



**DEPARTMENT OF CRIMINAL JUSTICE**

**Andrew Young School of Policy Studies**

Georgia State University

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**Criminal Evidence**

**CRJU 4770 (CRN: 92255)**

**Syllabus – Fall Semester 2023 – Minimester II**

**Instructor:** Cyntoria Johnson

**Class Day/Time:** Asynchronous (100% online)

**Email:** [cjohnson5@gsu.edu](mailto:cjohnson5@gsu.edu)

**Class Location:** iCollege Learning System

**Virtual Office Hours:** Sign up on iCollege for Appointment (under the “Webex” menu tab)

**Course Description:** This course provides a general overview of the law of evidence applicable to the adjudication of criminal cases. The course examines the criminal justice trial process and traces the historical development of the basic evidentiary rules and standards used in criminal proceedings. Students will analyze the rules and procedures governing the collection, admissibility and presentation of evidence. We will examine the rights afforded under the United States Constitution and the rules of evidence set forth by the Federal Rules of Evidence as well as various state law distinctions. Specific topics of discussion will include, but are not limited to, relevance, witness competency, privileges, the exclusionary rule, hearsay and its exceptions.

**Course Objectives:** Upon successful completion of this course, students will demonstrate abilities to:

1. Describe the history and development of the law of criminal evidence;
2. Explain the basic rules of evidence applicable to criminal prosecutions and their exceptions;
3. Analyze the rationale behind the various evidentiary rules and standards;
4. Discuss the constitutional and statutory authority for criminal evidentiary rules, including the Federal Rules of Evidence and the Federal Rules of Criminal Procedure;
5. Distinguish the various types of evidence and their admissibility in court; and
6. Apply evidentiary law to real and hypothetical case scenarios.

**Course Pre-Requisites:** There are no prerequisites to enroll in this course. However, CRJU 1100 Introduction to Criminal Justice, CRJU 2700 American Criminal Courts, and CRJU 4760 Criminal Procedure provide a solid foundation for the content we will study in this course.

**Required Text:**

1. Lippman, Matthew, [Criminal Evidence](#), Thousand Oaks: SAGE Publications Inc., 2016. (There is no need to purchase this text. It is available for free through the [GSU Library](#)).
2. *Federal Rules of Evidence* available at <https://www.rulesofevidence.org/> or <https://www.law.cornell.edu/rules/fre>

**Minimum Technical Requirements:** This course is taught as a fully online asynchronous course. Students enrolled in this course must be able to:

- **Internet:** For info on help with device options and internet access, visit [Technology Access](#).
- **iCollege:** Check iCollege regularly for content, deadlines, and announcements. Make sure you have the technology capable of working with iCollege: [Review Recommended Technology](#).
- **Software:** Create and submit assignments using Microsoft Word, PowerPoint, and PDF;
- **Communication:** The best way to reach your instructor is via email [cjohnson5@gsu.edu](mailto:cjohnson5@gsu.edu). Please use your GSU student email account (do not use the iCollege email feature).
- Collaborate with others and present using programs such as WebEx, Zoom, Voicethread.

**Course Format:** In order to attend this course, you'll need to engage with all learning materials and activities within the course modules. Each part of this course builds on previous material, so missing modules and elements can interfere with success in future modules. You should engage with each module in order. All readings, links and assignments will be posted on iCollege on Mondays, and all work is due by the following Sunday at 11:59 pm in the appropriately labeled Discussion Thread or Assignment Dropbox folder. Be sure to double check your work using spell/grammar check, Turnitin.com and Grammarly.com before submitting. This is a 4000-level college course, and I expect clear and organized writing with correct grammar, spelling, punctuation, and (when applicable) proper attribution to your sources, etc. All assignments must be submitted on iCollege by the deadlines posted within each weekly module. NO LATE, INCOMPLETE, OR EMAILED WORK WILL BE ACCEPTED.

**Course Requirements:** Your final grade in this course will be based on the following:

Quizzes	15%
CALI Lessons	15%
Discussions	20%
Case Briefs	20%
Final Exam	30%

**Participation/Engagement**— Student engagement is vital to your successful completion of this online course. Students are expected to actively participate in this course and engage with the material throughout the semester. Students who are successful in this course login to iCollege daily and check their GSU email frequently. It is imperative that you access and read the announcements and assigned course materials so that you can engage meaningfully in the discussion threads. You are expected to act *professionally* in the online learning environment, which includes but is not limited to being prepared, participating in civilized and respectful discussions, actively taking notes and engaging with the material. Students will fairly consider the viewpoints of others and respectfully allow others to express their viewpoints in the discussions.

