

Constitutional Law

Course Outcome Summary

Course Information

Organization	Madison Area Technical College
Developers	Martin S. Redmann
Development Date	12/30/2001
Course Number	10-504-115
Instructional Level	Associate Degree
Potential Hours of Instruction	54
Total Credits	3

Description

Introduces the student to the legal process, procedure and forum in which guilt or innocence is determined. Explores the history and development of criminal evidence law and the necessity for having legal evidence. Meets LESB performance objectives.

Types of Instruction

Instruction Type	Contact Hours	Credits
Classroom Presentation	54	3

Textbooks

Norman M. Garland and Gilbert B. Stuckey. *Criminal Evidence for the Law Enforcement Officer*. Glencoe McGraw-Hill. 2000. **Edition:** Fourth. **Pages:** 534. **ISBN:** 0-02-800966-5. **Source:** MATC Bookstore.

---. *Selected Excerpts from Wisconsin Statutes 1999-2000*. Wisconsin Department of Justice. **Source:** MATC Bookstore.

David Perlman. *Wisconsin Law Enforcement Officer's Criminal Law Handbook*. Wisconsin Department of justice. 1997. **Source:** MATC Bookstore.

Learner Supplies

E mail address. **Manufacturer:** MATC or private source.

Prerequisites

Criminal Law (10-504-113)

Competencies

- A. **Investigate the Law of Evidence and the pre-trial process**
Competence will be demonstrated:
A.1. in classroom discussions
A.2. in a written examination
Criteria - Performance will be satisfactory when:
A.1. you explain what constitutes evidence

- A.2. you summarize the objectives of the rules of evidence
- A.3. you distinguish between the jobs of prosecuting attorney and defense attorney
- A.4. you examine probable cause to arrest

B. Examine the trial process

Competence will be demonstrated:

- B.1. in a classroom discussion
- B.2. upon achieving a minimum of 70 percent on a written assignment
- B.3. in a written examination

Criteria - Performance will be satisfactory when:

- B.1. you summarize the sequence of events in a typical criminal trial
- B.2. you distinguish between the level of proof required in a criminal case with the level of proof required in a civil case
- B.3. you summarize the two types of challenges of a jury used during a voir dire
- B.4. you summarize the process of examining witnesses

C. Conceptualize the basics of evidence

Competence will be demonstrated:

- C.1. in classroom discussions
- C.2. upon achieving a minimum of 70 percent on a written exercise
- C.3. in a written examination
- C.4. by completing an evidence project

Criteria - Performance will be satisfactory when:

- C.1. you recognize the four general categories of evidence
- C.2. you summarize some of the reasons relevant evidence may be excluded
- C.3. you summarize judicial notice
- C.4. you explain four examples of facts that a court may judicially notice

D. Examine witnesses - competency and privileged communications

Competence will be demonstrated:

- D.1. in classroom discussion
- D.2. upon achieving a minimum of 70 percent on a written assignment
- D.3. in a written examination

Criteria - Performance will be satisfactory when:

- D.1. you summarize the three characteristics that comprise witness capacity
- D.2. you examine the rationale for privileged communications
- D.3. you examine when the government may refuse to reveal the identity of an informer

E. Distinguish between lay and expert witnesses

Competence will be demonstrated:

- E.1. in classroom discussions
- E.2. upon achieving a minimum of 70 percent on a written assignment
- E.3. in a written examination

Criteria - Performance will be satisfactory when:

- E.1. you recognize the one essential characteristic required before a person may become a witness
- E.2. you summarize a leading question
- E.3. you summarize impeachment

E.4. you explain how a witness maybe qualified as an expert

E.5. you summarize the three bases for expert opinion

F. Characterize credibility and impeachment

Competence will be demonstrated:

F.1. in a classroom discussion

F.2. upon achieving a minimum of 70 percent on a written assignment

F.3. in a written examination

Criteria - Performance will be satisfactory when:

F.1. you examine the four components of witness capacity

F.2. you summarize the five basic methods of impeaching a witness

F.3. you examine the rule governing the impeachment of a witness on the grounds of bias

F.4. you summarize when a witness may invoke the privilege against self-incrimination

G. Investigate the Hearsay Rule

Competence will be demonstrated:

