

4 HIBBING COMMUNITY COLLEGE COURSE OUTLINE

COURSE NUMBER & TITLE: LAW 1590: Procedural Law

CREDITS: 4 (4 Lec/0 Lab)

PREREQUISITES: Recommended LAW 1510

CATALOG DESCRIPTION:

Procedural Law provides a framework for criminal procedure including individual rights, the criminal court system, arrest, probable cause, admissions, confessions, identification procedures, and evidence. This course includes the study of the Bill of Rights, search and seizure, the exclusionary rule. The focus is to provide the entry level peace officer with a practical working knowledge of the constitutional issues that relate to the collection, recovery, and preservation of evidence in criminal cases.

OUTLINE OF MAJOR CONTENT AREAS:

- I. Evidence
 - A. General definitions
 - B. Specific definitions and terms
 - C. Classification of evidence
 1. Direct
 2. Real
 3. Circumstantial
 - D. Rules of evidence
 1. Admissible (relevant and competent)
 2. Case elements
 3. Beyond a "reasonable doubt" standard
 4. Burden of proof
 5. Affirmative defenses
 6. Types of evidence
 - a. Oral testimony
 - b. Documents
 - c. Real evidence
 - d. Facts judicially noticed
 - e. Stipulations
 7. Hearsay: Exceptions
 8. "Corpus delicti": Principles governing
 9. Accomplice testimony
 10. Expert testimony: Principles governing
 11. Police officer as witness: Principles governing
 12. Defendant compelled testimony
 13. Evidence unlawfully obtained

- a. Search and seizure
 - b. Miranda
 - 14. Evidence log: Chain of possession
 - 15. Discovery: Evidentiary notice
- II. Identification procedures
 - A. Types
 - 1. Line-up
 - 2. Identification parade
 - 3. Show-up
 - 4. Photo-display
 - B. Supreme Court cases
 - 1. U.S. vs. Wade
 - 2. Gilbert vs. California
 - 3. Stovall vs. Deno
 - C. When right to counsel attaches
 - D. Suspect advisory of rights
 - E. Line-up procedures
 - 1. Conduct of counsel
 - 2. Due process
 - 3. Fairness
 - 4. Other issues
 - 5. Various forms
- III. Minnesota rules of criminal procedure for police officers
 - A. All pertinent rules
 - 1. "36/48" hour rule
 - 2. Jury selection
 - 3. Others
 - 4. Laws of arrest
 - A. Felonies
 - B. Other crimes
 - C. Minnesota statutes pertaining
 - D. Probable cause
- IV. Arrest search warrants, and probable cause
 - A. Arrest
 - B. Search Warrants
 - C. Probable Cause
- V. Exceptions to the search warrant requirement
 - A. Stop and Frisk
 - B. Search incident to arrest
 - C. Consent searches
 - D. Plain View Doctrine
 - E. Vehicle searches
 - F. Open fields and abandoned property
- VI. Practical application of warrants
 - A. Arrest Warrants
 - B. Search Warrants

VII. Motor Vehicles

- A. Stops
- B. Searches
- C. Seizures

COURSE GOALS/OBJECTIVES/OUTCOMES:

Students will

1. define evidence.
2. define circumstantial evidence.
3. define competent court evidence.
4. define defense terms.
5. define direct evidence.
6. define documentary evidence.
7. define due process.
8. define guilt beyond reasonable doubt.
9. define hearsay evidence.
10. define legally obtained court evidence.
11. define MN Rule of Court (Criminal Procedure) Rule 1.
12. define MN Rule of Court (Criminal Procedure) Rule 10.
13. define MN Rule of Court (Criminal Procedure) Rule 11.
14. define MN Rule of Court (Criminal Procedure) Rule 12.
15. define MN Rule of Court (Criminal Procedure) Rule 13.
16. define MN Rule of Court (Criminal Procedure) Rule 14.
17. define MN Rule of Court (Criminal Procedure) Rule 15.
18. define MN Rule of Court (Criminal Procedure) Rule 16.
19. define MN Rule of Court (Criminal Procedure) Rule 17.
20. define MN Rule of Court (Criminal Procedure) Rule 18.
21. define MN Rule of Court (Criminal Procedure) Rule 19.
22. define MN Rule of Court (Criminal Procedure) Rule 2.
23. define MN Rule of Court (Criminal Procedure) Rule 20.
24. define MN Rule of Court (Criminal Procedure) Rule 22.
25. define MN Rule of Court (Criminal Procedure) Rule 23.
26. define MN Rule of Court (Criminal Procedure) Rule 26.
27. define MN Rule of Court (Criminal Procedure) Rule 3.
28. define MN Rule of Court (Criminal Procedure) Rule 4.
29. define MN Rule of Court (Criminal Procedure) Rule 5.
30. define MN Rule of Court (Criminal Procedure) Rule 6.
31. define MN Rule of Court (Criminal Procedure) Rule 7.
32. define MN Rule of Court (Criminal Procedure) Rule 8.
33. define MN Rule of Court (Criminal Procedure) Rule 9.
34. define opinion evidence.
35. define physical or real evidence.
36. define probable cause.
37. define relevant/material court evidence.
38. describe case decision implications.

39. display professionalism.
40. exemplify circumstantial evidence.
41. exemplify competent court evidence.
42. exemplify direct evidence.
43. exemplify documentary evidence.
44. exemplify hearsay evidence.
45. exemplify legally obtained court evidence.
46. exemplify opinion evidence.
47. exemplify physical or real evidence.
48. exemplify relevant/material court evidence.
49. explain letter of law.
50. explain line-up evidence admissibility.
51. explain spirit of law.
52. explain suspect identification procedures.
53. compose search warrant.
54. define affiant.
55. define affidavit.
56. define search and seizure.
57. define stop/frisk.
58. define exclusionary rule.
59. define good faith exception.
60. define search warrant probable cause.
61. define poisonous tree.
62. define U.S. Constitutional rights.
63. explain U.S. Supreme Court rulings.
64. describe search warrant exceptions.
65. describe search warrant requirements
66. describe Title III of the Crime control act.
67. demonstrate search warrant application.
68. identify valid stop/frisk.

MNTC GOALS AND COMPETENCIES MET:

N/A

HCC COMPETENCIES MET:

Working Productively and Cooperatively

Communicating Clearly and Effectively

Thinking Creatively and Critically

Social/Civic Responsibility

STUDENT CONTRIBUTIONS:

Attendance is crucial in this class. The student is expected to contribute to class through participation in class activities, class discussion, and completion of outside assignments.

STUDENT ASSESSMENT SHALL TAKE PLACE USING INSTRUMENTS SELECTED/DEVELOPED BY THE COURSE INSTRUCTOR.

SPECIAL INFORMATION: (SPECIAL FEES, DIRECTIVES ON HAZARDOUS MATERIALS, ETC.)

We cannot plan, and subsequently establish training for every conceivable eventuality or situation which an officer will confront. However, we intend to increase awareness of risks and show various tactics at a basic entry level with the understanding that procedures may change from department to department.

AASC APPROVAL DATE:	December 17, 2014
REVIEW DATE:	December 2019

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