



# BROWARD COMMUNITY COLLEGE COURSE OUTLINE

**LAST REVIEW: 2008-2009**

*(i.e. 2003-2004)*

**NEXT REVIEW: 2013-2014**

*(i.e. 2008-2009)*

**STATUS: A**

*(A, I, D)*

**COURSE TITLE: Legal**

**COMMON COURSE NUMBER: CJK 0008**

**CREDIT HOURS:**

**CONTACT HOUR BREAKDOWN**

*(per 16 week term)*

**CLOCK HOURS: 69**

*(Voc. Course ONLY)*

Lecture: **69**

Lab:

Clinic:

Other:

**PREREQUISITE(S):**

**COREQUISITE(S):**

**PRE/COREQUISITE(S):**

**COURSE DESCRIPTION** *(750 characters, maximum):*

This course is designed to provide students a foundation in the aspects of law relevant to the duties of criminal justice officers.

## **UNIT TITLES**

- 1. Introduction to Law**
- 2. Legal Concepts**
- 3. Substantive Criminal Law**
- 4. Use of Force**
- 5. Civil and Criminal Liability**
- 6. Response to Civil Issues**
- 7. Juvenile Law**



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## EVALUATION:

Please provide a brief description (250 characters maximum) that details how students will be evaluated on the course outcomes.

1. In-class exercises
2. Individual presentations
3. Group presentations
4. Written Examinations

*\*\*\* Complete the following only if course is seeking general education status \*\*\**

## GENERAL EDUCATION Competencies and Skills \*:

Please highlight in **green** font all Competencies/Skills from the list below that apply to this course. In the box to the right of the Competency/Skill, enter all specific learning outcome numbers (i.e. 1.1, 2.7, 5.12) that apply.

1. <b>Read with critical comprehension</b>	
2. <b>Speak and listen effectively</b>	
3. <b>Write clearly and coherently</b>	
4. <b>Think creatively, logically, critically, and reflectively</b> (analyze, synthesize, apply, and evaluate)	
5. <b>Demonstrate and apply literacy in its various forms:</b> (highlight in <b>green ALL</b> that apply) ( 1. technological, 2. informational, 3. mathematical, 4. scientific, 5. cultural, 6. historical, 7. aesthetic and/or 8. environmental )	
6. <b>Apply problem solving techniques to real-world experiences</b>	
7. <b>Apply methods of scientific inquiry</b>	
8. <b>Demonstrate an understanding of the physical and biological environment and how it is impacted by human beings</b>	
9. <b>Demonstrate an understanding of and appreciation for human diversities and commonalities</b>	
10. <b>Collaborate with others to achieve common goals.</b>	
11. <b>Research, synthesize and produce original work</b>	
12. <b>Practice ethical behavior</b>	
13. <b>Demonstrate self-direction and self motivation</b>	
14. <b>Assume responsibility for and understand the impact of personal behaviors on self and society</b>	
15. <b>Contribute to the welfare of the community</b>	

*\* General Education Competencies and Skills endorsed by '05-'06 General Education Task Force*



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### UNITS

#### Unit 1 Introduction to Law

##### General Outcome:

- 1.0 The student shall:** have a foundational understanding of America's legal system and various types of laws, to include, the U.S. Constitution, the amendments that affect their law enforcement duties, and the differences between a misdemeanor, felony, non-criminal violation, and local ordinance violation.

