

SAULT COLLEGE OF APPLIED ARTS AND TECHNOLOGY

SAULT STE. MARIE, ON

COURSE OUTLINE

COURSE TITLE: CANADIAN CRIMINAL PROCEDURES

CODE NO.: CJS 210 SEMESTER: TWO

PROGRAM: LAW AND SECURITY ADMINISTRATION

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DATE: JANUARY, 1996 PREVIOUS OUTLINE: JANUARY, 1995
(PREVIOUSLY LAS 202)NEW REVISION APPROVED: *K. DeRosario*K. DeRosario, Dean
School of Human Sciences and
Teacher EducationDate *Jan 2/96*****NOTE:** Do not discard this outline. It will be required by other educational institutions if you are attempting to obtain credit for this course.

COURSE GOALS

This course is designed to set out and examine the principles and procedures, which are the legal authorities with respect to arrest, custody, search and seizure, use of force and compelling appearance in court. The student will examine the principles and concepts of the Canadian system of justice and their application as they affect the freedom and rights of the individual. Emphasis will be placed on the role, the responsibility and the accountability that the police have in the criminal justice system.

STUDENT PERFORMANCE OBJECTIVES

Upon successful completion of this course, each student will be able to:

1. Discuss various principles and concepts of the Canadian system of justice, their application, and their affects on the rights of the individual.
2. Define selected terms and phrases.
3. List citizen and peace officer arrest, search and seizure authorities as contained in the Canadian Criminal Code and other selected Federal Statutes.
4. State the requirements placed upon peace officers with respect to arrest and release of individuals.
5. Prepare the required documentation to secure an accused persons attendance in court.

TOPICS TO BE COVERED

1. Canadian Charter of Rights and Freedoms
2. Arrest
3. Release and Compelling Appearance in Court
4. Search and Seizure
5. The Young Offenders Act

LEARNING ACTIVITIES

1.0 Canadian Charter of Rights and Freedoms

Upon successful completion of this unit, each student will be able to:

- 1.1. Define the terms as set out by the instructor
- 1.2. List and discuss pertinent section of the Charter and discuss the impact of these sections on law enforcement

2.0 Arrest

Upon successful completion of this unit, each student will be able to:

- 2.1. State the citizen's arrest authorities as contained in the Canadian Criminal Code
- 2.2. State peace officer's arrest authorities as contained in the Canadian Criminal Code
- 2.3. From a given list, classify offenses as summary conviction, dual procedure or indictable
- 2.4. From a given scenario, determine whether a citizen or peace officer had lawful authority to arrest and to identify the correct authority
- 2.5. Demonstrate the proper technique of arrest
- 2.6. List the options that are available to a peace officer after arrest of an individual
- 2.7. State the procedure for securing a warrant to arrest
- 2.8. Prepare an information to obtain a warrant to arrest
- 2.9. Define terms as set out by course instructor

3.0 Release and Compelling Appearance in Court

Upon successful completion of this unit, each student will be able to:

- 3.1. Define terms as set out by the course instructor
- 3.2. State the requirements of C.C.C. SEC. 495 (2)

- 3.3 State the procedure for obtaining a summons for a person charged with a Criminal offence
- 3.4 Prepare an information to obtain a summons for a person charged with a Criminal offence
- 3.5 State the methods of serving a summons
- 3.6 From a given list, identify offenses for which an appearance notice may be issued
- 3.7 State what information must be contained on an appearance notice
- 3.8 From a given scenario, identify the offence, determine whether an appearance notice may be issued and prepare an appearance notice
- 3.9 State the consequences of failing to adhere to the requirements of a summons or appearance notice
- 3.10 State what release documents are available to an officer in charge

4.0 Search and Seizure

Upon successful completion of this unit, each student will be able to:

- 4.1 Define the terms as set out by the course instructor
- 4.2 State the Common Law search authority
- 4.3 State the police officer authorities for entering and searching a place or a dwelling without a warrant
- 4.4 State the procedure which must be followed before a Criminal Code search warrant will be issued
- 4.5 Prepare an information to obtain a search warrant

- 4.6 List the requirements regarding execution of a Criminal Code search warrant
- 4.7 Discuss use of force with respect to the execution of Criminal Code search warrants
- 4.8 Explain what happens to items seized as a result of search conducted with the authority of a search warrant.
- 4.9 From a given Scenario, determine if the police officer has authority to search with or without warrant, prepare an information to obtain a search warrant, state under what authority the warrant was issued, prepare the warrant and explain the execution procedure
- 4.10 State the search authorities contained in the Narcotic Control Act and the Food and Drug Act
- 4.11 From a given scenario determine if a police officer has authority to search for drugs and state the correct authority

5.0 The Young Offenders Act

Upon completion of this unit, each student will be able to:

- 5.1 Define terms set out by the course instructor
- 5.2 Discuss the differences between the Y.O.A. and the Juvenile Delinquents Act.
- 5.3 Discuss the Role of the Police in the investigation of occurrences involving young offenders
- 5.4 Discuss young persons rights on arrest.
- 5.5 Discuss "Alternative measures" as they relate to young offenders charged with offences.
- 5.6 List the dispositions that are available in youth court.
- 5.7 State the policy regarding sentencing of young offenders.
- 5.8 Discuss the issue of "criminal records" and records.
- 5.9 From a given scenario take a young offender through the criminal process.
- 5.10 Discuss recent cases involving young offenders.

REQUIRED STUDENT RESOURCES

The Police Manual Of Arrest, Seizure And Interrogation, 6th Ed.,
Roger Salhany

The Criminal Code of Canada

ADDITIONAL RESOURCE MATERIAL

Selected handouts by the course instructor

METHODS OF EVALUATION*

The final grade will be derived from a midterm test, a final exam, unannounced quizzes, assignments and case studies.

Quizzes, assignments and case studies	50%
Midterm Test	20%
Final Exam	30%
Total	100%

COLLEGE GRADING POLICY

90 - 100% = A+
80 - 89% = A
70 - 79% = B
60 - 69% = C
Below 60% = R (repeat course)

ADDITIONAL NOTES

Students enrolled in CJS 210 will be subject to unannounced quizzes. Should a student miss one of these quizzes and the student's absence was not explained prior to class, the student shall receive a zero grade on that quiz (maximum of two **excused** absences on quizzed). Any student absent from the midterm test or the final exam without excuse or without prior consultation with the course instructor may not be allowed to make up the test or exam.

SPECIAL NEEDS NOTE

Students with special needs (eg. physical limitations, visual impairments, hearing impairments, learning disabilities) are encouraged to discuss required accommodations confidentially with the instructor.

Your instructor reserves the right to modify the course as he/she deems necessary to meet the needs of the students.