**University of Baltimore School of Law**

**SPRING, 2018**

**Course**: FORENSIC EVIDENCE

LAW 892

Section Number 512

**Instructor**: WILLIAM H. JONES

[williamhjones24@gmail.com](mailto:williamhjones24@gmail.com); 443-521-4489 (c), 410-228-3611 (w)

I will be available before and after class for consultation, as well as other times as may be agreed upon.

**Days/Time:** Tuesday/7:45 PM-9:35PM

**Location:**  Room assignments are available through MyUB.

**Course Description**:

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This course gives students an understanding of forensic evidence topics such as pathology, crime scene investigation, detection of bodily fluids, firearms and tool marks, trace evidence detection and analysis, toxicology, arson investigation, personal identification (including fingerprints, serology, DNA, odontology, and osteology), and questioned documents.  Students will be introduced to the use of the on-line Index Medicus, PubMed, as well as the repositories of texts and journal articles in medical school libraries, and will conduct research in them.  The effective use and cross-examination of expert witnesses in the respective areas of expertise will also be addressed.  Upon successful completion of this course, students should be able to determine when the forensic sciences might be of value in their cases, and should be fully prepared to conduct their own research in forensic evidence topics.  Prerequisites:  Evidence. [Limited Enrollment]

**Course Materials:**

**REQUIRED BOOK: LAW, SCIENCE AND EXPERTS; CIVIL AND CRIMINAL FORENSICS,** William S. Bailey and Terence J. McAdam. Carolina Academic Press (2014). ISBN: 978-1-61163-188-3.

**RECOMMENDED BOOKS:**

1. **Maryland Practice, Maryland Rules of Evidence,** Lynn McLain.

**Student Learning Outcomes:**

1. Understand basic scientific principles of forensic science.
2. Identify ethical issues that arise at all stages of litigation.
3. Understand basic principles of the various fields of forensic science.
4. Demonstrate an understanding of principles of admissibility of forensic evidence.
5. Demonstrate an understanding of how and when to utilize the various fields of forensic science.

**Grades:** You will be evaluated based on two examinations. The midterm examination 25%, and the final examination is worth 75% of the final grade.

**Course Expectations:**

American Bar Association Standards for Law Schools establish guidelines for the amount of work students should expect to complete for each credit earned. Students should expect approximately one hour of classroom instruction and two hours of out-of-class work for each credit earned in a class, or an equivalent amount of work for other academic activities, such as simulations, externships, clinical supervision, co-curricular activities, and other academic work leading to the award of credit hours.

All students are expected to come to class prepared to perform the exercises/assignments given in advance. As well, students not scheduled to perform as a student attorney and/or witness are expected to be familiar with the exercises so as to engage in thoughtful dialog regarding the proceedings that occur.

**Attendance**:

Class attendance is a primary obligation of each student whose right to continued enrollment in the course and to take the examination is conditioned upon a record of attendance satisfactory to the professor. A student who exceeds the maximum allowed absences (generally 20% of class sessions) as illustrated below, may be compelled to withdraw from the course, or may be barred from sitting for the final exam. Students who are forced to withdraw for exceeding the allowed absences may receive a grade of FA (failure due to excessive absence). This policy is consistent with American Bar Association Standards for Law Schools.

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| Regular Semester Hours | | |
| Credit Hours | Meetings Per Week | |
|  | 1 | 2 |
| 2 | 2 absences | 5 absences |
| 3 | 2 absences | 5 absences |
| 4 | -- | 5 absences |

**Course Website:**

This course has a TWEN page that links to this syllabus, announcements, the class assignments, and other class materials. You are responsible for self-enrolling in the TWEN page and for checking it regularly for course information. “Trial Advocacy 412”

**Computers:**

Students may use laptop computers for class related purposes.

**Class Cancellation:**

If the instructor must cancel a class, notices will be sent to students via email and posted on the classroom door. If there is inclement weather, students should visit the University of Baltimore web site or call the University's Snow Closing Line at (410) 837-4201. If the University is open, students should presume that classes are running on the normal schedule.

**Academic Integrity:**

Students are obligated to refrain from acts that they know or, under the circumstances, have reason to know will impair the academic integrity of the University and/or School of Law. Violations of academic integrity include, but are not limited to: cheating, plagiarism, misuse of materials, inappropriate communication about exams, use of unauthorized materials and technology, misrepresentation of any academic matter, including attendance, and impeding the Honor Code process. The School of Law Honor Code and information about the process is available at http://law.ubalt.edu/academics/policiesandprocedures/honor\_code/.

