HILL COLLEGE  
112 Lamar Drive  
Hillsboro, Texas 76645

COURSE SYLLABUS

Course Prefix and Number  
CRIJ 2323

Course Title  
Legal Aspects of Law Enforcement

Hill College is committed to the principal of equal opportunity in education and employment. The college does not discriminate against individuals on the basis of age, race, color, religion, sex, national origin, disability, or veteran status in the administration of its educational programs, activities, or employment policies.

Catalog Description:

CRIJ 2323 – Legal Aspects of Law Enforcement

Police authority; responsibilities; constitutional constraints; laws of arrest, search, and seizure; police liability.

Lecture Hours: 3  
Lab Hours: 0  
Semester Credit Hours: 3

Prerequisites: None

Introduction and Purpose:

Police authority, responsibilities; constitutional constraints; laws of arrest; search and seizure; police liability; examples of case law that currently affect police decisions will be reviewed. The historical development of the law from its common law origins will be covered in order that the legal aspects can be better understood.

This course is not chronologically dependent upon other Criminal Justice Courses; however the course is an optional part of law enforcement studies. In addition to the basic criminal statutes, it covers statutory criminal procedure as well as recent United States Supreme Court decisions that have forced the amendment of state criminal procedures throughout the United States. It is not only necessary to know of these changes, but it is even more important to know the reasons for the changes. This knowledge is essential to a well-rounded law enforcement officer.

Instructional Materials:

Supplies: Note-taking materials.

Objectives/Student Learning Outcomes:
SCANS are a list of skills developed by the Department of Labor to insure students are trained on necessary skills required by industry. Each objective listed relates to one or more of these skills standards. The translation for these standards is attached to the end of this syllabus.

THIS COURSE IS AN OVERVIEW; THE STUDENT WILL BE RESPONSIBLE TO READ AND RESEARCH IN DEPTH THE SUBJECTS SURVEYED THROUGH ONGOING CONTINUING EDUCATION.

TCLEOSE Basic Training Objectives:
LEARNING OBJECTIVE(S): The student will understand, respect, and apply the U.S. Constitution and Bill of Rights as they pertain to the role of peace officers and the rights of citizens
1. Explain the basis of the U.S. Constitution and Bill of Rights, including special emphasis on the freedom of the individual and human rights.
2. Define Writ of Habeas Corpus.
3. Recall the main concepts of Article 2 and Article 3 of the Constitution.
4. Discuss rights enumerated in Constitutional Amendment I.
5. Discuss rights enumerated in Constitutional Amendment IV.
6. Discuss rights enumerated in Constitutional Amendment V.
7. Discuss rights enumerated in Constitutional Amendment VI.
8. Discuss rights enumerated in Constitutional Amendment VIII.
9. Discuss rights enumerated in Constitutional Amendment IX.
10. Discuss rights enumerated in Constitutional Amendment X.
11. Discuss rights enumerated in Constitutional Amendment XIV.
12. Analyze personal & organizational values relative to police role in relation to the Constitution and Bill of Rights.
   (C5-C7, F6)

LEARNING OBJECTIVE(S): The student will understand, respect, and apply the Texas Constitution and Bill of Rights as they pertain to the role of peace officers and the rights of citizens
1. Defend an individual’s rights proclaimed under Article 1 of the Constitution of the State of Texas.
2. Explain Article 17 of the State Constitution as it relates to the ever-evolving nature of the document.
   (C5-C7, F6)

LEARNING OBJECTIVE(S): The student will have an understanding of the statutory authority for administration of criminal procedure as enumerated by the Texas Code of Criminal Procedure (CCP)
1. Identify the basis for administration of criminal procedure in Texas.
2. Identify the basic rights enumerated in the CCP.
   (C5-C7, F6)
LEARNING OBJECTIVE(S): The student will have an understanding of the general duties and responsibilities for officers as enumerated by the CCP
   1. Identify who are Magistrates and their duties.
   2. Identify who are Peace Officers.
   3. List the duties of peace officers.
   4. List the duties of peace officers relating to Racial Profiling.
   5. List the duties of peace officers relating to Forfeiture of Contraband.
      (C5-C7, F1, F2, F5, F6)

LEARNING OBJECTIVE(S): The student will understand the requirements and procedures for arrests without and with a warrant of arrest
   1. List the duties of officers relating to Arrest Without Warrant.
   2. List the duties of officers relating to Arrest Under Warrant.
      (C5-C7, F1, F2, F5, F6)

LEARNING OBJECTIVE(S): The student will understand the requirements and procedures for search warrants
   1. List the duties of officers relating to Search Warrants.
      (C5-C7, F1, F2, F5, F6)

