

## FLORIDA STATE COLLEGE AT JACKSONVILLE

## COLLEGE CREDIT COURSE OUTLINE

COURSE NUMBER: CJL 2062

COURSE TITLE: Constitutional Law

PREREQUISITE(S): None

COREQUISITE(S): None

CREDIT HOURS: 3

CONTACT HOURS/WEEK: 3

CONTACT HOUR BREAKDOWN:

Lecture/Discussion: 3

Laboratory:

Other \_\_\_\_\_:

FACULTY WORKLOAD POINTS: 3

STANDARDIZED CLASS SIZE ALLOCATION: 25

CATALOG COURSE DESCRIPTION:

This study of the United States and Florida constitutions presents an in-depth analysis of constitutional law with emphasis in areas of arrest, search and seizure, interrogation, self-incrimination, and related topics of interest to law enforcement. The course also includes special emphasis on authority and limitations on police under the Bill of Rights.

SUGGESTED TEXT(S): Constitutional Law, 5th edition, by Klotter & Kanovitz, 1985, Anderson Publishing Company.

IMPLEMENTATION DATE: November 14, 1987

REVIEW OR MODIFICATION DATE: Fall Term, 2002 (20031) - was CJL 2062

COURSE TOPICS	CONTACT HOURS <u>PER TOPIC</u>
I. Orientation and Overview of the Course	3
A. Explanation of Course Requirements	
B. Brief Overview of Course Content	
C. Discussion of Sources of Law, U.S. Constitution, State Constitutions, Statutes and Case Law	
II. History and General Application of Constitutional Provisions	4
A. Foundations of American Constitutional Government	
B. Articles of Confederation	
C. Drafting the Constitution of the U.S.	
D. Structure of the Constitution	
E. Powers Granted to the Federal Government	
F. Powers Retained by the States	
G. Bill of Rights	
H. Due Process of Law, Provisions and Definitions	
III. Speech, Press, and Assembly	4
A. Scope of the First Amendment	
B. Areas Protected	
C. Non-Protected Areas	
D. Parades, Pickets and Public Assemblies	
E. Policing of Open-Air Gatherings	
IV. Authority to Detain and Arrest	4
A. Historical Development of the Law of Arrest	
B. Constitutional Provisions Concerning Arrest	
C. Arrest Defined	
D. Arrest Under the Authority of a Warrant	
E. Arrest Without a Warrant - General Felony & Misdemeanor Situations	
F. Police Authority to Detain - General Limitations	

COURSE TOPICS (CONTINUED)	CONTACT HOURS <u>PER TOPIC</u>
V. Search and Seizure	5
A. Historical Development of Search and Seizure Laws	
B. Constitutional Provisions	
C. The Exclusionary Rule	
D. Search Incidental to Lawful Arrest	
E. Scope of Search	
F. Waiver of Constitutional Rights	
G. Search of a Moving Vehicle	
H. Stop and Frisk Seizures	
VI. Wiretapping and Eavesdropping	3
A. Wiretapping	
1. Constitutionality of Law Enforcing Wiretapping	
2. Early Federal Legislation Concerning Wiretapping	
3. Exclusion of Wiretap Evidence in Federal Courts	
4. Exclusion of Wiretap Evidence in State Courts	
B. Eavesdropping	
1. Eavesdropping in General	
2. Eavesdropping and the Fourth Amendment	
3. Eavesdropping and State Law	
4. Informers with Concealed Transmitters	
VII. Interrogations and Confessions	5
A. The Free and Voluntary Rule	
B. Warning and Waiver Requirement (Miranda Rule)	
C. Exclusion of Confessions	
D. Derivative Evidence	
E. Corroboration	
F. Admissable Statements	
G. Post-Miranda Decisions	
VIII. Self-Incrimination	4
A. Pre-Constitutional Development of the self-Incrimination Privilege	
B. Provisions of State Constitutions & the 5th Amendment of the U.S. Constitution	
C. Scope of the Self-Incrimination Protection	
D. Waiver of the Privilege	
E. Immunity Statutes	
F. Implied Consent Statutes	
G. Pretrial Confrontation for Identification	

COURSE TOPICS (CONTINUED)	<u>CONTACT HOURS PER TOPIC</u>
IX. Assistance of Counsel	4
A. Historical Development of the Right To Counsel Protection	
B. Constitutional Provisions Concerning the Right to Counsel	
C. Counsel at the Arraignment	
D. Counsel at the Preliminary Hearing	
E. Right to Counsel During Investigation	
F. Counsel at the Lineup	
G. Juveniles' Constitutional Right to Counsel	
X. Double Jeopardy	3
A. Stage in Prosecution When Jeopardy Attaches	
B. General Scope of the Double Jeopardy Restriction	
C. Double Jeopardy as a Direct Bar to Reprosecution	
D. Scope of an Offense	
E. Appeals by the Defendant	
F. Appeals by the Prosecution	
XI. The Right to a Fair Trial and Humane Punishment	3
A. Speedy Trial	
B. Public Trial	
C. Right to Trial by Jury	
D. Fair and Impartial Trial	
E. Cruel and Unusual Punishment	
XII. Civil Rights and Civil Rights Legislation	3
A. Historical Background	
B. Public Accommodations & the Civil Rights Act of 1964	
C. Federal Civil Remedies for Police Abuse	
D. Criminal Code: Federal Criminal Remedies for Police Abuse	

