <p>Because most students cannot do legal research, they do not gather information. However, they do read and analyze cases and statutes during class in small groups and individually through take home assignments.</p> <p>See above</p> <p>In some case assignments, students read and analyze both the majority and dissenting opinions and explain why they agree with one or the other</p> |
| SOCIAL/GLOBAL AWARENESS OUTCOMES | HOW DOES THE COURSE ADDRESS THE OUTCOMES (Include required or recommended instructional resources, strategies, learning activities, assignments, etc., that must or could be used to address the goal/outcomes) |
| <ul style="list-style-type: none"> ➤ Students will begin to understand how their lives are shaped by the complex world in which they live. ➤ Students will understand that their actions have social, economic and environmental consequences. | <p>By understanding court processes at both the trial and appellate level, students will learn how the legal system and constitutional interpretation has a profound impact on both individuals and society</p> <p>Students will learn the roles of the police, prosecutor, defense counsel and judge and will see how their choices and actions may have social (burden on families or impact on certain segments of society) or economic consequences (cost of trial v. plea, cost of type of sentence, etc). Course does not address environmental concerns.</p> |

Instructional Methods

The content of this course is technical in nature; thus, the primary mode of delivery should be lecture format. Class discussion and participation should also be integrated into the course.

Methods of Assessment/Evaluation

| Method | % Course Grade |
|--|-----------------------|
| Mid-term Exam OR two exams during the semester | 20-50% |
| Final Exam (Required) | 25-40% |
| Quizzes (Optional) | 10-20% |
| Assignments (Optional) | 10-20% |
| Participation (Optional) | 5-15 % |

Text(s)

Study Guide for Legal Aspects of Evidence, latest edition, (K. McDonough) .

OR

Garland, N. (2010) Criminal Evidence, 6th edition. McGraw Hill

Bibliography

Kanovitz, J. (2011). Constitutional Law, Matthew Bender and Co., Lexis Nexis Group

Penal Law and Criminal Procedure Law of the State of New York. Looseleaf Publications, Inc.

Other Learning Resources

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| Audiovisual "Eyewitness: Unreliable Evidence" Insight Media |
| Electronic Use internet as appropriate to find news articles/info on current cases |
| Other No resources specified |