Criminal Evidence 8th edition Garland Solutions Manual

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Instructor's Manual to Accompany Criminal Evidence, Eighth Edition
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[1] 8th edition updated by Christopher McFarlin

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Program Overview

Instructional Design

The eighth edition of *Criminal Evidence* presents the basic concepts of criminal evidence applied to the criminal justice workplace. The primary audience for this text is composed of students in two- and four-year law enforcement career-track programs. These students typically are pursuing, or active in, careers in policing, corrections, and security.

Criminal Evidence, Eighth Edition, includes descriptions of the trial process; types of evidence; and the rules relating to relevance, hearsay, documentary evidence, qualifications of witnesses, privileges, presumptions, judicial notice, photographs, and character. The text also presents the principles relating to the impact of the Constitution of the United States on the admissibility of evidence (i.e., search and seizure, admissions and confessions, the right to counsel, and identification procedures). Finally, the text presents the principles relating to the law enforcement officer as the witness.

This text is written in a clear, lively, and personal style to appeal to criminal justice professionals and students. Special attention is given to helping students understand the legal aspects of the principles relating to the admissibility of evidence at a criminal hearing or trial. Students often perceive the law as a complex of incomprehensible rules with uncertain application in the workplace. In *Criminal Evidence*, Eighth Edition, when an evidence principle is presented, an example or application to the real world of law enforcement immediately follows. Relevant court decisions that affect the admissibility of evidence are discussed in the text, but only to the extent necessary to illustrate the rules. All program components fit into an integrated learning system that helps students learn and apply important course concepts.

Integrated Learning System

Each chapter has been revised and updated to promote effective instructional practices and increased student comprehension of the concepts presented. Included in this edition are chapter learning objectives, bold-faced key terms, and the key terms' definitions in the margins. An integrated learning system ties the chapter objectives from the chapter opener to the chapter heading structure through to the expanded end-of-chapter exercises. These learning aids help students focus on the important concepts to be learned. Within the chapter, content is broken down into appropriately sized sections that students can absorb with ease.

For maximum flexibility, the content material is divided into 15 chapters that can be easily customized for quarter or semester study.

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Visual Learning Aids

Included in the eighth edition of *Criminal Evidence* is a comprehensive visual learning program. The chapter-opening photograph sets the stage for the new visual learning program, while photographs and artwork within the chapter help students visualize the concepts presented. Two-color charts, tables, and figures provide students with the latest relevant information. Maps clearly show students which states have adopted the various rules of evidence.

High-Interest Boxed Features

This edition contains high-interest boxed features that enhance the instructional impact of the content. These features reinforce and extend the chapter concepts and provide practical connections for the law enforcement officer.

- "Application Case" boxes present a short description and analysis of a key case that applies the concept discussed in the text. These cases illustrate an application or extension of the rule being discussed in the text.
- "On the Job" boxes highlight no-nonsense, practical pointers from the field that will assist students when they join the law enforcement team.
- "FYI" (short for "For Your Information") boxes contain interesting sidelights related to the chapter content.
- "Myth–Fact" boxes juxtapose common misconceptions about pertinent issues and the true story behind them.

Critical Thinking Exercises

The expanded end-of-chapter exercises include a series of real-world critical thinking exercises that are divided into three categories: Thinking Critically About Evidence, Workplace Applications, and Ethical Dilemma(s). These exercises are correlated to the SCANS (Secretary's Commission on Achieving Necessary Skills) competency guidelines as applied to the job of a law enforcement officer. They offer opportunities to connect knowledge and skills to the workplace. A correlation chart appears in the *Instructors Resource Manual.*

- "Thinking Critically About Evidence" exercises help students develop an understanding of evidence issues that can be used on the job. They include scenarios that focus on the practical evaluation of evidence during an investigation or in preparation for a hearing or a trial.
- "Workplace Applications" exercises present students with law enforcement scenarios in which they must analyze a situation and make a choice, solve a problem, or decide on a course of action.
- "Ethical Dilemma(s)" exercises confront students with situations presenting ethical dilemmas that can arise in the workplace. Students must make a decision or propose a

Criminal Evidence 8th edition Garland Solutions Manual

course of action.