**Discussions**— Online discussions help foster a collaborative learning environment and provide opportunities for us to engage outside the typical classroom setting and consider different perspectives among your peers. Discussion threads will allow students to practice effective writing skills and enhance critical thinking. To earn full credit, each student must submit online discussion posts (an original post and two reply posts) to the substantive writing prompts that will be assigned throughout the semester (due Sundays 11:59 pm). The first post should be your own meaningful and relevant comment on the question presented (min 100 words). The second and third posts should be thoughtful responses to at least two other classmates' posts (min 50 words each). Successful students respond to discussion questions early in the week and check for new responses throughout the week. All posts should be substantive in content, responsive to the writing prompts, thoughtful and well-written. See iCollege for detailed instructions, grading rubric and the weekly question prompts.

**Quizzes**— Reading the course materials and preparing independently for class are essential for your successful completion of this online course. To that end, there will be short, timed quizzes given online each week (10 minutes each) covering content from each module. Quizzes must be completed on iCollege by Sundays 11:59 pm.

- ***No Show Quiz Policy***: Your first quiz of the semester covers the syllabus. Since this is a fully online course, students must complete the syllabus quiz by the posted deadline in order to access the course content. Failure to complete the quiz during Week One will result in being dropped from the course for no-show.

**CALI Lessons**— CALI lessons are interactive tutorials designed to help law students improve their knowledge of legal concepts through a process of presenting a concept and then immediately testing them on it. Studies have shown that this is one of the most effective ways to learn and *retain* knowledge. (From cali.org). Follow the instructions on iCollege to register for CALI. Links to the assigned CALI lessons can be found in each module for the various topics we will cover throughout the semester. To receive credit for these assignments, students must complete the assigned CALI lessons in their entirety and upload their "Certificate of Completion" (as a PDF file) to iCollege by the deadline (Sundays by 11:59 pm). Be sure to read the instructions carefully and answer all the questions in each lesson. Late/incomplete/emailed work will not be accepted, and no credit will be given.

**Case Briefs**— The essence of criminal evidence is primarily found in FRE/FRCP and judicial decisions. You will be assigned selected landmark U.S. Supreme Court decisions to brief throughout the semester. Students must complete written case briefs and submit in the appropriate iCollege Dropbox folder by the deadline (Sunday by 11:59 pm). Check iCollege for specific instructions on the proper IRAC format. Late/incomplete/emailed work will not be accepted, and no credit will be given.

**Final Exam**— There will be one cumulative examination at the end of this course. It will cover the assigned course content and will consist of some combination of multiple choice, true-false, and/or short essay questions.

**Make-up Exam Policy:** Online coursework is unique in that it does not require your physical presence in the classroom setting and all assignments can be completed online. Every effort should be made to complete your assignments and submit scheduled exams as scheduled. Make-up work is only allowed in the most exceptional, unforeseen, and unavoidable circumstances (excused absences only) by making prior arrangements directly with the instructor. You must contact the instructor prior to the assignment deadline with a legitimate, documented, and verifiable reason for your absence. To be considered for a makeup opportunity, you must provide appropriate documentation (e.g., jury summons, military orders, etc.) to the instructor via email [cjohnson5@gsu.edu](mailto:cjohnson5@gsu.edu) no later than 24 hours of your absence. For medical or COVID-related absences, follow the notification protocols from the [Office of the Dean of Students](#). Please note that discussion assignments are not eligible for makeups as they require timely interaction among peers (similar to missing class participation in a face-to-face classroom). All other make-up assignments/exams, if approved, will be scheduled at the instructor's convenience.

**Exam Conflicts:** Students are not required to take clustered exams during the final exam period (more than two examinations within one 24-hour period). If you have a clustered exam situation, you must inform me in writing at least 14 days before the beginning of the final exam period so that we can make special arrangements for you to take the final exam. No special arrangements will be made if you fail to submit a timely conflict letter.