LEARNING OBJECTIVE(S): The student will understand the legal authorities as they pertain to the role of the peace officer and the rights of citizens regarding arrest
   1. Identify the conditions for arrest.
   2. Explain the circumstances for warrantless arrests.
   3. Explain procedures for obtaining a warrant of arrest.
   4. Identify the process for arresting with a warrant.
   5. Identify suspicious circumstances.
   6. Apply probable cause and related elements.
   7. Identify lawful action to be taken for temporary detention.
   8. Identify circumstances when frisking is permitted.
   9. Distinguish who may be frisked and what may be seized during the frisk.
  10. Identify the categories of evidence for which a search may be conducted.
  11. Identify circumstances which justify a lawful search.
  12. Explain the legal authority of a search warrant.
  13. Identify who and what may be searched as they apply to the consent to search.
  14. Indicate how the exclusionary rule applies.
      (C5-C7, F1, F2, F5, F6)

Program Threads and SCANS Competencies
The curriculum content in all Criminal Justice courses are organized around five general content areas known as program threads.

Program Threads: Communication
                Legal and Ethical Practices
                Effective Helping
                Diversity
                Critical Thinking

These threads are used to formulate content, connect one course of study to another, and provide a structure for evaluation of basic professional skills.
The Secretary’s Commission of Achieving Necessary Skills (SCANS), U.S. Department of Labor, was formed “to encourage a high-performance economy characterized by high-skills, high-wage employment.” Representatives from education, business, labor, and government identified the five competencies that are necessary in the work place.

Programs in the Criminal Justice Department are organized around these competencies and the three part foundational skills that the competencies are based on Learning Activities and outcomes which relate to the SCANS Competencies are identified in the syllabus with C1-20 and/or F1-17 in bold print.

The competencies C1-20 include:

- **Resources**: identifies, organizes, plans, and allocates resources (C1-C4).
- **Information**: acquires and uses information (C5-C8).
- **Interpersonal**: works with others (C9-C14).
- **Systems**: understands complex interrelationships (C15-C17)
- **Technology**: works with a variety of technologies C18-C20).

The foundation competencies F1-F17 include:

- **Basic Skills**: reads, writes, performs arithmetic and mathematical operations, listens and speaks (F1-F6).
- **Thinking Skills**: thinks creatively, makes decisions, solves problems, visualizes, knows how to learn, and reasons (F7-F12).
- **Personal Qualities**: displays responsibility, self-esteem, sociability, self-management, integrity, and honesty (F13-F17).

**Methods of Instruction:**

This course will be taught using traditional lecture with a question and answer period daily, independent study, guest speakers, field trips, periodic quizzes and examinations. Audio-visual materials and computer based technology will be used when appropriate.
Methods of Evaluation:
There will be:
Three (3) intra-semester exams & one (1) Comprehensive Final Exam: weight = 60%
Chapter Quizzes, Class Participation/Special Assignments & Attendance: weight = 40%

Letter grades for the course will be based on the following percentages:
- 90-100 A
- 80-89  B
- 70-79   C
- 60-69   D
- 59-below F

Course Outline:
Class Policies:
A. “Excused and Unexcused” absences are treated exactly the same way as far as attendance policy is concerned except that excused absences allow the student to make up work missed. “Excused” absences will be granted for the following reasons:
   1. Illness
   2. Death in the family
   3. School sponsored events
Excusing an absence for reasons other than those above is the prerogative of each instructor concerned.

B. Warnings are issued after:
   1. Three (3) consecutive hours; or
   2. A total of four (4) hours absent

C. It should be remembered that absences always result in work being missed and, in spite of the best efforts of both the instructor and the student this usually means the grade will suffer.

D. An “Incomplete” grade may be given only in those cases where, because of personal illness, death in the immediate family, school sponsored trips, or military orders, the student is unable to complete the final examination for a course. Prior approval of the instructor is required before the grade of “I” is recorded. A student who merely fails to show up for the final examination will receive a zero (0) for the final and “F” for the course.

   All work must be completed and on time or no credit will be received.

E. Students should consult with their instructor or advisor before dropping a course. Failure to attend class is not tantamount to dropping a course.

F. You may leave a message for me at (254) 659-7980, if you have an emergency.

Disabilities/ADA:
In accordance with the requirements of the Americans with Disabilities Act (ADA) and the regulations published by the United States Department of Justice 28 C.F.R. 35.107(a), Hill College’s designated ADA coordinator, Debra Hargrove, Vice President, Human Resources and Organizational Development, shall be responsible for
Coordinating the College’s efforts to comply with and carry out its responsibilities under ADA. Students with disabilities requiring physical, classroom, or testing accommodations should contact Salley Schmid, Director of Counseling, at (254) 659-7651 or sschmid@hillcollege.edu.