##### Specific Measurable Learning Outcomes:

Upon successful completion of this unit, the student shall be able to:

- 1.1 Describe the history of the American legal system.
- 1.2 Identify types of law in America.
- 1.3 Define *constitutional law*
- 1.4 Define *statutory law*.
- 1.5 Define *ordinance*.
- 1.6 Define *criminal law*.
- 1.7 Define *case law*.
- 1.8 Define *civil law*.
- 1.9 Explain the importance of the U.S. Constitution to law enforcement officers.
- 1.10 Identify the Bill of Rights.
- 1.11 Identify basic concepts incorporated in the U.S. Constitution.
- 1.12 State the purpose of the Articles of the Constitution.
- 1.13 Explain the supremacy of the U.S. Constitution.
- 1.14 State the purpose of the Amendments to the Constitution.
- 1.15 Identify the key aspects of the First Amendment.
- 1.16 Identify the key aspects of the Second Amendment.
- 1.17 Identify the key aspects of the Fourth Amendment.
- 1.18 Identify the key aspects of the Fifth Amendment.
- 1.19 Identify the key aspects of the Sixth Amendment.
- 1.20 Identify the key aspects of the Eighth Amendment.
- 1.21 Identify the key aspects of the Fourteenth Amendment.
- 1.22 Describe how case law directs a law enforcement officer's actions.
- 1.23 Define *offense*.
- 1.24 Identify the classification and category of a criminal offense.
- 1.25 Identify relevant facts for use in classifying the situation as a criminal or non-criminal offense.
- 1.25 Define *felony*.
- 1.26 Identify the levels of felony offenses.
- 1.27 Define *misdemeanor*.
- 1.28 Identify the levels of misdemeanor offenses.
- 1.29 Define *noncriminal violation*.
- 1.30 Define *municipal/county ordinance violation*.



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### Unit 2 Legal Concepts

#### General Outcome:

- 2.0 The student shall:** understand the Constitutional requirements for a valid search and/or seizure, levels of legal justification, the link between the levels, the corresponding legal action and when *Miranda* warnings are required. Students should also be able to articulate reasonable suspicion and probable cause whenever they exist.

#### Specific Measurable Learning Outcomes:

Upon successful completion of this unit, the student shall be able to:

- 2.1 Describe the constitutional guarantees related to search and seizure.
- 2.2 Define *search*.
- 2.3 Define *seizure*.
- 2.4 Define *search warrant*.
- 2.5 Identify the legal requirements of a search warrant.
- 2.6 Define the *exclusionary rule*.
- 2.7 Define the Good Faith Doctrine.
- 2.8 Identify the exceptions to the search warrant requirement.
- 2.9 Identify the abandoned property exception to the search warrant requirement.
- 2.10 Identify the open fields doctrine as an exception to the search warrant requirement.
- 2.11 Identify the plain view exception to the search warrant requirement.
- 2.12 Identify the probable cause search of a conveyance exception to the search warrant requirement.
- 2.13 Identify the exigent circumstances exception to the search warrant requirement.
- 2.14 Identify a Terry frisk as an exception to the search warrant requirement.
- 2.15 Identify the plain feel doctrine as an exception to the search warrant requirement.
- 2.16 Identify the search incident to arrest exception to the search warrant requirement.
- 2.17 Identify the consent exception to the search warrant requirement.
- 2.18 Identify the vehicle inventory exception to the search warrant requirement.
- 2.19 Identify the importance of regulatory searches.
- 2.20 Define the proper scope of a search.
- 2.21 Identify items that may be seized after a lawful search.
- 2.22 Describe the Florida Forfeiture and Contraband Act.
- 2.23 Identify the four standards of legal justification common to law enforcement.
- 2.24 Define *consensual encounter*.
- 2.25 Define *mere suspicion*.
- 2.26 Identify the actions a law enforcement officer may take during a consensual encounter.
- 2.27 Define *reasonable suspicion*.
- 2.28 Identify the actions a law enforcement officer may take based upon reasonable suspicion.
- 2.29 Define *pretext stop*.
- 2.30 Define *probable cause*.