PROGRAM TITLE: Criminal Justice Technology

COURSE TITLE: Constitutional Law

CIP NUMBER: 0743.010300

LIST PERFORMANCE STANDARD ADDRESSED:

NUMBER(S): TITLE(S):

10.0 DESCRIBE THE FIELD OF CRIMINAL LAW -- The student will be able to:

- 10.01 Discuss the legal procedures for securing admissions and confessions.
- 10.02 Identify dying declarations.
- 10.03 Demonstrate a practical knowledge of the rules of evidence.
- 10.04 Explain how burden of proof relates to a court trial.
- 10.05 Name some examples that show the difference between civil and criminal court trials.
- 10.06 Differentiate the difference between procedural and substantive criminal law.
- 10.07 Explain the legacy of English common law and its relationship to modern jurisprudence.
- 10.08 Identify the legal elements of the crime of rape.
- 10.09 Discuss the implications of constitutional law and it's relationship to criminal law.
- 10.10 Discuss the Bill of Rights of the constitution.
- 10.11 Explain the concept of Stare Decesis.
- 10.12 Give an example of an ex post facto law.

11.0 IDENTIFY COURT ROOM DEMEANOR AND TESTIMONY PROCEDURES --The student will be able to:

- 11.02 Describe the system of witness and defendant notification of court schedules.
- 11.03 Appraise the value of proper grooming and appearance habits.

12.0 EXPLAIN EVIDENCE AND RULES OF EVIDENCE -- The student will be able to.

- 12.02 Name and describe types of evidence.
- 12.03 Define the term admissibility of evidence.
- 12.04 Define the term sufficiency of evidence.



NOTE: Use either the Tab key or mouse click to move from field to field. The box will expand to accommodate your entry.

<b>Section 1</b>	<b>SEMESTER CREDIT HOURS (CC): 3</b>
<b>COURSE PREFIX AND NUMBER: CJL2062</b>	<b>CONTACT HOURS (NCC): 3</b>
<b>COURSE TITLE: CRIMINAL LAW, EVIDENCE AND PROCEDURE</b>	

**Section 2**

**TYPE OF COURSE: (Click on the box to check all that apply)**

<input type="checkbox"/> AA Elective	<input checked="" type="checkbox"/> AS Required Professional Course	<input type="checkbox"/> College Prep
<input type="checkbox"/> AS Professional Elective	<input type="checkbox"/> AAS Required Professional Course	<input type="checkbox"/> Technical Certificate
<input type="checkbox"/> Other _____	<input type="checkbox"/> PSAV	<input type="checkbox"/> Apprenticeship
<input type="checkbox"/> General Education: (For General Education courses, you must also complete Section 3 and Section 7)		

**Section 3 (If applicable)**

**INDICATE BELOW THE DISCIPLINE AREA FOR GENERAL EDUCATION COURSES:**

<input type="checkbox"/> Communications	<input checked="" type="checkbox"/> Social & Behavioral Sciences	<input type="checkbox"/> Mathematics
<input type="checkbox"/> Natural Sciences	<input type="checkbox"/> Humanities	

**Section 4**

**INTELLECTUAL COMPETENCIES:**

<input checked="" type="checkbox"/> Reading	<input checked="" type="checkbox"/> Speaking	<input checked="" type="checkbox"/> Critical Analysis	<input type="checkbox"/> Quantitative Skills	<input type="checkbox"/> Scientific Method of Inquiry
<input checked="" type="checkbox"/> Writing	<input checked="" type="checkbox"/> Listening	<input type="checkbox"/> Information Literacy	<input checked="" type="checkbox"/> Ethical Judgment	<input checked="" type="checkbox"/> Working Collaboratively

	LEARNING OUTCOMES	METHOD OF ASSESSMENT
•	DESCRIBE THE FIELD OF CRIMINAL LAW	Written Examination
•	IDENTIFY COURT ROOM DEMEANOR AND TESTIMONY PROCEDURES	Written Examination
•	EXPLAIN EVIDENCE AND RULES OF EVIDENCE	Written Examination
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**Section 6**

Name of Person Completing This Form: Stephanie G. Scott                      Date: November 2, 2009