



El Camino College  
COURSE OUTLINE OF RECORD – Official

<b>Course Acronym:</b>	AJ
<b>Course Number:</b>	170
<b>Descriptive Title:</b>	Constitutional Law for Criminal Justice
<b>Division:</b>	Health Sciences and Athletics
<b>Department:</b>	Administration of Justice
<b>Course Disciplines:</b>	Administration of Justice
<b>Catalog Description:</b>	In this course, students examine the history and development of the United States Constitution and related case law decisions. Emphasis is given to the application of the Constitution as it relates to the administration of justice including free speech, free assembly, use of force, laws of arrest, search, seizure, right to counsel, and due process.
<b>Prerequisite:</b>	
<b>Co-requisite:</b>	
<b>Recommended Preparation:</b>	Eligibility for English 1A
<b>Enrollment Limitation:</b>	
<b>Hours Lecture (per week):</b>	3
<b>Hours Laboratory (per week):</b>	0
<b>Outside Study Hours:</b>	6
<b>Total Course Hours:</b>	54
<b>Course Units:</b>	3
<b>Grading Method:</b>	Letter Grade only
<b>Credit Status:</b>	Credit, degree applicable
<b>Transfer CSU:</b>	Yes
<b>Effective Date:</b>	July 1992
<b>Transfer UC:</b>	No
<b>Effective Date:</b>	
<b>General Education:</b> ECC	
<b>Term:</b>	
<b>Other:</b>	
<b>CSU GE:</b>	
<b>Term:</b>	
<b>Other:</b>	

	<b>IGETC:</b>
	<b>Term:</b>
	<b>Other:</b>
<b>Student Learning Outcomes:</b>	<p><b>SLO #1 The 4th Amendment Search and Seizure</b></p> <p>Students receiving instruction in AJ 170 and who have read handouts, completed written assignments involving factual situations and the application of the constitutional rules of search and seizure, and have participated in classroom discussions will be able to explain several parts of the 4th Amendment including its stated probable cause requirement for warrants for search and seizure, and will be able correctly apply the 4th Amendment in a factual situation.</p> <p><b>SLO #2 Search and Seizure - Supreme Court Decisions</b></p> <p>Students receiving instruction in AJ 170 and who have read handouts, completed written assignments involving factual situations and the application of the constitutional rules of search and seizure, and have participated in classroom discussions will be able to analyze the Miranda decision and related case laws.</p> <p><b>SLO #3 Exclusionary Rule</b></p> <p>Students receiving instruction in AJ 170 and who have read handouts, completed written assignments involving factual situations and the application of the constitutional rules of search and seizure, and have participated in classroom discussions will be able to explain the exclusionary rule, its historical development and how it is applied to challenge searches and seizures conducted by law enforcement agencies.</p>
<b>Course Objectives:</b>	<ol style="list-style-type: none"> <li>1. Explain the history and structure of the United States Constitution.</li> <li>2. Analyze the protections that the United States Constitution provides the people of the United States in the Bill of Rights and 14th Amendment.</li> <li>3. Analyze how various case law decisions have impacted the administration of justice in our society.</li> <li>4. Analyze the concepts of reasonable suspicion, probable cause and the consequent actions that each allow the government to take.</li> <li>5. Apply the concepts of the 4th Amendment and related case law to the legal requirements for making an arrest.</li> <li>6. Analyze the history of the Exclusionary Rule, exceptions to the rule, the "Fruit of the Poisonous Tree Doctrine," and related exceptions.</li> <li>7. Explain the various exceptions to the 4th Amendment requirement for search and arrest warrants.</li> <li>8. Explain the 5th Amendment rights against self-incrimination, the Miranda Rule, and exceptions to the Miranda Admonishment.</li> <li>9. Evaluate the restrictions on the use of force by law enforcement officers.</li> </ol>
<b>Major Topics:</b>	<p><b>I. HISTORY OF THE UNITED STATES CONSTITUTION (3 hours, lecture)</b></p> <ol style="list-style-type: none"> <li>A. History of the Constitution</li> <li>B. The Bill of Rights</li> <li>C. Due Process and the 14th Amendment</li> </ol> <p><b>II. CASE LAW ANALYSIS (2 hours, lecture)</b></p>

