Catalog Description: Analysis of why certain testimony, objects and materials should be admitted or rejected as evidence in Criminal Trials. Topics include the evolution of the laws of Evidence, the trial process, privileges, hearsay, confessions and admissions, pretrial investigation and identification procedures, expert and lay opinion, scientific evidence, character evidence, presumptions, and evidence collection and preservation. Prerequisites: CJAD 101 and junior standing. Offered Spring.

Prerequisite(s)/Corequisite(s): CJAD 101 and junior standing.

Text(s): Many suitable textbooks are available from various publishers and the following list is not comprehensive. Other textbooks may be judged by individual instructors to be more suitable in meeting Course Objectives. Many current textbooks have companion websites, and the instructor is encouraged to enhance the course experience for the student by utilizing available technology.


The instructor may also want to consider directing the student to websites containing Criminal Codes and Criminal Cases, such as http://www.findlaw.com or other legal sites maintained by governmental or not-for-profit entities.

Course Objectives:

- To understand and appreciate the history and evolution of the evidentiary law in the United States.
Measurable Learning Outcomes:
- Explain the history and evolution of the laws of evidence;
- Describe the American criminal trial process;
- Compare and evaluate the common evidentiary privileges recognized in the United States;
- Explain the history and current application of the hearsay rule;
- Describe the legal rules and procedures involving confessions and admissions;
- Describe the legal rules and procedures governing pretrial investigative and identification procedures;
- Explain the standards governing admission of lay and expert opinion;
- Compare and evaluate the types and qualities of scientific evidence and the evidentiary standards governing use of this evidence;
- Identify and explain the use of common substitutes for formal proof such as presumptions, inferences, judicial notes and stipulations;
- Describe and assess the practical and legal issues related to evidence collection and preservation;
- Distinguish between direct and circumstantial evidence;
- Evaluate the ethical standards which apply to criminal justice professionals in the court system and evaluate common legal/ethical dilemmas faced by these professionals;
- Explain the methods and procedures employed during direct and cross-examination of witnesses;
- Analyze and interpret judicial opinions and case studies on evidentiary issues;
- Interpret and apply the meaning of specific statutory sections to assorted factual situations;
- Appraise current literature, materials and developments regarding the laws of criminal evidence.

Topical Outline (major areas of coverage):
- History of the Laws of Evidence
- Published sources of law
- The trial process and classification of evidence
- The trial record
- Relevance
- Hearsay
- Exceptions to the hearsay rule
• Examination and Impeachment of Witnesses
• Self-incrimination
• Improper identification evidence
• Unreasonable searches and seizures
• Confessions and Admissions
• Privileges
• Burden of proof and substitutes for proof
• Scientific evidence
• Opinion evidence
• Real evidence and demonstrative evidence
• Evidence collection and storage

In an effort to better prepare students for future educational pursuits and professionalism in their chosen fields, it is highly recommended that all courses bearing the CJAD prefix contain both a writing and speech communication component. Formal writing projects should be prepared in APA format.

Material from this course may be tested on the Major Field Test (MFT) administered during the Culminating Experience course for the degree.

Recommended maximum class size for this course: 35

Library Resources: Online databases are available at http://www.ccis.edu/offices/library/resources.asp. You may access them from off-campus using your eServices login and password when prompted.

Prepared by: Barry R. Langford

Date: September 12, 2005

NOTE: The intention of the master syllabus is to provide an outline of the contents of this course, as specified by the faculty of Columbia College, regardless of who teaches the course, when it is taught or where it is taught. Faculty members teaching this course for Columbia College are expected to facilitate learning pursuant to the course objectives and cover the subjects listed in the topical outline. However, instructors are also encouraged to cover additional topics of interest so long as those topics are relevant to the course’s subject. The master syllabus is, therefore, prescriptive in nature but also allows for a diversity of individual approaches to course material.

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