**Course Requirements:**

A. Regular and punctual attendance is expected of all students, and each instructor will maintain a complete record of attendance for the entire length of each course, including online. The Hill College attendance policy will be rigorously enforced. Students will be counted absent from class meeting missed, beginning with the first official day of classes. In the case of online courses, attendance will be determined in terms of participation, as described in the course syllabus.

B. Turn in all assignments on time ~ Students will be permitted to make up class work and assignments missed due to one of the above mentioned absences. It is the student’s responsibility to inform the instructor of the reason for an absence and to do so in a timely fashion.

C. Proper classroom behavior ~ Disturbance in the classroom, which includes talking during class, will not be tolerated. Students disturbing the class will be requested to leave the classroom. **NO texting during class.** Anyone caught texting will have their phone taken up until the end of class.

D. Your first responsibility is scholarship. The grade you receive will be the result of your efforts, not a gift from the instructor.

E. Cheating during tests or where related to a term paper will result in the student being given an “F” for the course.

F. This course is designed to require a steady, continuous effort from the student. A crash-cram policy will not result in the best grade possible.

G. From time-to-time, special library and other assignments may be made to members of the class, individually, and in groups.

H. Students, whether present or absent, are responsible for all material presented or assigned for a course and will be held accountable for such materials in the determination of course grades.

**Topics and Tests:**

- Chapter 1   Introduction to the Law of Evidence and the Pretrial Process
- Chapter 2   The Trial Process
- Chapter 3   Evidence-Basic Concepts
- Chapter 4   Witnesses-Competency and Privileged Communications
- Chapter 5   Witnesses-Lay and Expert
- Chapter 6   Credibility and Impeachment
- Chapter 7   The Hearsay Rule
- Chapter 8   Admissions and Confessions
- Chapter 9   The Exclusionary Rule-Search and Seizure
- Chapter 10  Exclusionary Rule-Identification Procedures
- Chapter 11  Circumstantial Evidence
- Chapter 12  Documentary Evidence and the Right of Discovery
Chapter 13 Physical Evidence
Chapter 14 Photographic, Recorded, and Computer-Generated Evidence
Chapter 15 How to Testify Effectively

Bibliography:

TextBooks:


Periodicals:
The Police News, Police News Publishing Company L.L.C., Galveston, TX

Federal Bureau of Investigation, FBI Law Enforcement Bulletin, Washington, DC

Assessment:
Students will display competence in the course by scoring a satisfactory grade on subjective quizzes and/or tests. The student may be required to make a class room presentation on the subject related to the course material or submit a paper, the length and topic to be approved by the instructor.

1. Students will understand, respect, and apply the Texas Constitution and Bill of Rights as they pertain to the role of peace officers and the rights of citizens.
2. Students will have knowledge and be able to list the general duties and responsibilities for officers as enumerated by the Texas Criminal Code of Procedure.

3. Students will have knowledge of the requirements and procedures for arrests without and with a warrant of arrest.

4. Students will have knowledge the requirements and procedures for search warrants.

5. Students will have knowledge of legal authorities as they pertain to the role of the peace officer and the rights of citizens regarding arrest.
SCANS Skills are grouped in two areas: (1) foundation skills and (2) workplace competencies.

1. **Foundation Skills** are defined in three areas: (a) basic skills, (b) thinking skills, and (c) personal qualities.

   (a) **Basic Skills**: A worker must read, write, perform arithmetic and mathematical operations, listen, and speak effectively. These skills include:
   - Reading: locate, understand, and interpret written information in prose and in documents such as manuals, graphs, and schedules.
   - Writing: communicate thoughts, ideas, information, and messages in writing, and create documents such as letters, directions, manuals, reports, graphs, and flow charts.
   - Arithmetic and Mathematical Operations: perform basic computations and approach practical problems by choosing appropriately from a variety of mathematical techniques.
   - Listening: receive, attend to, interpret, and respond to verbal messages and other cues.
   - Speaking: organize ideas and communicate orally.

   (b) **Thinking Skills**: A worker must think creatively, make decisions, solve problems, visualize, know how to learn, and reason effectively. These skills include:
   - Creative Thinking: generate new ideas.
   - Decision Making: specify goals and constraints generate alternatives, consider risks, and evaluate and choose the best alternative.
   - Problem Solving: recognize problems and devise and implement plan of action.
   - Visualize ("Seeing Things in the Mind's Eye"): organize and process symbols, pictures, graphs, objects, and other information.
   - Knowing How to Learn: use efficient learning techniques to acquire and apply new knowledge and skills.
   - Reasoning: discover a rule or principle underlying the relationship between two or more objects and apply it when solving a problem.

