

POLS 4720
Criminal Procedure
Spring Semester 2019

Instructor: John Newton
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Office: 109B Baldwin Hall

Class time and location: MWF 9:05am - 9:55am. Room 102 Baldwin Hall

Office hours: After class and by appointment.

Primary texts: Dressler, Joshua and George Thomas. 2017. *Criminal Procedure: Principles, Policies and Perspectives*. 6th ed. West. ISBN 978-1-63460-316-4

2018 Supplement to Criminal Procedure: Principles, Policies, and Procedures. ISBN 978-1-64242-022-7

Optional: Turabian, Kate. 2018. *A Manual for Writers of Research Papers, Theses, and Dissertations*. (There are lots of versions. I have found this book to be very helpful and highly recommend it for college students).

Course description: Criminal procedure in our common law system is developed through case law. This class will examine some of the important cases that create the guidelines for the criminal justice system to follow. Additionally, the impact of these decisions on society and the court systems will be discussed.

Course objectives: The objective of the class is for students to gain an understanding of the law of criminal procedure both in the context of the legal system of the United States and the effect it has on society. There will also be an emphasis on criminal procedure in practice through guest speakers. The class will be taught mostly using the Socratic Method where students will answer questions and participate in discussions.

Grading: Grades will be determined through two quizzes, a midterm exam, a cumulative final exam, class participation, and a prediction paper. A breakdown of the weight of each assignment toward the student's final grade is listed below. Questions for the quizzes and the exams may come from any reading assignment, in class discussion, or from a guest speaker. Class participation will be a combination of comments, questions, and any presentations. Class participation can increase or decrease your grade. Students who demonstrate an understanding of the material in class will receive an increase in their grade increase. **Students who text, use Facebook, or otherwise disrupt the class will receive a reduction in their grade. If a student is disrupting the class through the use of electronics, the student will be asked to leave and may be withdrawn from the class.**

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Grades:

Quiz 1	12.5%
Midterm	21%
Quiz 2	12.5%
Final Exam	27%
Paper	27%
Class Participation	+/-

Prediction Paper: Students will be required to write a prediction paper based on a case before the Supreme Court in the 2017-2018 term. Students will sign-up for a justice and a case. Students will write a paper predicting how that justice will/would vote in the case. Sign-up is on a first come basis.

The prediction paper should include background information about the justice as well as the case. The paper should include a discussion of what impact the case will have should the case be decided in the direction predicted. Papers should be no longer than ten typed pages using a twelve point font with one inch margins. Students must use references and cite their sources. Any citation style may be used as long as the paper is consistent in the reference style used.

I suggest using *A Manual for Writers of Research Papers, Theses, and Dissertations* by Kate Turabian for formatting and writing your paper. This book includes examples of citations, style, format, etc. The electronic version is often less expensive than the paperback version.

A one page summary of which case and justice you will write about is due by **February 16th**. The summary should include the basic facts of the case, ideological information about the justice, and why the case is important. The one page summary is an ungraded assignment. Failure to turn in the one page summary will decrease your final paper grade by five points. This is not a graded assignment and the only way to fail is not to do it.

Below is a tentative list of cases that will be used for the prediction paper. Please pay attention in class as this list is subject to change based on treatment by the Supreme Court. We will attempt to use cases that are scheduled for oral argument before the end of the semester.

Bucklew v. Precythe (method of execution - Nov. 6, 2018)
Flowers v. Mississippi (peremptory challenges - pending)
Gamble v. United States (Double Jeopardy - Dec. 6, 2018)
Garza v. Idaho (Ineffective assistance of counsel - Oct. 30, 2018)
Madison v. Alabama (Competency for execution - Oct. 2, 2018)
Timbs v. Indiana (Incorporation of the Eight Amendment - Nov. 28, 2018)

*Exam make-ups will not be offered unless previously scheduled because of extenuating circumstances, or in the event of a **verifiable** emergency.* Similarly, the due dates for assignments such as papers are not negotiable unless a true emergency warrants further consideration. Turning in a late paper will significantly reduce the grade.

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100-94	A	82-80	B-	69-66	D+
93-90	A-	79-76	C+	65-60	D
89-86	B+	75-73	C	59-00	F
85-83	B	72-70	C-		

Students with special needs that require accommodation should notify me and the Disability Resource Center at the beginning of the semester to facilitate appropriate arrangements.

Honor Code: *As a University of Georgia student, you have agreed to abide by the University's academic honesty policy, "A Culture of Honesty," and the Student Honor Code. All academic work must meet the standards described in "A Culture of Honesty" found at: www.uga.edu/honesty. Lack of knowledge of the academic honesty policy is not a reasonable explanation for a violation. Questions related to course assignments and the academic honesty policy should be directed to the instructor.*

Important Dates:

No Class on January 21 for Martin Luther King Jr Day

Quiz 1 – February 8

One Page Summary Due – February 15

Midterm Exam – March 1

Withdrawal Deadline – March 21

Spring Break – March 11-15

Quiz 2 – April 19

Paper Due – April 5 (This is tentative depending on oral argument dates)

Last Class on April 30

Final Exam – May 8, 8-11am (Comprehensive Exam)

Emergencies: In the case of an emergency in class we will take the following actions. If there is a tornado warning we will proceed to the lowest floor in the building for shelter. If there is a fire we will quickly exit the building. The class will reconvene in the cemetery next to Baldwin Hall in an attempt to make sure everyone exited the building. If there is a medical emergency, I will ask students to flag down the emergencies vehicles outside the building and lead them to our room. Students are encouraged to make sure their information in UGA Alert is accurate.

A list of reading assignments will be posted on ELC