**Grade Adjustments/Scale:** Assessment scores will be updated weekly throughout the semester. You can access your grades on iCollege throughout the semester. If you have questions, feel free to make an appointment on iCollege for virtual office hours to discuss your performance in the course. If you believe there is an error in your grade, you should discuss this with me first. With the exception of correcting an arithmetic error, grades will NOT be adjusted. The following grading scale will apply to your overall grade:

A+ = 97 – 100	B+ = 87 – 89	C+ = 77 – 79	D = 60 – 69
A = 93 – 96	B = 83 – 86	C = 73 – 76	F = 59 and below
A- = 90 – 92	B- = 80 – 82	C- = 70 – 72	

My due date to turn in grades is **Dec 14**. Grades are available to students via PAWS on **Dec 15**.

**Email Etiquette:** I expect professional decorum in both the in-person and online learning environment as well as your communications via email. First, please double-check the syllabus and iCollege for the answer to your question **prior to** emailing your instructor. I will not respond to emails requesting information that is already provided on the syllabus and/or posted on iCollege. If you have a general question regarding the course material, consider using the Class Q & A Forum so that everyone can get the benefit of the response. If you have a private question or concern, then please email me directly at [cjohnson5@gsu.edu](mailto:cjohnson5@gsu.edu). DO NOT use the email feature on iCollege, and DO NOT use my old student email address. I will not respond to these. I teach several courses with hundreds of students each semester, so **please include your course name (CRJU 4770) in the subject line of every email** so that I know who you are and can respond accordingly. Please use correct English, appropriate punctuation, and overall professionalism when corresponding with me via email. Do not send multiple emails regarding the same issue. Please allow at least 48 business hours for an email response.

**Intellectual Property Policy:** The selling, sharing, publishing, presenting, or distributing of instructor-prepared course lecture notes, videos, audio recordings, or any other instructor-produced materials from any course for any commercial purpose is strictly prohibited unless explicit written permission is granted in advance by the course instructor. This includes posting any materials on websites such as Chegg, Course Hero, OneClass, Stuvia, StuDocu and other similar sites. Unauthorized sale or commercial distribution of such material is a violation of the instructor's intellectual property and the privacy rights of students attending the class and is prohibited.

**Accessibility:** Students who wish to request accommodation for a disability may do so by [registering with the GSU Access & Accommodations Center](#) (AACE). Students may only be accommodated upon issuance of a signed Accommodation Plan by Access and Accommodations Center. Students are responsible for providing a copy of that plan to instructors of all classes in which an accommodation is sought. For more information, contact AACE located at Student Center East, Suite 205, 55 Gilmer Street, Atlanta, GA 30303. Phone: 404-413-1560 Email: [access@gsu.edu](mailto:access@gsu.edu)

**Technology Problems:** For problems with iCollege, the GSU Library, or of a more personal nature (e.g., getting your internet or laptop to work), contact the experts at the [GSU technology services help desk](#), email [help@gsu.edu](mailto:help@gsu.edu), or call 404-413-4357

**Inclusivity Statement:** We understand that students in our program come from a variety of backgrounds and perspectives. AYSPS is committed to providing a learning environment that respects and values diversity. To build this community we ask all members to:

- Share their unique experiences, values and beliefs
- Be open to consider the views of others
- Honor the uniqueness of their colleagues and their perspectives
- Appreciate the opportunity that we have to learn from each other in this community
- Value each other's opinions and communicate in a respectful manner
- Keep confidential discussions that the community has of a personal (or professional) nature.

**Academic Dishonesty:** Students must adhere to the Georgia State University [Code of Conduct](#), the [Student Handbook](#), and the [Policy on Academic Honesty](#). You are expected to know and abide by these policies. Please take some time to refresh yourself with these rules on academic integrity and ethics. Cheating includes presenting another's work as your own, presenting previous work as work done in this semester, copying the work of another, working on homework, mini-exams, or project with others, etc. Unauthorized collaboration means working with someone or getting assistance from someone (a classmate, friend, etc.) without specific permission from the instructor on any assignment (e.g., exam, paper, homework, quiz) that is turned in for a grade. Be advised that posting screenshots or the text of mini-exam or homework questions in GroupMe or any other communication platform is considered unauthorized collaboration and a violation of academic honesty. Students found to be using a communication platform to harass or intimidate fellow students will be referred to the Dean of Students office for disciplinary action under the Student Code of Conduct. Students who engage in academic dishonesty and violate these policies will receive an automatic F in the course and will be subject to disciplinary penalties imposed by the University.

