

Constitutional Law- WIDOJ Course Requirements

W

**Certification Track Student Candidate Name:** Click here to enter text.

**Course #** Click here to enter text.

**Semester:** Click here to enter text.

**WIDOJ Areas Covered During this Course:**

Constitutional Law - 30 hours

Choose an item. **Student Successfully Met Certification Track Requirements for this Course**

Choose an item. **Documentation of Attendance** (number of hours absent during the program)

Student was absent for not more than 10% of the course or core material.

**Examination results (scores)** \*Retake only necessary if applicable

Choose an item.A. Constitutional Law:

Retake of exam if necessary: Click here to enter text.

Choose an item. Required competencies and learning objectives issued via instructor syllabus per WIDOJ requirements.

Choose an item. Student acknowledgement of course grading, attendance requirements, and disciplinary

procedures.

|  |  |
| --- | --- |
| ***\*\*\*There are no Mandatory PAT’s for this Course\*\*\****  Choose an item. **Completed the below listed core competencies during the semester:**  **Competencies** | |
| **II-A-1 Diagram the structure of the criminal justice system.** | |
|  | *You will demonstrate your competence:* |
|  | * by creating a diagram of the structure of the criminal justice system |
|  | *Your performance will be successful when:* |
|  | * the diagram shows units of the criminal justice system |
|  | * each unit marker lists examples of included agencies |
|  | * the diagram the diagram shows how various units of the system are related |
|  | * the diagram uses arrows to convey how the system works |
|  | * units are arranged in a pattern that best represents the information |
|  | * the diagram includes enough units to adequately represent the system |
|  | * the diagram is neat, legible, free of errors and has a professional look |
|  | * the diagram is turned in, with a scoring guide, by the assigned due date |
|  | **Learning Objectives** |
|  | II-A-1.1 Describe the various sources of law and their interrelationships. |
|  | II-A-1.2 Describe the various levels of municipal, state and federal courts, their interrelationships and the burdens of proof required for conviction at each level. |
|  | II-A-1.3 Describe the Bill of Rights, primarily the 4th, 5th, 6th, and 8th amendments, and the 14th amendment. |
|  | II-A-1.4 Describe the roles of judges, juries, prosecutor and defense attorneys, probation and parole officers, and correctional officers. |
|  | II-A-1.5 Define legal terminology relevant to law enforcement. |
| **II-A-2 Identify situations where constitutional rules are applicable.** | |
|  | *You will demonstrate your competence:* |
|  | * by preparing a written outline of the situations where officers have violated Constitutional rules |
|  | *Your performance will be successful when:* |
|  | * outline is prepared using the standard outline format |
|  | * outline includes at least seven types of rule violations |
|  | * outline includes only relevant and necessary details |
|  | * outline is written in clear phrases or sentences that describes behavior that violates a rule and an analysis of what rule is being broken |
|  | * outline is well organized and uses at least first and second level headings |
|  | * outline evidences correct grammar, punctuation, and spelling |
|  | * outline is prepared in advance of the due date/time and student participates in classroom discussion |
|  | **Learning Objectives** |
|  | II-A-2.1 Describe the purposes of the 4th amendment and possible sanctions for violating it. |
|  | II-A-2.2 Describe the purposes of the 5th amendment and possible sanctions for violating it. |
|  | II-A-2.3 Describe the purposes of the 6th amendment and possible sanctions for violating it. |
|  | II-A-2.4 Describe the purposes of the 8th amendment and possible sanctions for violating it. |
|  | II-A-2.5 Describe the purposes of the 14th amendment and possible sanctions for violating it. |
|  | II-A-2.6 Describe the Exclusionary Rule and Fruit of the Poisonous Tree Doctrines and their ramifications. |
| **II-A-3 Identify situations where an officer may use reasonable suspicion to contact a subject.** | |
|  | *You will demonstrate your competence:* |
|  | * by writing and acting out a scenario involving an officer contacting a subject based on reasonable suspicion. |
|  | *Your performance will be successful when:* |
|  | * scenario is appropriate to the situation |
|  | * scenario facts as portrayed lead viewers to the appropriate conclusion about the officer's actions |
|  | * scenario presents an appropriate level challenge to the class |
|  | * scenario portrayal follows the script presented to the instructor |
|  | * officer dialog is descriptive enough to convey information to the class |
|  | * scenario correctly portrays a situation that either meets or does not meet the standard of reasonable suspicion |
|  | * role-play meets the time requirements |
|  | * audience can easily see and hear the role-play |
|  | * team is prepared, paperwork is completed and turned in with scoring guide at the assigned presentation time. |
|  | **Learning Objectives** |
|  | II-A-3.1 Review the facts of the landmark case, Terry V. Ohio. |
|  | II-A-3.2 Define reasonable suspicion as it relates to the "stop" of a person. |
|  | II-A-3.3 Define reasonable suspicion as it relates to the "stop" of a vehicle. |
|  | II-A-3.4 Identify the limits on subject identification, stop duration, and subject movement. |
|  | II-A-3.5 Describe the justification and scope of a frisk conducted subsequent to a Terry stop. |
| **II-A-4 Identify the elements of a lawful arrest.** | |
