CASPER COLLEGE COURSE SYLLABUS

CRMJ 2230 N1 Law of Evidence

Semester/Year: Spring 2015

Instructor’s Name: Maya Russell, M.A., J.D.

Office: LH 175A  Email: mrussell@caspercollege.edu  Office Hours: As this is an internet course, I am available by email. I will do my best to return all emails promptly.

Phone: (307) 268-2764

Distance Course  Credit Hours: 3
Coursework to be completed on-line using Casper College’s Moodle distance platform. Students experiencing technical difficulties with Moodle should go to Casper College’s Digital Learning Center website (http://www.caspercollege.edu/dlc/index.html) or contact the CC helpdesk at # 307-268-3648.

Exams must be taken at Casper College’s Academic Testing Center (http://www.caspercollege.edu/testing/index.html) or at an instructor approved alternate testing center.

Course Description:
This course will examine leading rules and principles of exclusion and selection, burden of proof, nature and effect of presumptions, proof of authenticity, and contents of writings; examination, competency, and privilege of witnesses.

Statement of Prerequisites:
Introduction to Criminal Justice (CRMJ 2120).

Goals and Outcomes:
Casper College General Education Outcomes: This course’s objectives link to outcomes # 1, 3, 4 and 6.

__X__ 1. Demonstrate effective oral and written communication

_____ 2. Use the scientific method

__X__ 3. Solve problems using critical thinking and creativity

__X__ 4. Demonstrate knowledge of diverse cultures and historical perspectives

_____ 5. Appreciate aesthetic and creative activities

__X__ 6. Use appropriate technology and information to conduct research

_____ 7. Describe the value of personal, civic, and social responsibilities

_____ 8. Use quantitative analytical skills to evaluate and process numerical data
Course Objectives: Successful students in this course will be able to:

1. Evaluate the rules of evidence and standards by which the admission of proof at trial is regulated (Gen Ed Outcome # 3);
2. Identify various types of evidence as well as examine the collection, preparation and presentation of evidence in a court of law (Gen Ed Outcome # 3);
3. Investigate the types and roles of witnesses, preparation of witnesses, and become familiar with common witness objections (Gen Ed Outcomes #3 and 4);
4. Research and summarize controversial evidentiary issues arising from recent legal cases (Gen Ed Outcomes # 1 and 6).

Casper College may collect samples of student work demonstrating achievement of the above outcomes. Any personally identifying information will be removed from student work.

Methodology:
This course is an on-line (distance) course using Casper College’s Moodle platform. All students are required to read the assigned readings and complete assigned homework and papers in accordance with the course calendar. Students are required to engage in course on-line discussions. At the close of the semester, students will be encouraged to complete course evaluations. Student feedback is valuable as the instructor uses course evaluations in determining course methodology.

Class Policies:
Last Date to Change to Audit Status or to Withdraw with a W Grade: April 16, 2015.

Student Rights and Responsibilities:
Please refer to the Casper College Student Conduct and Judicial Code for information concerning your rights and responsibilities as a Casper College Student.

Chain of Command:
If you have any problems with this class, you should first contact the instructor to attempt to solve the problem. If you are not satisfied with the solution offered by the instructor, you should then take the matter through the appropriate chain of command starting with the Department Head/Program Director, the Dean, and lastly the Vice President for Academic Affairs.

Academic Dishonesty: (Cheating & Plagiarism)
Casper College demands intellectual honesty. Proven plagiarism or any form of dishonesty associated with the academic process can result in the offender failing the course in which the offense was committed or expulsion from school. See the Casper College Student Code of Conduct for more information on this topic.

Official Means of Communication:
Casper College faculty and staff will employ the student's assigned Casper College email account as a primary method of communication. This is also, where you will find course evaluation links during course evaluation periods. Students may further receive emails and course materials on their MCC (Moodle) email. Students are responsible for checking their BOTH accounts regularly.

CC Criminal Justice students are automatically members of the CC Criminal Justice Club. Students should check the Club Moodle page regularly for information and postings on upcoming events.
ADA Accommodations Policy:
If you need academic accommodations because of a disability, please inform me as soon as possible. See me privately after class, or during my office hours. To request academic accommodations, students must first consult with the college’s Disability Services Counselor located in the Gateway Building, Room 344, (307) 268-2557, bheuer@caspercollege.edu. The Disability Services Counselor is responsible for reviewing documentation provided by students requesting accommodations, determining eligibility for accommodations, and helping students request and use appropriate accommodations.

