Instructor: Prof. Dorian Dreyfuss, M.A., J.D.
Office: 512 MacQuarrie Hall
Phone: (408) 924-2947
Office Hours: Mon-Tue.-Wed.-Thu. 11:00-12:00Am
Or by Appointment

Spring 2000

AJ 16
CRIMINAL EVIDENCE

COURSE DESCRIPTION

A thorough study of the rules of evidence with specific emphasis on the application of these rules in preparing reports and presenting evidence in the criminal justice system. This will include a history and development of evidentiary rules, both Federal and State, including substitutes and general admissibility tests. Study of testimonial, documentary, real (physical) evidence and exclusion of evidence based on Constitutional requirements.

COURSE OBJECTIVES

At the time of the final students should be able to:
1. Trace the historical development of the rules of evidence from English common law present
2. Analyze philosophical and constitutional aspects of evidence law in the context of the criminal justice system
3. Describe the legislative and judicial decisions which interpret and modify the rules of evidence
4. Identify direct, indirect, demonstrative, and physical evidence
5. Identify Constitutional and case law guidelines in Fourth Amendment/Search and Seizure law
6. Understand how witness testimony may be used as evidence, including confessions, and hearsay
7. Analyze how the Exclusionary Rule is applicable in police searches and seizures
8. Gain a realistic understanding of the use of evidence through Court observations

TEXT

West Publishing, Minn.MN.
CLASS REQUIREMENTS

Three exams will be required; two midterms and a final exam. The exams will be multiple choice/short answer. Students are also encouraged to observe criminal court proceedings, and complete a short assignment on their observations. Students will also be responsible for oral presentations of cases briefed in the textbook. The instructor will assign cases for each week on the greensheet. Missed exams must be made up during the finals week without exception! All three exams must be taken to pass the class.

EVALUATION

Midterm #1  25%
Midterm #2  25%
Midterm #3  25%
Oral presentations  25%
Court observation  25%

Exams will receive a letter grade and a point distribution will be distributed to illustrate class standing. Each exam is noncumulative.

COURSE SCHEDULE

Week 1  Introduction to Criminal Evidence/Constitution
        Text: Cp. 1
        Mechanics of class

Week 2  American Criminal Justice System
        Text: Cp. 2.

Week 3  Using evidence to determine guilt/innocence/direct/circumstantial
        Evidence
        Text: Cp. 3-4

Week 4  Probable cause/reasonable suspicion
        Text: Cp. 5

Week 5  First Midterm Exam Wednesday March 1; bring scantron

Week 6  Witnesses/Testimony
        Text: Cp. 6
| Week 7 | Confessions  
|       | Text: Cp. 7 |
| Week 8 | Judicial Notice/ Privileges  
|       | Text: Cp. 8 |
| Week 9 | Hearsay Rule/exceptions  
|       | Text: Cp.9 |
| Week 10 | Exclusionary Rule  
|       | Text: Cp. 10 |
| Week 11 | **Second Midterm Exam Monday April 10** |
| Week 12 | Exclusionary Rule/4th Amendment  
|       | Text: Cp. 11-12 |
| Week 13 | Stops/Arrests  
|       | Text: Cp. 13 |
| Week 14 | Police entry into Private Property/Identification evidence  
|       | Text: Cp. 14-16 |
| Week 15 | Physical evidence/fingerprints/videotapes  
|       | Text Cp. 19-21 |

Last Day of Instruction May 15

Final Exam: Tuesday May 23 12:15-14:30