

**SAULT COLLEGE OF APPLIED ARTS & TECHNOLOGY  
SAULT STE MARIE, ON**



**COURSE OUTLINE**

**Course Title: CANADIAN CRIMINAL PROCEDURES**

**Code No.: CJS 210**

**Semester: 2**

**Program: LAW & SECURITY ADMINISTRATION**

**Author: BOB TULLOCH**

**Date: January 1998      Previous Outline Date: January 1997**

**Approved:**



**Dean**

*December 22, 1997*

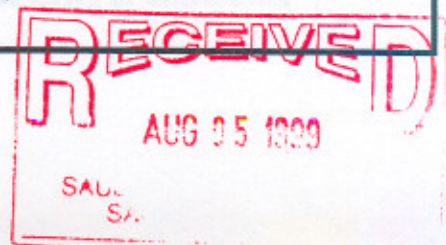
**Date**

**Total Credits: 4      Prerequisite(s): n/a**

**Length of Course: 4 hrs./week X 16 weeks**

**Total Credit Hours: 64**

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Justice & Natural Resources, (705) 759-2554, Ext. 688.





9. State some common statutory authorities to search without a warrant and apply these authorities to given situations.
10. State criteria to be considered in order to acquire a search warrant pursuant to either the Criminal Code or the Controlled Drugs & Substances Act.
11. Discuss various considerations of which a peace officer should be aware in dealing with young offenders.

**B. Learning Outcomes with Elements of Performance**

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

1. Discuss various principles and concepts of the Canadian Criminal Justice System and in particular discuss how they affect the rights and freedoms of the individual.

**Elements of Performance**

- \* Discuss the effect of section 52(1) of the Constitution Act of 1982.
  - \* State legal rights contained in sections 7, 8, 9, 10 and 11 of the Canadian Charter of Rights and Freedoms.
  - \* Discuss these and other relevant sections of the Canadian Charter of Rights and Freedoms such as sections 1, 12, 13, 14, 15 and 24 and in particular discuss their impact on criminal procedures.
  - \* Define other terms as set out by the instructor.
2. List citizen arrest authorities and apply these authorities in various given situations.

**Elements of Performance**

- \* State citizen arrest authorities as contained in the Criminal Code of Canada.
- \* From a given scenario, determine whether a citizen would have an authority to effect an arrest.
- \* Define other terms as set out by the instructor.



6. State criteria which must be considered by an Officer-in-charge after an arrested person has been turned over to him/her by a peace officer and apply these criteria in given situations.

**Elements of Performance**

- \* Discuss the concept of the "public interest" which must be considered after an arrested person has been received by the O-I-C in certain circumstances.
- \* Discuss in which circumstances these "public interest" considerations apply.
- \* Define other terms as set out by the instructor.

7. List various documents which may be used by peace officers and Officers-in-charge to compel the appearance of an accused in court and state the elements which are required in these various documents.

**Elements of Performance**

- \* List the options that are available to a peace officer when considering the release of a suspect or an arrested person.
- \* From a given scenario, determine the proper release option(s) which would apply.
- \* List the options that are available to an Officer-in-charge when considering the release of an arrested person.
- \* From a given scenario, determine the proper release option(s) which would apply.
- \* List and describe various documents commonly used by peace officers and O-I-C's to compel the appearance of an accused in court including but not limited to appearance notices, promises to appear and recognizances.
- \* Also, describe other documents relevant to this topic including but not limited to informations, summonses, warrants and undertakings.
- \* Define other terms as set out by the instructor.



8. State the common law authorities to search without a warrant and apply these authorities to given situations.

**Elements of Performance**

- \* State the common law authorities to search without warrant.
- \* From a given scenario, determine whether these authorities apply.
- \* Define other terms as set out by the instructor.

9. State some common statutory authorities to search without a warrant and apply these authorities to given situations.

**Elements of Performance**

- \* State some common statutory authorities to search without a warrant which are found in the Criminal Code and the Controlled Drugs and Substances Act.
- \* From a given scenario, determine whether these authorities apply.
- \* Define other terms as set out by the instructor.