Required Text, Readings, and Materials:


- Federal Rules of Evidence, found at http://www.law.cornell.edu/rules/fre, or if you would prefer a free app for your i-phone or i-pad, “LawStack” comes preloaded with the Federal Rules of Evidence

- Wyoming Rules of Evidence, found at http://www.courts.state.wy.us/WSC/CourtRule?RuleNumber=37

- Additional readings will also be posted in Moodle

Evaluation Criteria:

Grade Distribution:
90-100%  -  A  
80-89%    -  B  
70-79%    -  C  
60-69%    -  D  
Less 60%  -  F

Total Points: 600 points.

1. Examinations. 300 points.

Two exams: one midterm and one final (150 points each) will be completed in accordance with the course calendar. Exams will be closed-book, timed (60 minute) proctored examinations. No late exams will be accepted. An exam review sheet will be distributed two weeks prior to each exam.

Students based in Casper must complete their exams at Caper College’s Academic Testing Center. Students are responsible for scheduling exams. Go to the Academic Testing Center’s website: http://www.caspercollege.edu/testing/ to schedule an appointment. Students experiencing problems with the website should call the Center at # 307-268-3850.

Students based outside of Casper must locate an approved testing center in their vicinity (go to http://www.ncta-testing.org/ctct/find.php) and schedule appointment in accordance with the course calendar. Students are responsible for any fees and charges associated with testing at a remote center.
2. **Moodle Chapter Quizzes. 100 points.**

   Students must complete chapter reading quizzes based on the *Criminal Evidence* textbook in accordance with the course calendar. No late quizzes will be accepted. Chapter quizzes will be completed in Moodle. Each quiz is worth ten (10) points. Students’ highest 10 quizzes will be used to calculate grades. Quizzes are open book and are not timed, but please remember to save your work as you go.

3. **On-line Forum Discussions. 100 points.**

   An important part of the class will be the online discussion of the materials we are reading and learning about. One of the chief complaints about distance learning is that it fails to capture the intellectual give-and-take of the classroom. Our discussion forum is designed to address that shortcoming. We will use the forum each lesson to tackle some of the most interesting evidentiary issues. The discussion questions will be posted, and must be completed, in accordance with the course calendar. No late submissions will be accepted.

   Our course is broken into ten (10) lessons. Each lesson contains one discussion forum. Students will be assigned a specific question to analyze relevant to the course readings.

   **Students will receive a discussion forum grade on a 10-point scale for each lesson**

   An “excellent” contribution will receive ten (10) points.
   A “good” contribution will receive eight (8) points.
   A “fair” will receive seven (7) points.
   A “poor” contribution will receive four (4) points.
   Failure to post will result in a zero (0) grade.

   A. An “excellent” post will be exceptional in the following ways:
      - writing clarity
      - use of reason and logic to defend an argument
      - organization of ideas/completeness
      - original/critical thinking

   An excellent post requires one to three paragraphs of well-written prose. If you write the post in less than a couple of minutes, it is likely not an excellent post.

   B. A “good” post will be good in the following ways:
      - understanding of the course material but does not cover the questions completely
      - does not demonstrate keen critical thinking
      - fails to cite sources

   C. A “fair” post is generally a couple of sentences. The post may contain one of the following flaws:
      - unclear writing
      - poorly organized
      - does not make reasoned arguments
      - does not demonstrate complete understanding of the course material

   D. A “poor” post is one that fails to meet the criteria of an “excellent” post in any capacity. It might be a single sentence and say something like, “I agree with Joe. He’s right.” It falls short of what is expected in a college forum post. This should go without saying, but do not use “instant message” grammar and spelling.
Students should post to the discussion forums in accordance with the following guidelines:

- Students should expect to spend about 30 minutes thinking about and typing out discussion forum postings. Reread your post several times before hitting “submit.” You should carefully think about the points you are making and the reasons you are using to defend your position. If you are finding that it takes only a couple minutes to write a post, you probably need to think more deeply about the subject.

- Avoid personal attacks. Do not insult anyone personally, call them names, and so on.

- Avoid condescending language. Everyone is entitled to an opinion, no matter how wrong you think it might be. We must give every other opinion the same respect we give our own. It is up to us to combat the ideas we disagree with our own well-reasoned ideas. If you receive an email or post that you find offensive, please contact your instructor.

Note: Neither Casper College nor your instructor will be held responsible for the content of any personal messages sent from one student directly to another using the college on-line email delivery system. Students are expected to adhere to acceptable codes of ethical, personal, and civil conduct when conversing on-line, just as we would in an on-campus classroom.