   (c) **Personal Qualities**: A worker must display responsibility, self-esteem, sociability, self-management, integrity, and honesty.
   - Responsibility: exert a high level of effort and persevere toward goal attainment.
   - Self-Esteem: believe in one’s own self-worth and maintain a positive view of oneself.
   - Sociability: demonstrate understanding, friendliness, adaptability, empathy, and politeness in group settings.
   - Self-Management: assess oneself accurately, set personal goals, monitor progress, and exhibit self control.
   - Integrity and Honesty: choose ethical courses of action.

2. **Workplace Competencies** are defined in five areas: (a) resources, (b) interpersonal skills, (c) information, (d) systems, and (e) technology.
(a) **Resources:** A worker must identify, organize, plan, and allocate resources effectively.
   - Time: select goal-relevant activities, rank them, allocate time, and prepare and follow schedules.
   - Money: Use or prepare budgets, make forecasts, keep records, and make adjustments to meet objectives.
   - Material and Facilities: Acquire, store, allocate, and use materials or space efficiently.
   - Human Resources: Assess skills and distribute work accordingly, evaluate performance and provide feedback.

Examples: use computer software to plan a project; prepare a budget; conduct a cost/benefits analysis; design an RFP process; write a job description; develop a staffing plan.

(b) **Interpersonal Skills:** A worker must work with others effectively.
   - Participate as Member of a Team: contribute to group effort.
   - Teach Others New Skills.
   - Serve Clients/Customers: work to satisfy customers' expectations.
   - Exercise Leadership: communicate ideas to justify position, persuade and convince others, responsibly challenge existing procedures and policies.
   - Negotiate: work toward agreements involving exchange of resources, resolve divergent interests.
   - Work with Diversity: work well with men and women from diverse backgrounds.

Examples: collaborate with a group member to solve a problem; work through a group conflict situation; train a colleague; deal with a dissatisfied customer in person; select and use appropriate leadership styles; use effective delegation techniques; conduct an individual or team negotiation; demonstrate an understanding of how people from different cultural backgrounds might behave in various situations.

(c) **Information:** A worker must be able to acquire and use information.
   - Acquire and Evaluate Information.
   - Organize and Maintain Information.
   - Interpret and Communicate Information.
   - Use Computers to Process Information.

Examples: research and collect data from various sources; develop a form to collect data; develop an inventory record-keeping system; produce a report using graphics; make an oral presentation using various media; use on-line computer data bases to research a report; use a computer spreadsheet to develop a budget.

(d) **Systems:** A worker must understand complex interrelationships.
   - Understand Systems: know how social, organizational, and technological systems work and operate effectively with them.
   - Monitor and Correct Performance: distinguish trends, predict impacts on system operations, diagnose deviations in systems' performance
and correct malfunctions.

- Improve or Design Systems: suggest modifications to existing systems and develop new or alternative systems to improve performance.

Examples: draw and interpret an organizational chart; develop a monitoring process; choose a situation needing improvement, break it down, examine it, propose an improvement, and implement it.

(e) **Technology**: A worker must be able to work with a variety of technologies.

- Select Technology: choose procedures, tools or equipment including computers and related technologies.
- Apply Technologies to Task: understand overall intent and proper procedures for setup and operation of equipment.
- Maintain and Troubleshoot Equipment: Prevent, identify, or solve problems with equipment, including computers and other technologies.

Examples: read equipment descriptions and technical specifications to select equipment to meet needs; set up and assemble appropriate equipment from instructions; read and follow directions for troubleshooting and repairing equipment.
3. **SCANS Occupational Assessment**

The know-how identified by SCANS is made up of five competencies and a three-part foundation of skills and personal qualities needed for solid job performance. The rating level ranges from 1 (low) to 5 (high). Please circle your response.