1.
  - A. Reading case law citations
  - B. Analyzing findings
    1. Facts
    2. Issues
    3. Holding
    4. Rationale

### **III. THE FIRST AMENDMENT (3 hours, lecture)**

- A. Freedom of the press
- B. Freedom of speech
- C. Freedom of assembly

### **IV. REASONABLE SUSPICION AND PROBABLE CAUSE (3 hours, lecture)**

- A. The "Reasonable Man" standard
- B. Reasonable suspicion defined
- C. Probable case defined
- D. Sources of probable cause
  1.
    1. Personal observation
    2. Evidence
    3. Information
    4. Association

### **V. LAWS OF ARREST (6 hours, lecture)**

- A. Authority to arrest
- B. On-view charges
- C. Arrest warrant
- D. Grand Jury indictment
- E. Probable cause
- F. Arrest by a police officer
- G. Private persons arrest

### **VI. USE OF FORCE BY A POLICE OFFICER (3 hours, lecture)**

- A. Constitutional authority
- B. Reasonable force
  1.
    1. Related case law
    2. Ethical considerations
- C. Consequences for using excessive force

### **VII. SEARCH WARRANTS (3 hours, lecture)**

- A. Elements of a warrant
  1.
    1. Statement of Probable Cause
    2. Summary of Qualifications
    3. Location description

4. Items to be seized
- B. Procedures for obtaining, serving and returning a warrant
- C. Exceptions to the warrant requirement

#### **VIII. REASONABLE EXPECTATION OF PRIVACY (3 hours, lecture)**

- A. "Reasonable" defined by the courts
- B. Exceptions to the reasonable expectation of privacy
  1.
    1. Electronic surveillance
    2. Common areas in households
    3. Audio recording in jails
    4. Interrogation rooms
    5. Police cars
    6. Garbage searches
    7. Abandoned property
- C. Location from which observations are made
  1.
    1. Flyovers and altitude limitations
    2. Backyard
    3. Looking into windows
    4. Public places

#### **IX. EMERGENCY SEARCHES (4 hours, lecture)**

- A. Types
  1.
    1. Persons
    2. Vehicles
    3. Structures
- B. Warrantless entries
- C. Exigent circumstances
  1.
    1. Imminent destruction of evidence
    2. Escape
    3. Armed suspects
    4. Public safety
    5. Aiding injured persons
    6. Murder scene exception
    7. Answering cries for help
    8. Preventing commission of crime
    9. Bomb scares
- D. Use of force to obtain evidence
  1.
    1. Choking or brutality
    2. Use of emetics to induce vomiting
    3. Stomach pump
    4. Surgery
    5. Extraction from mouth
    6. Non-consensual blood test

#### **X. ADMINISTRATIVE SEARCHES (4 hours, lecture)**

- A. Border-customs and immigration
- B. Driving under the influence and other checkpoints
- C. Airport searches

**XI. THE EXCLUSIONARY RULE (4 hours, lecture)**

- A. History: case law review
- B. Consequences of an illegal search
- C. Fruit of the Poisonous Tree Doctrine
- D. Exceptions to the rule
  - 1.
    - 1. Inevitable discovery
    - 2. Public safety
    - 3. Good faith

**XII. THE RIGHT TO COUNSEL (3 hours, lecture)**

- A. Overview of the 6th Amendment
- B. Related case law
- C. Critical stages of prosecution
- D. Indigent person's right to counsel
- E. Counsel during pretrial identification procedures

**XIII. INTERROGATIONS AND CONFESSIONS (6 hours, lecture)**

- A. The 5th and 6th Amendments
  - 1.
    - 1. Self-incrimination
    - 2. Right to counsel
- B. Interrogation tactics
- C. Exceptions to the Miranda Admonition
- D. False confessions leading to wrongful convictions

**XIV. PRISONER/JAIL SEARCHES (2 hours, lecture)**

- A. Legal authority
- B. 4th Amendment exceptions
- C. Safety concerns
- D. Strip searches
- E. Body cavity searches

**XV. COMPULSORY SELF-INCRIMINATION (2 hours, lecture)**

- A. Bodily evidence
  - 1.
    - 1. Fingerprints
    - 2. Hair
    - 3. Deoxyribonucleic Acid (DNA)
    - 4. Blood
- B. Self-reporting laws
  - 1.
    - 1. Income tax returns