|  | *You will demonstrate your competence:* |
|  | * by preparing an arrest warrant affidavit based on a simulated situation |
|  | * by drafting and acting out a scenario involving an officer arresting a subject based on probable cause |
|  | *Your performance will be successful when***:** |
|  | * affidavit establishes probable cause to believe the named person committed a particular crime |
|  | * affidavit details how the officer establishes probable cause |
|  | * affidavit describes specifically the person to be arrested |
|  | * affidavit adequately addresses each element of the crime |
|  | * affidavit is written in a logical and easy to understand way |
|  | * affidavit is typed, neat, uses correct grammar and is free of errors |
|  | * affidavit is turned in with a completed scoring guide, by the assigned due date |
|  | * scenario is appropriate to the assignment |
|  | * scenario facts as portrayed lead viewers to the appropriate conclusion about the officer's actions. |
|  | * scenario presents an appropriate level challenge to the class. |
|  | * scenario portrayal follows the script presented to the instructor. |
|  | * narrator dialog is descriptive enough to convey information to the class. |
|  | * scenario correctly portrays a situation that either meets or does not meet the standard of probable cause. |
|  | * role-play meets the time requirements. |
|  | * audience can easily see and hear the role-play. |
|  | **Learning Objectives** |
|  | II-A-4.1 Define probable cause as it relates to the arrest of a person. |
|  | II-A-4.2 Develop probable cause for violations based on simulated situations. |
|  | II-A-4.3 Differentiate between a frisk of a person stopped under Terry and a search of a person incident to arrest. |
|  | II-A-4.4 Describe the requirements and procedure for making an arrest with and without a warrant. |
|  | II-A-4.5 Identify the extent to which force may be used when conducting an arrest. |
|  | II-A-4.6 Describe the jurisdiction of a peace officer and where an arrest may occur. |
|  | II-A-4.7 Describe fresh pursuit and its effect on an officer's jurisdiction. |
|  | II-A-4.8 Explain the authority to use force to make arrests with or without a warrant. |
| **II-A-5 Identify search-related activities where the 4th amendment is not applicable.** | |
|  | *You will demonstrate your competence:* |
|  | * by completing an analysis of several search-related activities and documenting in a written analysis paper where the 4th amendment is not applicable |
|  | *Your performance will be successful when:* |
|  | * report identifies the main search related themes that are addressed by the 4th amendment |
|  | * report includes a description of the most common search-related activities not covered by the 4th amendment |
|  | * report clarifies exactly why the 4th amendment is not applicable in the above mentioned situations |
|  | * report is well organized |
|  | * report evidences correct grammar, punctuation, and spelling |
|  | * report is prepared in advance of the due date/time and student participates in classroom discussion |
|  | **Learning Objectives** |
|  | II-A-5.1 Analyze information-gathering opportunities where the 4th amendment does not apply (dog sniffs, fly-overs, looking for VIN numbers, inspection of prison cells, abandoned property). |
|  | II-A-5.2 Compare "open fields" to curtilage where the 4th amendment does apply. |
|  | II-A-5.3 Compare "open view" to "plain view" and how it relates to search and seizure law. |
| **II-A-6 Identify the requirements that pertain to search warrants.** | |
|  | *You will demonstrate your competence:* |
|  | * by preparing a search warrant affidavit for a given scenario |
|  | * by creating an outline of the critical elements to be covered |
|  | *Your performance will be successful when:* |
|  | * affidavit establishes probable cause to believe that the item of interest is in a particular location |
|  | * affidavit details how the officer establishes probable cause |
|  | * affidavit describes specifically the item to be searched for |
|  | * affidavit describes specifically the place to be searched |
|  | * affidavit is written in a logical and easy to understand way |
|  | * affidavit is typed, neat, uses correct grammar and is free of errors |
|  | * affidavit is turned in with a completed scoring guide, by the assigned due date |
|  | **Learning Objectives** |
|  | II-A-6.1 Describe the level of proof required to obtain a search warrant. |
|  | II-A-6.2 Describe the procedure for obtaining and executing a search warrant. |
|  | II-A-6.3 Describe forcible entry and no-knock issues as they relate to search warrants. |
|  | II-A-6.4 Explain the scope of a search with a warrant and when it must be terminated. |
|  | II-A-6.5 Ensure that items located during searches are properly seized. |
|  | II-A-6.6 Describe items that may be temporarily seized for officer and public safety. |
|  | II-A-6.7 Define contraband and the requirements for its seizure. |
|  | II-A-6.8 Describe items that may be seized pursuant to a valid warrant. |
| **II-A-7 Analyze situations where an officer may conduct a search without a warrant.** | |
|  | *You will demonstrate your competence:* |
|  | * by preparing a written outline of the situations where officers may search without a warrant |
|  | *Your performance will be successful when:* |
|  | * outline is prepared using the standard outline format |
|  | * outline includes at least six exceptions |
|  | * outline includes only relevant and necessary details |
|  | * outline is written in clear phrases or sentences that describe exceptions and scenarios that illustrate the exceptions |