G.1. in a classroom discussion

G.2. upon achieving a minimum of 70 percent on a written assignment

G.3. in a written examination

Criteria - Performance will be satisfactory when:

G.1. you summarize hearsay

G.2. you explain the rationale for the hearsay rule

G.3. you identify the five types of admissions by a party opponent that are exempt from the hearsay rule

H. Examine admissions and confessions

Competence will be demonstrated:

H.1. in classroom discussions

H.2. upon achieving a minimum of 70 percent on a written assignment

H.3. in a written examination

Criteria - Performance will be satisfactory when:

H.1. you explain an admission

H.2. you explain when a suspect must be Mirandized

H.3. you examine custody for the purposes of Miranda

H.4. you examine interrogation for the purposes of Miranda

H.5. you summarize the three exceptions to the requirement of Miranda warnings

I. Examine the Exclusionary Rule - Search and Seizure

Competence will be demonstrated:

I.1. in a classroom discussion

I.2. upon achieving a minimum of 70 percent on a written assignment

I.3. in a written examination

Criteria - Performance will be satisfactory when:

I.1. you summarize the main purpose of the exclusionary rule

I.2. you identify the procedure for obtaining a valid search warrant

I.3. you explain the meaning of probable cause the how probable cause may be established

I.4. you explain what circumstances are considered exigent

I.5. you examine the justification for a stop and frisk

J. Examine the Exclusionary Rule - Identification Procedures

Competence will be demonstrated:

J.1. in classroom discussions

J.2. upon achieving a minimum 70 percent on a written assignment

J.3. in a written examination

Criteria - Performance will be satisfactory when:

J.1. you summarize the three types of identification procedures

J.2. you identify the constitutional grounds for an accused's claim of misidentification before and at trial

J.3. you examine several situations that the law enforcement officer should avoid with respect to the makeup of a lineup or photographic array

K. Recognize circumstantial evidence

Competence will be demonstrated:

K.1. in classroom discussions

K.2. upon achieving a minimum of 70 percent in a written assignment

K.3. in a written examination

Criteria - Performance will be satisfactory when:

K.1. you distinguish between direct and circumstantial evidence

K.2. you explain how motive and intent differ

K.3. you provide several examples of circumstantial evidence that may be used to prove the accused's consciousness of guilt

L. Evaluate documentary evidence and the Right of Discovery

Competence will be demonstrated:

L.1. in classroom discussion

L.2. in a written examination

Criteria - Performance will be satisfactory when:

L.1. you summarize the classification of documents and each of their categories

L.2. you determine when a defendant is not required to comply with a subpoena to produce documents

M. Recognize physical evidence

Competence will be demonstrated:

M.1. in classroom discussions

M.2. in an Evidence Project

M.3. in a written examination

Criteria - Performance will be satisfactory when:

M.1. you summarize five examples of how authentication can be accomplished

M.2. you identify the four general categories of physical evidence

M.3. you summarize the methods an officer can use to identify positively the object in court as the one that the officer found at the crime scene

M.4. you identify the information that should be placed on a typical evidence tag

M.5. you examine how items of evidence should be packaged for long-term storage in an evidence locker

N. Examine photographic, recorded, and computer-generated evidence

Competence will be demonstrated:

- N.1. in classroom discussions
- N.2. upon achieving a minimum of 70 percent in a written assignment
- N.3. in a written examination

Criteria - Performance will be satisfactory when:

- N.1. you summarize the kinds of evidence included in the terms "writings" and "recordings" in the FRE
- N.2. you examine the various uses of photographic and recorded evidence
- N.3. you explore the three methods of authentication of photographs and recording

O. Summarize how to testify effectively

Competence will be demonstrated:

- O.1. in classroom discussions
- O.2. upon achieving a minimum 70 percent in a written assignment
- O.3. in a written examination

Criteria - Performance will be satisfactory when:

- O.1. you summarize the different methods used to notify an officer to appear in court
- O.2. you examine the appropriate clothing for officers to wear in court
- O.3. you explain what an officer should do while testifying with respect to objections
- O.4. you summarize what an officer should do when he or she does not recall the answer to a question asked
- O.5. you explain what an officer should do when asked an argumentative question on cross-examination that the defense attorney insists should be answered yes or no