

SAULT COLLEGE OF APPLIED ARTS AND TECHNOLOGY

SAULT STE. MARIE, ONTARIO



COURSE OUTLINE

| | | | |
|-------------------------|--|--------------------------------|-------------|
| COURSE TITLE: | Investigation and Evidence | | |
| CODE NO. : | PFP404 | SEMESTER: | Four |
| PROGRAM: | Police Foundations / Law and Security Administration | | |
| AUTHOR: | James Pardy | | |
| DATE: | Aug 2010 | PREVIOUS OUTLINE DATED: | Jan 2010 |
| APPROVED: | "Angelique Lemay" | | Aug/10 |
| | _____ | | _____ |
| | CHAIR | | DATE |
| TOTAL CREDITS: | | | |
| PREREQUISITE(S): | PFP303 PFP301 | | |
| HOURS/WEEK: | Three | | |

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COURSE DESCRIPTION:

In this course students will examine the requirements of a continuing investigation. They will learn the rules of evidence and develop the ability to apply said rules in the collection and presentation of evidence in a court of law. Forensic requirements, statute law and other related issues will be emphasized. Students will be introduced to various forms of physical evidence and the evidentiary value of physical evidence.

II. LEARNING OUTCOMES AND ELEMENTS OF THE PERFORMANCE:

Upon successful completion of this course, the student will demonstrate the ability to:

1. Identify the provisions of the Charter of Rights applicable to the gathering and admission of evidence into the court.
 - 1.1 Explain the rights of suspects and the obligations of peace officers as contained in section 10 of the Charter regarding the gathering of evidence.
 - 1.2 Explain the requirements that must be met to comply with the rights and obligations set out in section 8 of the Charter regarding the search for and seizure of evidence.
 - 1.3 Explain the legal rights and obligations set out in section 9 of the Charter regarding the evidence obtained during detention.
 - 1.4 Explain, in the context of section 24 of the Charter, the remedies available to the court regarding evidence obtained in violation of the Charter of Rights and Freedoms.
2. Identify and explain the types of evidence available.
 - 2.1 Explain the standard of proof and burden of proof required to prove a criminal offence.
 - 2.2 Explain the basic rules that govern the admissibility of evidence.
 - 2.3 Identify the “facts in issue” required to prove identified criminal offences.
3. Explain how evidence is ‘weighed’ by the courts.
 - 3.1 Explain relevant and material evidence within the context of a criminal prosecution.
 - 3.2 Explain probative versus prejudicial value of evidence.
 - 3.3 Identify direct and circumstantial evidence.
 - 3.4 Identify situations where corroborative evidence is required or not required.

4. Identify factors that determine the weight and admissibility of evidence.
 - 4.1 Define hearsay evidence.
 - 4.2 Identify the exceptions to the admissibility of hearsay evidence.
 - 4.3 Explain opinion evidence.
 - 4.4 Identify the exceptions to the opinion evidence rule.
 - 4.5 Explain expert opinion evidence.
 - 4.6 Explain the conditions under which expert opinion evidence may be admissible.
 - 4.7 Explain character evidence and the rules governing the admission of character evidence.
5. Identify the parties that may be compelled to testify in court and the rules that govern their testimony.
 - 5.1 Explain the significance of oaths and affirmations.
 - 5.2 Identify the conditions under which the testimony of a child may be entered into evidence.
 - 5.3 Explain the factors that determine the competence and compellability of witnesses.
 - 5.4 Identify situations involving 'privileged' communications such as solicitor-client and spousal privilege.
 - 5.5 Identify the exceptions to the rules governing the inadmissibility of privileged communications
 - 5.6 Identify persons that may be compelled to appear in court to provide evidence.
 - 5.7 Accurately complete legal documentation compelling witnesses to appear in court.
6. Recognize crime scenes and containment areas.
 - 6.1 Describe how a crime scene should be secured.
 - 6.2 Identify potential hazards that may be found at crime scenes.
 - 6.3 Explain and apply the concept of continuity of evidence.
7. Identify Potential Sources of Physical Evidence
 - 7.1 Fingerprint evidence
 - 7.2 DNA evidence
 - 7.3 Blood spatter
 - 7.4 Impression evidence
 - 7.5 Firearm evidence
 - 7.6 Trace evidence

III. TOPICS:

1. The Charter of Rights and Freedoms
2. Types of Evidence
3. Rules Governing Testimonial Evidence
4. Competence and Compellability
5. Crime Scene Preservation
6. Physical Evidence
7. Sudden Death Occurrences

IV. REQUIRED RESOURCES/TEXTS/MATERIALS:

Martin's Criminal Code (2010 or 2011)

V. EVALUATION PROCESS/GRADING SYSTEM:

| | |
|--------------------|-----|
| Mid-Term Exam | 30% |
| Quizzes (2x10%) | 20% |
| Assignments (4x5%) | 20% |
| Final Exam | 30% |

The following semester grades will be assigned to students:

| <u>Grade</u> | <u>Definition</u> | <u>Grade Point Equivalent</u> |
|--------------|--|-------------------------------|
| A+ | 90 – 100% | 4.00 |
| A | 80 – 89% | 3.00 |
| B | 70 - 79% | 2.00 |
| C | 60 - 69% | 1.00 |
| D | 50 – 59% | 0.00 |
| F (Fail) | 49% and below | |
| CR (Credit) | Credit for diploma requirements has been awarded. | |
| S | Satisfactory achievement in field /clinical placement or non-graded subject area. | |
| U | Unsatisfactory achievement in field/clinical placement or non-graded subject area. | |
| X | A temporary grade limited to situations with extenuating circumstances giving a student additional time to complete the requirements for a course. | |
| NR | Grade not reported to Registrar's office. | |
| W | Student has withdrawn from the course without academic penalty. | |

Note: For such reasons as program certification or program articulation, certain courses require minimums of greater than 50% and/or have mandatory components to achieve a passing grade.

Students enrolled in Police Foundations or Law and Security Administration Programs must achieve a minimum grade of 60% in each course to achieve a passing grade.

It is also important to note, that the minimum overall GPA required in order to graduate from a Sault College program remains 2.0.

VI. SPECIAL NOTES:Attendance:

Sault College is committed to student success. There is a direct correlation between academic performance and class attendance; therefore, for the benefit of all its constituents, all students are encouraged to attend all of their scheduled learning and evaluation sessions. This implies arriving on time and remaining for the duration of the scheduled session.

VII. COURSE OUTLINE ADDENDUM:

The provisions contained in the addendum are located on the portal and form part of this course outline.