|  | * outline is well organized and uses at least first and second level headings |
|  | * outline evidences correct grammar, punctuation, and spelling |
|  | * outline is prepared in advance of the due date/time and student participates in classroom discussion |
|  | **Learning Objectives** |
|  | II-A-7.1 Explain when a valid consent search can be made and what can be searched. |
|  | II-A-7.2 Describe the automobile exception to the warrant requirement, aka the Carroll Doctrine, and describe the permissible scope of a search under this doctrine. |
|  | II-A-7.3 Describe the inventory exception to the warrant requirement. |
|  | II-A-7.4 Describe the authority and limitations of a search incident to arrest as it relates to searches of persons, vehicles, and residences. |
|  | II-A-7.5 Describe the authority to make a warrant-less entry to a residence based on exigent circumstances. |
| **II-A-8 Compare the requirements for conducting routine searches with those for searching disabled persons and strip searches.** | |
|  | *You will demonstrate your competence:* |
|  | * by comparing the requirements for conducting routine searches with those for searching disabled persons and reporting your findings in a paper |
|  | *Your performance will be successful when:* |
|  | * comparison is based on important features or attributes |
|  | * comparison includes the similarities between the items |
|  | * comparison includes the differences between the items |
|  | * comparison includes logical conclusions drawn from the comparison |
|  | * comparison is neat and presentable |
|  | * comparison evidences correct grammar, punctuation and spelling |
|  | **Learning Objectives** |
|  | II-A-8.1 Describe the requirements for conducting a search of a physically disabled person (Wis. Stats. 968.256). |
|  | II-A-8.2 Describe a strip search and the requirements for conducting a strip search (Wis. Stats. 968.255). |
| **II-A-9 Identify the requirements of the laws governing confessions and statements.** | |
|  | *You will demonstrate your competence:* |
|  | * by preparing a written case study report of the landmark Supreme Court case Miranda vs. Arizona |
|  | *Your performance will be successful when:* |
|  | * case study outlines the key elements of the Miranda case |
|  | * case study outlines the key elements of the Miranda decision |
|  | * case study specifies the key rules for police interrogators laid out by the Miranda ruling |
|  | * case study outlines the key Supreme Court decisions that have modified or further interpreted the original Miranda ruling |
|  | * case study outlines the key Supreme Court decisions that have extended additional protections to juveniles |
|  | * case study response is well organized |
|  | * case study response evidences correct grammar, punctuation, and spelling |
|  | * case study is prepared in advance of the due date/time and student participates in classroom discussion |
|  | **Learning Objectives** |
|  | II-A-9.1 Review the facts of the Miranda decision. |
|  | II-A-9.2 Explain the 5th amendment right to remain silent and the 6th amendment right to counsel. |
|  | II-A-9.3 Describe custody and questioning as it relates to Miranda rights. |
|  | II-A-9.4 Describe situations where Miranda rights do not apply. |
|  | II-A-9.5 Identify the methods in which a defendant can invoke the Miranda privilege. |
|  | II-A-9.6 Describe the Edwards rule and the limitations on further questioning after a suspect requests to speak to a lawyer. |
|  | II-A-9.7 Differentiate between the Miranda rule and the 6th amendment right to counsel. |
|  | II-A-9.8 Describe the Miranda rule as it relates to juveniles. |
|  | II-A-9.9 Describe the requirement that all police-obtained statements of a defendant must be voluntarily given. |
|  | II-A-9.10 Define voluntary and coercion as they relate to statements and the potential consequences for obtaining involuntary statements. |
| **II-A-10 Analyze the various requirements that evidence must meet before it can be admitted in court.** | |
|  | *You will demonstrate your competence:* |
|  | * by conducting a show-up to identify a subject |
|  | *Your performance will be successful when:* |
|  | * scenario/simulation is appropriate for a justifiable investigative detention and show-up |
|  | * officer obtains accurate description before show-up is conducted |
|  | * witness instructions are properly given |
|  | * officer avoids suggestive words or conduct |
|  | * officer conducts appropriate post identification interview and completes necessary paperwork |
|  | * situation (scenario/simulation) is properly documented in standard report format |
|  | * report evidences correct grammar, punctuation, and spelling |
|  | * report is submitted, with completed scoring guide, to instructor by assigned due date |
|  | **Learning Objectives** |
|  | II-A-10.1 Review the purpose for the Exclusionary Rule. |
|  | II-A-10.2 Review the requirements of the Exclusionary Rule and the Fruit of the Poisonous Doctrines. |
|  | II-A-10.3 List the exceptions that may allow unlawfully obtained evidence to be admitted in court, including Good Faith, Attenuation, Inevitable Discovery and Independent Source exceptions. |
|  | II-A-10.4 Explain the requirements for show-ups and line-ups. |
|  | II-A-10.5 Rank the reliability of different sources of information. |
|  | II-A-10.6 Describe hearsay and the reasons it is not normally admissible in court. |
|  | II-A-10.7 Review the basic exceptions to the hearsay rule including dying declarations, present sense impressions and excited utterances. |

Instructor

(Print name here) (Signature)