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- 2.31 Identify the totality of circumstances test.
- 2.32 Explain ways that probable cause is developed.
- 2.33 Identify sources of probable cause.
- 2.34 Explain lineups as a source of probable cause.
- 2.35 Explain show-ups as a source of probable cause.
- 2.36 Define *proof beyond a reasonable doubt*.
- 2.37 Identify the authority of a law enforcement officer under Florida law to make an arrest.
- 2.38 Define *arrest*.
- 2.39 Identify the two types of arrest under Florida Law.
- 2.40 Define *arrest warrant*.
- 2.41 Identify the four situations under which a Florida law enforcement officer is authorized to make a warrantless arrest.
- 2.42 Identify the exceptions to the misdemeanor arrest requirements.
- 2.43 Define *notice to appear*.
- 2.44 Explain the concept of fresh pursuit.
- 2.45 Identify jurisdiction issues related to an arrest in fresh pursuit.
- 2.46 Explain the importance of the *Miranda* decision to law enforcement.
- 2.47 Identify the key aspects of the *Miranda* decision.
- 2.48 Identify when *Miranda* warnings are required.
- 2.49 Identify the concept of *custody* as related to the *Miranda* decision.
- 2.50 Identify the concept of *interrogation* as related to the *Miranda* decision.
- 2.51 Describe how law enforcement should advise *Miranda* warnings.
- 2.52 Identify the importance of a waiver of *Miranda* warnings.
- 2.53 Identify the importance of having an advice of rights form signed.
- 2.54 Explain the significance of an invocation of rights.
- 2.55 Identify restrictions on police interview tactics.



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### Unit 3 Substantive Criminal Law

#### General Outcome:

**The student shall:** be able to articulate the elements of the most common crimes, understand the significance of intent in determining whether an act is criminal, identify the role of each party involved in an incident, anticipate possible issues the defense may raise in a criminal case, have a basic understanding of the rules and concepts of evidence and be able to draft a legally sufficient probable cause affidavit.

#### Specific Measurable Learning Outcomes:

Upon successful completion of this unit, the student shall be able to:

- 3.1 Explain how to determine if a crime has been committed.
- 3.2 Define *intent*.
- 3.3 Identify the four categories of criminal intent.
- 3.4 Define *criminal negligence*.
- 3.5 Define *general intent*.
- 3.6 Define *specific intent*.
- 3.7 Define *transferred intent*.
- 3.8 List the elements of the crime of Theft.
- 3.9 List the elements of the crime of Retail Theft.
- 3.10 List the elements of the crime of Robbery.
- 3.11 List the elements of the crime of Burglary.
- 3.12 List the elements of the crime of Trespass in structure or conveyance.
- 3.13 List the elements of the crime of Trespass on property.
- 3.14 List the elements of the crime of Loitering and Prowling.
- 3.15 List the elements of the crime of Assault.
- 3.16 List the elements of the crime of Aggravated Assault.
- 3.17 List the elements of the crime of Assault on a Law Enforcement Officer.
- 3.18 List the elements of the crime of Battery.
- 3.19 List the elements of the crime of Felony Battery.
- 3.20 List the elements of the crime of Aggravated Battery.
- 3.21 List the elements of the crime of Battery on a Law Enforcement Officer.
- 3.22 Define *domestic violence* from the Florida Statutes.
- 3.23 List the elements of the various levels of Homicide.
- 3.24 List the elements of the crime of Disorderly Conduct.
- 3.25 List the elements of the crime of Disorderly Intoxication.
- 3.26 List the elements of the crime of Open House Party.
- 3.27 List the elements of the crime of Selling or Giving Alcoholic Beverages to a Person Under the Age of 21.
- 3.28 List the elements of the crime of Possession of Alcoholic Beverage by a Person Under the Age of 21.
- 3.29 List the elements of the crime of Possession of Tobacco Products by a Person Under

