

Basic Training Module Specifications

<u>Functional Area:</u>	I. Investigation
<u>Subject Area:</u>	A. Introduction to Investigation
<u>Module Title:</u>	1. CONSTITUTIONAL LAW
<u>Hours:</u>	Not less than 2 hours

Notes to Instructor:

Must be taught by an attorney admitted to the Michigan Bar.

Module Objectives:

- I.A.1.1. Demonstrate an Understanding That Our Criminal Justice System is Built Upon Constitutional Law.
- a. Identifies and describes the United States Constitution.
  - b. Describes the relationship of the Constitution to the Declaration of Independence and the Bill of Rights.
  - c. Describes the three main provisions of the Constitution as:
    - (1) establishment of the framework of government;
    - (2) delegation and assignment of power to the government;
    - (3) restraint on the exercise of the powers of agents of government in order that individual rights can be preserved.
- I.A.1.2. Locate and Describe Specific Provisions of the United States Constitution Important to Operation of Our Form of Government.
- a. Locates and describes the sections providing for:
    - (1) the judicial branch of government with its attendant powers and duties;
    - (2) the executive branch of government with its attendant powers and duties;
    - (3) the legislative branch of government with its attendant powers and duties.
  - b. Describes other provisions of the Constitution including:
    - (1) ex post facto laws,
    - (2) bills of attainder,
    - (3) procedural due process,
    - (4) substantive due process,
    - (5) political participation, and
    - (6) privacy and equal protection of laws.

I.A.1.3. Demonstrate an Understanding of the Michigan Constitution and its Relationship to Both the United States Constitution and Law Enforcement in Michigan.

- a. Identifies the major provisions of the state Constitution:
  - (1) Article I, Section 11;
  - (2) Article I, Section 17.
  
- b. Describes the significant differences in criminal law and procedure between the Michigan and United States Constitutions.
  - (1) Article I, Section 11; (People v. Nash, 418 Mich 196; 341 NW2d 439 (1983); People v. Chapman, 425 Mich 245; 387 NW2d 835 (1986); People v. Collins, 438 Mich 8; 475 NW2d 684 (1991); People v. Bullock, 440 Mich 15 (1992));
  - (2) Article I, Section 17, (People v. Hill, 429 Mich 382; 415 NW2d 193 (1987); People v. Crusoe, 433 Mich 666; 449 NW2d 641 (1989)).

**Module History:**

Revised	7/00
Revised	4/12
Reviewed	9/21