<b>MINIMESTER SCHEDULE OF TOPICS<sup>1</sup></b>			
<b>Week</b>	<b>Begin Date (Mon 9:00 am)</b>	<b>Due Date (Sun 11:59 pm)</b>	<b>Topic</b>
Drop/Add Week	Aug 21	Aug 27	Complete the Getting Started Module (Course Introductions, Syllabus Quiz)
1	Oct 9	Oct 15	History and Development of Evidence Law
2	Oct 16	Oct 22	Types of Evidence Authentication and Best Evidence Rule
3	Oct 23	Oct 29	Witnesses Scientific Evidence
4	Oct 30	Nov 5	Testimonial Privileges
5	Nov 6	Nov 12	The Hearsay Rule and its Exemptions/Exceptions
6	Nov 13	Nov 19	Character Evidence
	Nov 20	Nov 26	Thanksgiving Week (No Classes) Start Reviewing for the Final
7	Nov 27	Dec 3	The Exclusionary Rule
8	Dec 4	Dec 7	Final Exam Review Module
	Dec 7	Dec 8 (Fri)	Complete the Final Exam

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<sup>1</sup> This syllabus includes the proposed schedule in which we will cover the material in this course. I anticipate that we will closely follow this schedule throughout the semester. However, we may need to make adjustments to the syllabus as the semester progresses (e.g., shift reading assignments around, slow down to cover certain material in more detail, cancel a class, add a review session, or incorporate additional information as needed). Please be flexible and consider yourself on notice that we may need to make adjustments from time to time.



## University and Criminal Justice Departmental Policies

1. **Disruptive Conduct:** Students should familiarize themselves with the University's policy on disruptive conduct as described in the online undergraduate and graduate Catalogs. Cell phones and pagers are considered disruptive and should be turned off before class.
2. **Academic Dishonesty:** In the event of academic dishonesty, policies stated in the GSU General Catalog will be followed. Cheating includes presenting another's work as your own, presenting previous work as work done in this semester, copying the work of another, etc. If you have any questions about whether an activity is cheating, refer to your student handbook or see the instructor. The instructor will determine the sanction for dishonest behavior. Academic Dishonesty may result in an F for the course and may result in suspension or expulsion from the College. For complete details on GSU's Policy on Academic Honesty, please refer to the online undergraduate and graduate catalogs.
3. **Disability Statement:** Students who wish to request accommodation for a disability may do so by registering with the Office of Disability Services. Students may only be accommodated upon issuance by the Office of Disability Services of a signed Accommodation Plan and are responsible for providing a copy of that plan to instructors of all classes in which an accommodation is sought. [Office of Disability Services is located in the Student Center, Suite 230].
4. **New W/WF Policy:** As of Fall 2006 semester, all undergraduate students are allowed to withdraw with a grade of W a maximum of six (6) times in their entire careers at Georgia State. Students who exceed the limit will automatically receive a grade of WF. (WFs count as Fs for GPA calculation purposes.) Withdrawals taken before Fall 2006 will not count against the limit and neither will hardship withdrawals, military withdrawals, withdrawals at other institutions, or withdrawals after the midpoint. (Withdrawals after the midpoint are automatically given a grade of WF.) Please note, the instructor of a course will not decide whether a student who withdraws before the midpoint receives a W or a WF. Instead, students with less than 6 withdrawals will automatically receive a W and students with 6 or more withdrawals will automatically receive a WF.
5. **Plus/Minus Grading Policy:** The Department of Criminal Justice & Criminology voted to use plus/minus grading in criminal justice courses. The specific grading scale is set by the instructor.
6. **Online Course Evaluations:** Your constructive assessment of this course plays an indispensable role in shaping education at Georgia State. Upon completing the course, please take time to fill out the online course evaluation.
7. **AYS Career Services and Student Life Office:** The Andrew Young School provides career support & leadership development services to all current AYS students and alumni. Students are invited to attend our career events and workshops, and are encouraged to schedule career counseling appointments with University Career Services in the Student Center. Graduate students can make individualized career counseling appointments with Ms. Colleen Perry, the Director of AYS Career Services office. These efforts with Career Services can help students with resume writing, interviewing, job searching, internship development, and networking. To see what career panels, career fairs, and events are available this semester, please visit: <https://www.schedulicity.com/Scheduling/Default.aspx?business=AYC75T#/services> . The office also supports all AYS student clubs and organizations – so read about the various groups within the college, and join one today: <http://career.aysps.gsu.edu/organizations> . Make the most of your education by utilizing these great resources. *The AYS Career Services & Student Life office is located on the ground floor of the Andrew Young Building, in room G47-51.*