<table>
<thead>
<tr>
<th>COMPETENCY</th>
<th>RATING</th>
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<tbody>
<tr>
<td><strong>Competencies</strong></td>
<td></td>
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<tr>
<td>Resources: Identifies, organizes, plans, and allocates resources.</td>
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<tr>
<td>C1 Time: Selects goal-relevant activities, ranks them, allocates time, and prepares and follows schedules.</td>
<td>1 2 3 4 5</td>
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<tr>
<td>C2 Money: Uses or prepares budgets, makes forecasts, keeps records, and makes adjustments to meet objectives.</td>
<td>1 2 3 4 5</td>
</tr>
<tr>
<td>C3 Materials and Facilities: Acquires, stores, allocates, and uses materials or space efficiently.</td>
<td>1 2 3 4 5</td>
</tr>
<tr>
<td>C4 Human Resources: Assesses skills and distributes work accordingly, evaluates performance, and provides feedback.</td>
<td>1 2 3 4 5</td>
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<tr>
<td><strong>Information</strong>: Acquires and uses information.</td>
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<tr>
<td>C5 Acquires and evaluates information.</td>
<td>1 2 3 4 5</td>
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<tr>
<td>C6 Organizes and maintains information.</td>
<td>1 2 3 4 5</td>
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<tr>
<td>C7 Interprets and communicates information.</td>
<td>1 2 3 4 5</td>
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<tr>
<td>C8 Uses computers to process information.</td>
<td>1 2 3 4 5</td>
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<td><strong>Interpersonal</strong>: Works with others.</td>
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<td>C9 Participates as a member of a team: Contributes to group effort.</td>
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<td>C10 Teaches others new skills.</td>
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<td>C11 Serves Clients/Customers: Works to satisfy customer=s expectations.</td>
<td>1 2 3 4 5</td>
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<td>C12 Exercises Leadership: Communicates ideas to justify position, persuades and convinces others, responsibly challenges existing procedures and policies.</td>
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<td>C13 Negotiates: Works toward agreements involving exchange of resources; resolves divergent interests.</td>
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<td>C14 Works With Diversity: Works well with men and women from diverse backgrounds.</td>
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<td><strong>Systems</strong>: Understands complex interrelationships.</td>
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<tr>
<td>C15 Understands Systems: Knows how social, organizational, and technological systems work and operates effectively with them.</td>
<td>1 2 3 4 5</td>
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<tr>
<td>C16 Monitors and Corrects Performance: Distinguishes trends, predicts impacts on system operations, diagnoses system=s performance, and corrects malfunctions.</td>
<td>1 2 3 4 5</td>
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<tr>
<td>C17 Improves or Designs Systems: Suggests modifications to existing systems and develops new or alternative systems to improve performance.</td>
<td>1 2 3 4 5</td>
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<tr>
<td><strong>Technology</strong>: Works with a variety of technologies.</td>
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<tr>
<td>C18 Selects Technology: Chooses procedures, tools, or equipment, including computers and related technologies.</td>
<td>1 2 3 4 5</td>
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<tr>
<td>C19 Applies Technology to Task: Understands overall intent and proper procedures for setup and operation of equipment.</td>
<td>1 2 3 4 5</td>
</tr>
<tr>
<td>C20 Maintains and Troubleshoots Equipment: Prevents, identifies, or solves problems with equipment, including computers and other technologies.</td>
<td>1 2 3 4 5</td>
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## Basic Skills

**F1** Reading: Locates, understands, and interprets written information in prose and in documents such as manuals, graphs, and schedules.

**F2** Writing: Communicates thoughts, ideas, information, and messages in writing; creates documents such as letters, directions, manuals, reports, graphs, and flow charts.

**F3** Arithmetic: Performs basic computations; uses basic numerical concepts such as whole numbers, etc.

**F4** Mathematics: Approaches practical problems by choosing appropriately from a variety of mathematical techniques.

**F5** Listening: Receives, attends to, interprets, and responds to verbal messages and other cues.

**F6** Speaking: Organizes ideas and communicates orally.

## Thinking Skills

**F7** Creative Thinking: Generates new ideas.

**F8** Decision Making: Specifies goals and constraints, generates alternatives, considers risks, and evaluates and chooses best alternative.

**F9** Problem Solving: Recognizes problems and devises and implements plan of action.

**F10** Seeing Things in the Mind’s Eye: Organizes and processes symbols, pictures, graphs, objects, and other information.

**F11** Knowing How to Learn: Uses efficient learning techniques to acquire and apply new knowledge and skills.

**F12** Reasoning: Discovers a rule or principle underlying the relationship between two or more objects and applies it when solving a problem.

## Personal Qualities

**F13** Responsibility: Exerts a high level of effort and perseveres towards goal attainment.

**F14** Self-Esteem: Believes in own self-worth and maintains a positive view of self.

**F15** Sociability: Demonstrates understanding, friendliness, adaptability, empathy, and politeness in group settings.

**F16** Self-Management: Assesses self accurately, sets personal goals, monitors progress, and exhibits self-control.

**F17** Integrity/Honesty: Chooses ethical courses of action.