

SECTION HEADING

CJS 2420: Criminal Procedures

Description

Criminal Procedures provides the learner with the history of the United States Constitution and Bill of Rights and the constitutional limitations on government authority over private citizens. Key concepts will be analyzed and discussed as interpreted by Federal and State Supreme Court decisions to allow students to become familiar with the procedural handling of individuals in criminal cases, rules of evidence, forfeitures, criminal defense, and civil liability.

Credits

3

Prerequisite

None

Corequisite

None

Topics to be Covered

1. Provisions of the Constitution and Bill of Rights that impact criminal justice
2. Criminal procedure and rules of evidence
3. Legal foundation for peace officer use of force
4. Relationship between source of law, application of law and interpretation of law to criminal justice decision making.

Learning Outcomes

1. Students will be able to successfully identify the knowledge base, respond to and properly handle all tasks associated with the following Professional Police Officer Education (PPOE) Learning objectives required by the Minnesota POST Board:

- 2.2.1 Describe the sources of laws in the U.S. including federal law, state law, case law, and administrative regulatory law and the process by which laws, statutes and ordinances are enacted.
- 2.2.2 Explain provisions of the Constitution and Bill of Rights that impact or restrict law enforcement including the First, Second, Fourth, Fifth, Sixth, Eighth and Fourteenth Amendments.
- 2.2.3 Explain how the Separation of Powers Doctrine works.
- 2.2.4 Distinguish between criminal law and criminal procedure and explain the difference between substantive and procedural law.
- 2.2.5 Explain the Fourth Amendment's protections against unreasonable searches and seizures and forms of individual protection related to search and seizure granted by the US Constitution. Explain the Fourth Amendment's requirements on the law of arrest, including probable cause and the prohibition against unreasonable searches and seizures.

Explain the significance of the good faith doctrine, the fruit of the poisonous tree doctrine, and the inevitable discovery doctrine in clarifying Fourth Amendment rights and their application in specific situations."

- 2.2.6 Evaluate the admissibility of evidence under the Fourth Amendment in practical situations by applying knowledge of the exclusionary rule, potential reputational risks associated with contaminated evidence, loss of chain of custody, and distinguishing between direct and circumstantial evidence.
- 2.2.7 Evaluate mock crime situations and determine if evidence is admissible under the Fourth Amendment.
- 2.2.8 Explain types of evidence and the differences between them, e.g., direct and circumstantial evidence.
- 2.2.9 Describe the exclusionary rule and risks associated with contaminated evidence and loss of chain of custody of evidence.
- 2.2.10 Describe the following suspect identification methods: line-up, photo line-up, and field identification.
- 2.2.16 List the five constitutional amendments involving equality and rights.
- 2.2.17 "Explain the impact of the Fourteenth Amendment as it relates to due process and equal protection under the law including:

- the difference between the Fifth and Fourteenth amendments in terms of due process

- the differences between substantive and procedural due process, and

- how Fourteenth Amendment rights constrain law enforcement

authority in interrogations."

- 2.2.18 Discuss limits placed on interrogation procedures in order to ensure protection of rights for U.S. citizens and non-citizens.
- 2.2.19 Identify the criminal and civil consequences an officer may face by violating a citizen's constitutional right.
- 2.2.20 Compare and contrast characteristics of the civil and criminal justice systems.
- 2.3.4 Explain the scope and limitation of a lawful warrant-less seizure during a consent search of persons.
- 2.3.5 Explain the scope and limitations of lawful warrantless searches, including searches of premises and vehicles, searches based on exigent circumstances, and plain view searches.
- 2.4.1 Explain what constitutes an arrest and the differences between a contact, a detention and an arrest.
- 2.4.2 Discuss protocols and terms associated with arrest including "reasonable suspicion" and "probable cause".
- 2.4.3 Describe the stop and frisk standard as found in "Terry vs. Ohio" and subsequent cases.
- 2.4.4 Describe the legal requirements and exceptions for obtaining an arrest warrant and explain how a citizen can make an arrest, as well as the requirements for private citizens to assist law enforcement officials in preventing escape or effecting an arrest.
- 2.6.1 Explain the Supreme Court decision Miranda vs. Arizona and the four components of the Miranda warning.

Section Heading

- 2.6.3 "Describe peace officers' legal interviewing and interrogation

techniques, distinguish between custodial and noncustodial interviews or interrogations, and explain the difference between voluntary and coerced statements."

- 2.6.4 Describe considerations for videotaping and recording interviews and interrogations and explain when interrogations must be recorded (State v. Scales, 518 N.W.2d 587 (Minn.1994).
- 2.6.5 Explain the admissibility of confessions and admissions in court, the purpose and use of interrogations in trials and the legal conditions for determining the admissibility of confessions.

Credit Details

Lecture: 3

Lab: 0

OJT: 0

MnTC Goal Area(s): None