**Title IX Sexual Misconduct and Nondiscrimination Policy:**

The University of Baltimore’s Sexual Misconduct and Nondiscrimination policy is compliant with Federal laws prohibiting discrimination. Title IX requires that faculty, student employees and staff members report to the university any known, learned or rumored incidents of sex discrimination, including sexual harassment, sexual misconduct, stalking on the basis of sex, dating/intimate partner violence or sexual exploitation and/or related experiences or incidents. Policies and procedures related to Title IX and UB’s nondiscrimination policies can be found at: http://www.ubalt.edu/titleix.

**Disability Policy:**

If you are a student with a documented disability who requires an academic accommodation, please contact Leslie Metzger, Director of Student Services, at 410-837-5623 or lmetzger@ubalt.edu.

**ASSIGNMENTS/ TENTATIVE CLASS SCHEDULE**

January 22, 2018 Chapter 1: Intro

Chapter 2: The Strategic Role of Experts

Federal Rules of Evidence 701, 702 and 703.

Maryland Rules 5-104, 5-401, 5-403, 5-602, 5-701, 5-702, 5-703, and 5-705.

Cases: Frye v. U.S., 293 F. 1013 (D.C. Cir. 1923).

Daubert v. Merrill Dow Pharmaceuticals, Inc., 509 U.S. 579 (1993).

General Electric Co. v. Joiner, 522 U.S. 136 (1997).

Kumbo Tire Co. v. Carmichael, 526 U.S. 137 (1999).

Reed v. State, 283 Md. 374, 381 A.2d 374 (1978).

Wilson v. State, 370 Md. 191, 803 A.2d 1034 (2002).

Schultz v. State, 106 Md.App. 145, 664 A.2d 60 (1995).

Clemmons v. State, 392 Md. 339, 896 A.2d 1059 (2006).

Blackwell v. Wyeth, 408 Md. 575, 971 A.2d 235 (2009).

January 29, 2018 Chapter 3: The Shape of the World after Daubert

Chapter 4: The Scientific Enterprise

February 5, 2018 Chapter 5: Science and Law—When Worlds Collide

Chapter 6: Hard and Soft Science

February 12, 2018 Chapter 7: Criminal Forensic Science

Chapter 8: The Crime Laboratory

February 19, 2018 Chapter 9: Crime Scene

Chapter 10: Physical Evidence

February 26, 2018 Chapter 11: Latent Fingerprints

Chapter 12: Firearms and Toolmarks

McNeil v. State, 227 Md. 298, 176 A.2d 338 (1961).

Eley v. State, 288 Md. 548, 419 A.2d 384 (1980).

Colvin v. State, 299 Md. 88, 472 A.2d 953 (1984).

Bailey v. State, 63 Md.App. 594, 493 A.2d 376 (1985).

Sample v. State, 314 Md. 202, 550 A.2d 661 (1988).

Wise v. State, 132 Md.App. 127, 751 A.2d 24 (2000).

Markham v. State, 189 Md.App. 140, 984 A.2d 262 (2009).

March 5, 2018 Chapter 13: DNA Evidence

Armstead v. State, 342 Md. 38, 673 A.2d 221 (1996).

Robinson v. State, 151 Md.App. 384, 827 A.2d 167 (2003).

Wagner v. State, 160 Md.App. 531, 864 A.2d 1037 (2005).

Young v. State, 388 Md. 99, 879 A.2d 44 (2005).

Williamson v. State, 413 Md. 521, 993 A.2d 626 (2010).

Md. Code Ann., Cts. & Jud. Proc. §10-915

Md. Code Ann., Cts. & Jud. Proc. §§ 2-501-512.

March 12, 2018 Chapter 14: Trace Evidence

Forensic Nursing

March 19, 2018 Spring Break

March 26, 2018 Law and Medicine

Forensic Pathology

Sippo v. State, 350 Md. 633, 714 A.2d 864 (1998).

Rollins v. State, 392 Md. 453, 897 A.2d 821 (2006).

Deese v. State, 367 Md. 293, 768 A.2d 751 (2001).

Md. Code Ann., Health Gen. §§ 5-301, 5-309-311.

April 2, 2018 Chapter 15: Drugs

Melendez-Diaz v. Massachusetts, 129 S.Ct. 2527 (2009).

Cole v. State, 378 Md. 42, 835 A.2d 600 (2003).

Md. Code Ann., Cts. & Jud. Proc. §§ 1001-1004.

April 9, 2018 Bloodstain Patterns

April 16, 2018 Questioned Documents

Parker v. State, 12 Md.App. 611, 280 A.2d 29 (1971).

Md. Code Ann., Cts. & Jud. Proc. § 10-906.

Maryland Rules 5-701 and 5-901.

April 23, 2018 Impression Evidence

April 30, 2018 Direct and Cross Examination