	<p>2. Public official disclosure forms</p> <p><b>XVI. PUBLIC SAFETY OFFICERS CONSTITUTIONAL RIGHTS AND LIABILITIES IN THE WORKPLACE (3 hours, lecture)</b></p> <p>A. Freedom of speech in the workplace</p> <p>B. Searches of work spaces/work product</p> <p>C. Mandatory drug testing</p> <p>D. Restrictions on personal liberties</p> <p>E. Discrimination complaints</p> <p>1.</p> <p>1. Sexual harassment</p> <p>2. Hostile work environment</p> <p>3. Protected classes</p> <p>F. California Public Safety Officers Procedural Bill of Rights</p> <p>1.</p> <p>1. Compelled statements</p> <p>2. Due process</p> <p>3. Right to representation</p> <p>4. Statute of limitations</p>
<b>Total Lecture Hours:</b>	54
<b>Total Laboratory Hours:</b>	0
<b>Total Hours:</b>	54
<b>Primary Method of Evaluation:</b>	1) Substantial writing assignments
<b>Typical Assignment Using Primary Method of Evaluation:</b>	Evaluate a case study of a law enforcement officer's use of force incident and prepare a two to three page written analysis addressing the constitutional points, related case law, ethical considerations and possible impact on police-community relations. Submit analysis to the instructor.
<b>Critical Thinking Assignment 1:</b>	Read a case law brief involving issues of search and seizure. Create a two- to three-minute oral/multimedia presentation addressing the facts, findings, issues and rationale of the case. Present to the class.
<b>Critical Thinking Assignment 2:</b>	Using a case study of a constitutional issue assigned by the instructor, prepare a three- to five-page essay in American Psychological Association (APA) format evaluating the issues as outlined in the assignment rubric. Submit essay to the instructor.
<b>Other Evaluation Methods:</b>	Essay Exams, Homework Problems, Multiple Choice, Other Exams, Presentation, Quizzes, Term or Other Papers, True/False
<b>Instructional Methods:</b>	Demonstration, Discussion, Group Activities, Lecture, Multimedia presentations, Role play/simulation
<b>If other:</b>	Internet Presentation/Resources
<b>Work Outside of Class:</b>	Required reading, Skill practice, Study, Written work (such as essay/composition/report/analysis/research)
<b>If Other:</b>	

<b>Up-To-Date Representative Textbooks:</b>	Jacqueline R. Kanovitz. <u>Constitutional Law for Criminal Justice</u> . 15 <sup>th</sup> edition, Routledge, 2019.
<b>Alternative Textbooks:</b>	
<b>Required Supplementary Readings:</b>	
<b>Other Required Materials:</b>	
<b>Requisite:</b>	
<b>Category:</b>	
<b>Requisite course(s): List both prerequisites and corequisites in this box.</b>	
<b>Requisite and Matching skill(s): Bold the requisite skill. List the corresponding course objective under each skill(s).</b>	
<b>Requisite Skill:</b>	
<b>Requisite Skill and Matching Skill(s): Bold the requisite skill(s). If applicable</b>	
<b>Requisite course:</b>	
<b>Requisite and Matching skill(s): Bold the requisite skill. List the corresponding course objective under each skill(s).</b>	
<b>Requisite Skill:</b>	Eligibility for English 1A
<b>Requisite Skill and Matching skill(s): Bold the requisite skill. List the corresponding course objective under each skill(s). If applicable</b>	<b>Ability to read college level text books and interpret a court case brief and to write a college level essay will enhance the students ability to succeed in the course.</b> Write a well-reasoned essay that demonstates application of the academic writing process.
<b>Enrollment Limitations and Category:</b>	
<b>Enrollment Limitations Impact:</b>	
<b>Course Created by:</b>	J. A. Hampton

<b>Date:</b>	09/01/1973
<b>Original Board Approval Date:</b>	
<b>Last Reviewed and/or Revised by:</b>	Dina Mauger
<b>Date:</b>	02/21/2023
<b>Last Board Approval Date:</b>	07/17/2023 effective FALL 2024