4. **Short Papers (20 points each, or 100 points total)**. Papers must be typed in 12 point font (Times New Roman), one to two pages in length, double spaced, and submitted in accordance with the course calendar. Paper assignments must be submitted in Moodle as a pdf or word document.

Paper topics include:

(i) **Evidence**. Students will analyze *A Jury of Her Peers* (posted in Moodle).

(ii) **Evidence Collection**. Students will study the case of Todd Willingham and examine and collection of evidence issues.

(iii) **Identification Evidence**. Students will evaluate the Ron Cotton Case Study and examine why misidentifications are the leading cause of wrongful convictions.

(iv) **Confessions**. Students will examine the Norfolk Four case. Students will examine the causes behind false confessions and investigate how false confessions can be prevented.

(v) **Innocence Project**. Students will be assigned an *Innocence Project* Case Study to evaluate.

Additional details on each of the short papers, as well as a grading rubric, will be provided in Moodle.
### Introductions

1/20/15
1. **Carefully** read and review course syllabus and calendar posted in Moodle
2. Read instructor introduction under “Introductions Forum”
3. Students should introduce themselves under “Introductions Forum” (no later than 1/23)

---

### Lesson 1 Introduction to Evidence and Rules of Evidence

1/27/15
1. Ch. 1 Quiz due 11 a.m.
2. Paper # 1, Jury of Her Peers due 11 a.m.
3. Discussion 1 Forum Post due 11 a.m.

---

### Lesson 2 Physical Evidence

2/3/15
1. Chapter 2 Quiz due 11 a.m.
2. Paper # 2, *Death by Fire* Case Examination Paper due 11 a.m.
3. Discussion 2 Forum Post due 11 a.m.

---

### Lesson 3 Identification Evidence

2/10/15
1. Chapter 3 Quiz due 11 a.m.
2. Paper # 3, Ron Cotton Identification Paper due 11 a.m.
3. Discussion 3 Forum Post due 11 a.m.

---

### Lesson 4 Confessions

2/17/15
1. Chapter 4 Quiz due 11 a.m.
2. Paper # 4, Norfolk Four Case Examination Paper due 11 a.m.
3. Discussion 4 Forum Post due 11 a.m.

---

### Lesson 5 Criminal Justice Process

2/24/15
1. Chapter 5 Quiz due 11 a.m.
2. Discussion 5 Forum Post due 11 a.m.

---

### Lesson 6 Pretrial Discovery, Exclusionary Rule and Motions to Suppress

3/3/15
1. Chapter 6 Quiz due 11 a.m.
2. Discussion 6 Forum Post due 11 a.m.

3/8/15
1. Chapter 7 Quiz due 11 a.m.

**MIDTERM EXAM** (covering chapters 1-7) to be taken during midterm week (3/9/15-3/13/15) at Casper College’s Academic Testing Center, or at an alternate approved testing center. Students are required to make an exam appointment at least one week in advance. No late exams will be accepted. Appointments can be made on the Academic Testing Center’s website: [http://www.caspercollege.edu/testing/index.html](http://www.caspercollege.edu/testing/index.html) or by phone at 307-268-3850.
Lesson 7 Evidentiary Terminology
3/24/15
1. Chapter 8 Quiz due 11 a.m.
2. Forum Discussion 7 due 11 a.m.

Lesson 8 Witnesses
3/31/15
1. Chapter 9 Quiz

4/7/15
1. Chapter 10 Quiz

4/14/15
1. Chapter 11 Quiz
2. Forum Discussion 8 due 11 a.m.

Lesson 9 Character Evidence
4/21/15
1. Chapter 12 Quiz due 11 a.m.
2. Forum Discussion 9 due 11 a.m.

Lesson 10 Hearsay Evidence and Best Evidence Rule
4/28/15
1. Chapter 13 Quiz due 11 a.m.
2. Paper # 5, Innocence Project Paper due 11 a.m.

5/5/15
1. Chapter 14 Quiz due 11 a.m.
2. Forum Discussion 10 due 11 a.m.

**FINAL EXAM** (covering chapters 8-14) must be taken during Casper College’s final exam week (5/11/15 – 5/14/15) at Casper College’s Academic Testing Center, or at an alternate instructor approved testing center. Students are required to make an appointment at least one week in advance. No late exams will be accepted. Appointments can be made on the Academic Testing Center’s website: [http://www.caspercollege.edu/testing/index.html](http://www.caspercollege.edu/testing/index.html), or by phone at 307-268-3850.