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- 18 Years of Age.
- 3.30 List the elements of the crime of Selling, Delivering, Bartering, Furnishing, or Giving Tobacco Products to Persons Under 18 years of Age.
  - 3.31 List the elements of the crime of Sale and/or Delivery of Controlled Substance with intent.
  - 3.32 List the elements of the crime of Possession of Controlled Substance.
  - 3.33 List the elements of the crime of Possession of Drug Paraphernalia.
  - 3.34 List the elements of Resisting an Officer without Violence.
  - 3.35 List the elements of Resisting an Officer with Violence.
  - 3.36 List the elements of the crime of Stalking.
  - 3.37 List the elements of the crime of Sexual Battery.
  - 3.38 List the elements of the crime of Carrying Concealed Weapon.
  - 3.39 List the elements of the crime of Criminal Mischief.
  - 3.40 List the elements of the crime of Forgery.
  - 3.41 List the elements of the crime of Uttering a Forged Instrument.
  - 3.42 List the elements of the crime of Uttering a Worthless Check.
  - 3.43 Define the various crimes of Elderly Abuse.
  - 3.44 List the elements of the crime of Child Abuse.
  - 3.45 List the elements of the crime of Kidnapping.
  - 3.46 List the elements of the crime of False Imprisonment.
  - 3.47 List the elements of the crime of Luring and Enticing a Child.
  - 3.48 List the elements of the crime of Human Trafficking.
  - 3.49 Identify all persons related to an incident involving a crime.
  - 3.50 Define *witness*.
  - 3.51 Define *victim*.
  - 3.52 Define *suspected perpetrator*.
  - 3.53 Identify the criteria for criminal responsibility.
  - 3.54 Define *principal in the first degree*.
  - 3.55 Define *accessory after the fact*.
  - 3.56 Define *attempt*.
  - 3.57 Define *solicitation*.
  - 3.58 Define *conspiracy*.
  - 3.59 Identify the legal defenses of criminal responsibility.
  - 3.60 Define *alibi* as a legal defense of criminal responsibility.
  - 3.61 Define mistake or ignorance of fact as a legal defense of criminal responsibility.
  - 3.62 Define intoxication as a legal defense of criminal responsibility.
  - 3.63 Define *duress* or *coercion* as a legal defense of criminal responsibility.
  - 3.64 Define *justifiable use of force* as a legal defense of criminal responsibility.
  - 3.65 Define *self defense* as a legal defense of criminal responsibility.
  - 3.66 Define *defense of others* as a legal defense of criminal responsibility.
  - 3.67 Define *defense of property* as a legal defense of criminal responsibility.
  - 3.68 Define *entrapment* as a legal defense of criminal responsibility.
  - 3.69 Define *insanity* as a legal defense of criminal responsibility.
  - 3.70 Define *mental incompetence* as a legal defense of criminal responsibility.

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- 3.71 Define *statute of limitations* as a legal defense of criminal responsibility.
- 3.72 Define *consent* as a legal defense of criminal responsibility.
- 3.73 Identify basic concepts and rules of evidence.
- 3.74 Define *evidence*.
- 3.75 Define *direct evidence*.
- 3.76 Define *indirect or circumstantial evidence*.
- 3.77 Identify the three primary categories of evidence.
- 3.78 Define *fruits of a crime*.
- 3.79 Define *instrumentalities of a crime*.
- 3.80 Define *contraband*.
- 3.81 Identify the three basic reasons why evidence is offered in court.
- 3.82 Define *admissibility of evidence*.
- 3.83 Identify the two primary reasons for evidence rules.
- 3.84 Identify the general rules for excluding evidence.
- 3.85 Define *hearsay evidence*.
- 3.86 Identify four specific requirements that officers must be aware of to ensure admissibility of evidence.
- 3.87 Identify the types of privileged communication protected under Chapter 90,F.S.
- 3.88 Define *probable cause affidavit*.
- 3.89 Identify the purpose of a probable cause affidavit.
- 3.90 Identify the elements of a probable cause affidavit.
- 3.91 Identify any supplemental information that may be used with a probable cause affidavit.



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**Unit 4 Use of Force**

**General Outcome:**

- 4.0 The student shall:** understand the legal basis for using force by examining related court cases.

