

Tompkins Cortland Community College
Master Course Syllabus

Course Discipline and Number: PARC 216

Year: 2024-2025

Course Title: Legal Aspects of Evidence

Credit Hours: 3

I. Course Description:

The origin, development, philosophy, and constitutional basis of evidence to be used in criminal trials are examined. The course emphasizes 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.

Prerequisite: Enrollment in the Paralegal Studies Certificate; prior completion or concurrent enrollment in PARC 101. 3 Cr. (3 Lec.) Spring semester.

II. Additional Course Information:

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| 1. This course will be offered online only; students must have access to a reliable computer and internet. |
| 2. This course is an elective option for the post-bachelor's Paralegal Certificate. |

III. Student Learning Outcomes

Upon successful completion of this course, students will be able to:

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| 1. Find and understand legal authority relating to search and seizure and the gathering and admissibility of evidence in the U.S. criminal justice system. |
| 2. Understand and apply the legal rules for interrogation and confession. |
| 3. Identify proper methods of labeling and storing of evidence and initiating court testimony. |
| 4. Understand how the constitution and case law applies, Fourth Amendment protections and the exclusionary rule to protect due process rights. |

IV. Tompkins Cortland Institutional Learning Outcomes; Program Learning Outcomes; SUNY General Education Outcomes

Tompkins Cortland ILOs **N/A**

Complete this section for "service" courses only (e.g. courses that are required of all students; courses that are not program specific but satisfy liberal arts requirements; or commonly used in multiple academic programs to meet non-program-specific requirements). Check only Institutional Learning Outcomes (ILOs) that are meaningfully developed and assessed in this course. For each ILO chosen, include the SLO to which it aligns.

Students will:

- ☐ Communicate effectively, in oral and written forms, taking into consideration audience and purpose.
- ☐ Apply principles and methods of scientific inquiry and quantitative reasoning appropriate to their discipline.
- ☐ Use information, critical thinking, and the creative process to solve problems and reach conclusions.
- ☐ Use technology appropriate to their discipline.

☐ Describe the ways in which social, economic, or environmental sustainability depends on their own and the collective contributions of a diversity of ideas and people.

Program Learning Outcomes

Complete this section for program-specific courses (e.g. those that share the same 4 letter designation as the academic program or satisfy requirements in related programs). List the academic program(s) here and note which Student Learning Outcomes align to specific Programmatic Learning Outcomes. Please see the MCS Instructions for more details.

Specify the Academic Program
Paralegal Studies Certificate

PLO 1: Read and understand legal writing: met through reading course materials, and required primary and secondary source documents.

and

PLO 4: Proficiency of technology, both in general and in proprietary legal technology: legal technology met through assignments requiring the use of internet legal research sites; general technology is required to complete the asynchronous course and preparing legal documents using contemporary software.

SLOs:

1. Find and understand legal authority relating to search and seizure and the gathering and admissibility of evidence in the U.S. criminal justice system.
2. Explain and apply the legal rules for interrogation and confession.
3. Identify proper methods of labeling and storing evidence and initiating court testimony.
4. Describe how the constitution and case law applies, Fourth Amendment protections, and the exclusionary rule to protect due process rights.

SUNY General Education Outcomes N/A

If this course **assesses** a SUNY GEN ED Outcome, check all that apply and indicate which course outcome(s) address each checked item:

☐ **CRITICAL THINKING** - Students will:

- a. identify, analyze, and evaluate arguments as they occur in their own or others' work; and
- b. develop well-reasoned arguments.

☐ **INFORMATION MANAGEMENT** - Students will:

- a. perform the basic operations of personal computer use;
- b. understand and use basic research techniques; and
- c. locate, evaluate and synthesize information from a variety of sources.

☐ **GENERAL EDUCATION CATEGORY** - Area(s):

For courses that are approved to meet one (or more) of the ten SUNY General Education categories, indicate which category the course fulfills, and which outcome(s) are aligned with the SUNY outcomes for that category:

☐ This course does not address any of the above Tompkins Cortland ILOs, PLOs, or SUNY General Education Outcomes.

V. Essential Topics/Themes

1. Trial Process
2. Basic Concepts of Evidence
3. Competency and Privilege of Witnesses
4. Lay & Expert Witnesses
5. Hearsay
6. Admissions & Confessions
7. Search & Seizure
8. Identification Procedures
9. Circumstantial Evidence
10. Documentary Evidence
11. Physical Evidence
12. Photos, Videos, and other Media

VI. Methods of Assessment/Evaluation

Method	% Course Grade
1. Assignments (typically best 10 of 13)	30-60%
2. Exams (typically best 3 of 4)	30-60%
3. Discussion Participation/Attendance	5-35%
4. Optional Project(s): Individual or group projects as designed by the instructor	0-10%

VII. Texts – Required

1. Garland, Norman M. <i>Criminal Evidence</i> , 7 th Ed., McGraw-Hill, 2014.
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Editions listed are current as of date of syllabus. More recent editions may be used.

VIII. Bibliography of Supplemental Materials

1. <i>NY Penal Law</i> . Looseleaf Law Publications, 2020 (or most current)
2. <i>NY Criminal Procedure Law</i> . Looseleaf Law Publications, 2020 (or most current)
3. <i>Federal Rules of Evidence</i> . Looseleaf Law Publications, 2020 (or most current)
4. Gardner & Anderson. <i>Criminal Evidence Principles and Cases</i> , 9 th Ed., Cengage Learning, 2015.
5. Nemeth, Charles. <i>Law and Evidence: A Primer for Criminal Justice, Criminology, Law and Legal Studies</i> , 2 nd Ed., Jones & Bartlett, 2010.
6. Hails, Judy. <i>Criminal Evidence</i> , Cengage Learning, 2013.

Editions listed are current as of date of syllabus. More recent editions may be used.

IX. Other Learning Resources

Audiovisual: None specified
Electronic: Students will need access to a reliable computer with internet access
Other: None specified

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.*

Academic Integrity: *Every student at Tompkins Cortland Community College is expected to act in an academically honest fashion in all aspects of his or her academic work: in writing papers and reports, in taking examinations, in performing laboratory experiments and reporting the results, in clinical and cooperative learning experiences, and in attending to paperwork such as registration forms.*

Any written work submitted by a student must be his or her own. If the student uses the words or ideas of someone else, he or she must cite the source by such means as a footnote. Our guiding principle is that any honest evaluation of a student's performance must be based on that student's work. Any action taken by a student that would result in misrepresentation of someone else's work or actions as the student's own — such as cheating on a test, submitting for credit a paper written by another person, or forging an advisor's signature — is intellectually dishonest and deserving of censure.

Several degree programs offer student learning opportunities (such as internships, field work, and clinical experiences) outside the standard classroom setting. As part of the learning process, students must understand and engage in conduct that adheres to principles guiding employment within the professional workplace. These behaviors include, but are not limited to, academic integrity, accountability, reliability, respect, use of appropriate language and dress, civility, professional ethics, honesty, and trustworthiness. Disciplinary action may be initiated for inappropriate conduct occurring while participating in any course-related project or event.