Additional Program Components

Criminal Evidence, Eighth Edition, consists of a complete teaching/learning program suitable for a variety of instructional and learning styles. The program includes the following components:

- Instructor Resources available for download from the textbook's companion website (password protected), including an instructor's manual, test bank, and PowerPoint presentation package
- Online Learning Center Website with self-grading quizzes, an interactive glossary, and links to relevant websites

Criminal Evidence Instructor Resources available on the Online Learning Center

The Instructor Resources allow the instructor to conduct a multimedia interactive classroom presentation of the concepts in Criminal Evidence, Eighth Edition, as well as evaluate students' grasp of the concepts presented. The resource center site, available free of charge to any instructor, can be accessed at http://highered.mheducation.com/sites/1259920607. The resources include the following components:

- Test Bank
- Instructor's Manual
- PowerPoint Presentations - This presentation package contains 820 lecture screens, graphics, and color images that can be used to introduce or reinforce the chapter content.

Criminal Evidence 8th edition Garland Solutions Manual

Chapter 1: Introduction to the Law of Evidence and the Pretrial Process

Lecture Outline

I. Introduction to the Rules of Evidence: Definition of Evidence

II. The Rules of Evidence
  A. History of Trial by Jury

III. Introduction to the Law of Evidence and the Pretrial Process
  A. Development of the Rules of Evidence

IV. Overview of the Court Process: The Pretrial Process

V. Participants in the Criminal Justice System
  A. Law Enforcement Personnel
  B. Prosecution and Defense
  C. Courts
  D. Correctional Institutions and Agencies

VI. The Pretrial Court Process
  A. Arrest
  B. Bail
  C. Plea Bargaining
  D. Charging the Crime
  E. Arraignment and Plea
  F. Pretrial Motions
  G. Pretrial Issues for the Law Enforcement Professional

VI. Review and Application

Suggested Answers to the Critical Thinking Exercises

Workplace Applications

1. The officer should place the knife in a plastic bag that can be securely sealed. The officer should write out a tag containing such information as the officer's name, the date, time,

Criminal Evidence 8th edition Garland Solutions Manual

and other details of the crime and crime scene. The officer should firmly attach the tag to the bag containing the knife so that the tag is permanently affixed. Then the officer should log the tagged bag containing the knife into the evidence locker at the station house. Alternatively, if the officer has a personal evidence locker, which only he or she has access to, the officer can place the knife in the locker for maintenance of undisturbed custody.

2. The prosecutor cannot order any witness for the prosecution to refuse to speak with the defense counsel. However, any witness may refuse to speak to the opposing counsel, and there are some good reasons why an officer who is going to testify at a preliminary hearing might refuse to speak to the lawyer for the accused. One of the primary goals of the defense lawyer is to get as much information from the officer, for the purpose of learning more about the prosecution's case and to trip up the officer when the officer is on the witness stand. Also, the purpose of the preliminary hearing is to show probable cause, not to provide discovery of the case to the defense. All of these factors suggest that the law enforcement officer should be as tight-lipped as possible when contacted by the defense counsel before appearing to testify, perhaps even refusing to talk to the counsel.

   On the other hand, there are reasons that support an officer's decision to speak with the defense and to not be too tight-lipped. The prosecution is under an obligation to reveal most of the information to the defense before trial by way of discovery, especially all information that is helpful to the defense. Therefore, the defense is bound to learn the content of the officer's testimony sooner or later. By refusing to speak to the defense counsel, an officer gives the lawyer ammunition to make the officer appear to be hiding something. If the officer is careful to answer only the questions asked by the counsel, does not volunteer information, gives truthful responses, and says "I don't know" rather than guessing, the officer can avoid serious problems on the witness stand. A defense attorney's job is to zealously represent the accused, but the law enforcement officer should have nothing to hide if he or she is truthful. Part of the job of the law enforcement officer is to withstand scrutiny while on the witness stand as well as off the witness stand. The law enforcement officer should learn to expect and meet such a challenge on a routine basis and not be afraid to speak the truth.

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