**Specific Measurable Learning Outcomes:**

**Upon successful completion of this unit, the student shall be able to:**

- 4.1** Identify the factors used in the objective reasonableness standard.
- 4.2** Identify the questions an officer will have to answer in any use of force situation.
- 4.3** Identify the circumstances under which law enforcement officers are faced with use of force decisions.
- 4.4** Identify the law authorizing law enforcement officers' use of force in making arrest.
- 4.5** Identify when a law enforcement officer may use force to apprehend escaped inmates.
- 4.6** Identify when an officer may use deadly force to apprehend a fleeing felon.
- 4.7** Define *deadly force* pursuant to Florida law.
- 4.8** Identify when a law enforcement officer may use force during an investigative detention.
- 4.9** Identify when a law enforcement officer may use force to prevent an arrested person from escaping custody.
- 4.10** Identify when individuals may use deadly force in self defense or in defense of others.
- 4.11** Describe the *no retreat law*.
- 4.12** Identify when individuals may use force in the protection of their property.



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**Unit 5 Civil and Criminal Liability**

**General Outcome:**

**5.0 The student shall:** have a basic understanding of the liability that may result from the performance of their duties and how to reduce potential exposure to lawsuits.

**Specific Measurable Learning Outcomes:**

**Upon successful completion of this unit, the student shall be able to:**

- 5.1 Define *civil liability*.
- 5.2 Define *tort*.
- 5.3 Identify examples of intentional torts.
- 5.4 Define ***negligence***.
- 5.5 Identify the elements of negligence.
- 5.6 Identify the two major categories of damages.
- 5.7 Define *compensatory damages*.
- 5.8 Define *punitive damages*.
- 5.9 Define *civil rights violations*.
- 5.10 Identify how an officer may be subject to criminal liability.
- 5.11 Define *color of law*.
- 5.12 Identify the impact on an officer who is found civilly or criminally liable.
- 5.13 Identify the types of agency liability.
- 5.14 Define *direct agency liability*.
- 5.15 Define *vicarious liability*.
- 5.16 Identify situations when an officer may be subject to civil or criminal liability.
- 5.17 Identify the types of legal defenses available if an officer is faced with potential civil or criminal liability.
- 5.18 Identify the effect of the Sovereign Immunity Law, Section 768.28, Florida Statutes, in state civil actions.
- 5.19 Define *acting within the scope of employment*.
- 5.20 Identify the key aspects of Chapter 111 of the Florida Statutes.
- 5.21 Explain the concept of qualified immunity.



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### Unit 6 Response to Civil Issues

#### General Outcome:

**6.0 The student shall:** understand the differences between criminal and civil incidents and be aware of the response options available in civil matters.

#### Specific Measurable Learning Outcomes:

**Upon successful completion of this unit, the student shall be able to:**

- 6.1 Describe an officer's response to landlord-tenant disputes.
- 6.2 Describe the three categories of residential or sleeping accommodations.
- 6.3 Describe an officer's response to repossessions of property.
- 6.4 Describe an officer's response to the removal or towing of vehicles or vessels from private property.
- 6.5 Describe an officer's response to recovering vehicles from tow yards.
- 6.6 Describe an officer's response to motor vehicle repair disputes.
- 6.7 Describe an officer's response to child custody disputes.
- 6.8 Describe an officer's response to real property boundaries disputes.
- 6.9 Describe an officer's response to a dispute over stolen property in the custody of a pawnbroker.



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## Unit 7 Juvenile Law

### General Outcome:

**7.0 The student shall:** understand the application of Florida law to situations involving juveniles.

### Specific Measurable Learning Outcomes:

**Upon successful completion of this unit, the student shall be able to:**

- 7.1 Define *child, juvenile, or youth*.
- 7.2 Describe the procedures for taking a juvenile into custody.
- 7.3 Identify the procedures for handling juvenile traffic offenders.
- 7.4 Define *juvenile sex offender*.
- 7.5 Identify the procedures for interrogating juveniles.
- 7.6 Identify the standards required for searching a juvenile's personal property at school.