10. State criteria to be considered in order to acquire a search warrant pursuant to either the Criminal Code or the Controlled Drugs and Substances Act.

**Elements of Performance**

- \* List places which may be searched with a search warrant pursuant to the Criminal Code.
- \* List places which may be searched with a search warrant pursuant to the Controlled Drugs and Substances Act.
- \* From a given scenario, determine which type of search warrant would apply.
- \* State the steps which are necessary to properly obtain a search warrant.
- \* State the steps which would be necessary to execute a search warrant in another province.
- \* Define other terms as set out by the instructor.

11. Discuss various considerations of which a peace officer should be aware in dealing with young offenders.

**Elements of Performance**

- \* Define key terms applicable to the Young Offenders Act
- \* Discuss the role of the police in the investigation of offences involving young offenders.
- \* List dispositions that a young offender may face upon sentencing in young offender proceedings.
- \* Discuss the issue of a "criminal record" as it pertains to young offenders.
- \* Define other terms as set out by the instructor.

**III. TOPICS TO BE COVERED**

**Note:** These topics sometimes overlap several areas of skill development and are not necessarily intended to be explored in isolated learning units or in the order below.

1. The Canadian Charter of Rights and Freedoms
2. Powers of arrest for citizens and peace officers
3. Considerations for release of a suspect or an arrested person
4. Compelling the appearance of an accused in court
5. An introduction to search and seizure authorities
6. An overview of the Young Offenders Act

**IV. REQUIRED STUDENT RESOURCES**

**The Police Manual Of Arrest, Seizure and Interrogation, 7th Ed., Salhany**

**The Criminal Code of Canada (The 1998 Annotated Tremear's Criminal Code is strongly recommended)**



## V. METHODS OF EVALUATION

The final grade will be derived from a comprehensive mid-term exam and a comprehensive final exam with the following values.

Midterm Test	40%
Final Exam	60%
Total	<u>100%</u>

### \* COLLEGE GRADING POLICY

A+	90% - 100%	Outstanding Achievement
A	80% - 89%	Above Average Achievement
B	70% - 79%	Average Achievement
C	60% - 69%	Satisfactory Achievement
U		Unsatisfactory (given at mid-term only)
S		Satisfactory (given at mid-term only)
R	Below 60%	Repeat
X		A temporary grade that is limited to instances where special circumstances have prevented the student from completing objectives by the end of the semester. An "X" grade must have the Dean's approval and has a maximum time limit of 120 days.

### \* ADDITIONAL NOTES

If a student misses either exam, the student must make arrangements with the instructor to rewrite within 7 days of the original exam after first producing written documentation of a *valid* reason for the absence.

**VI. SPECIAL NOTES**

1. **All students should be aware of the Special Needs Office in the college. If you have any special need such as a visual impairment, a hearing disability, a learning disability or any other special need, you are encouraged to discuss required accommodations confidentially with the professor and/or personnel in the Special Needs Office. The Special Needs office is located in Room E1204 and the phone number is: (705)759-2554 Ext.493.**
2. **Your professor reserves the right to modify the course as he/she deems necessary to meet the needs of the students.**
3. **It is the responsibility of the student to retain the course outline for possible future use in gaining advanced standing at other post-secondary institutions.**
4. **Plagiarism: Students should refer to the definition of "academic dishonesty" in the Statement of Student Rights and Responsibilities. Students who engage in "academic dishonesty" will receive an automatic failure for that submission and/or such penalty, up to and including expulsion from the course, as may be decided by the professor.**

**VII. PRIOR LEARNING ASSESSMENT**

**Students who wish to apply for advanced credit in the course should consult with the Co-ordinator of the Law and Security Administration Program. Credit for prior learning will be given upon successful completion of the following:**

1. **Successful completion of the Recruit Training Level One at the Ontario Police College.**
- or**
2. **Experience in a Law Enforcement setting, accompanied by an oral test and written test encompassing the learning outcomes of this course.**



