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.


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.

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 overall grade at the end of the semester. Students who text, use Facebook, or otherwise disrupt the class will receive a reduction in their overall 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 If a student is disrupting the class through the use of electronics, the student will be asked to leave and may be withdrawn from the class. No electronic devices may be used when we have a guest speaker.
Grades:
Quiz 1 12.5%
Midterm 21%
Quiz 2 12.5%
Final Exam 27%
Paper 27%
Class Participation +/-

Paper: Students will be required to write a 5-10 page paper. For the paper, students may choose a dissent or concurrence from the list of cases below and explain why that decision should have been the majority decision. Some of the cases listed below have not been decided, so students can just explain how they think the case should be decided. The paper should focus on the legal arguments presented in the case.

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 your ideas about the case is due February 14th. The summary should include the basic facts of the case 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 list of cases that will be used for the paper. You may petition to use a case that is not listed, but you must get approval for doing so.

Mitchell v. Wisconsin (2019) - implied consent for drawing of blood in a DUI
Lee v. United States (2017) - Ineffective Assistance of Counsel
Gamble v. United States (2019) - separate sovereigns does not violate double jeopardy
Whren v. United States (1996) - pre-textual stop.

Ramos v. Louisiana (pending) - does a jury verdict need to be unanimous

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.
Grading Scale
A = 94-100
A - = 90-93
B+ = 86-89
B = 83-85
B- = 80-82
C+ = 76-79
C = 73-75
C- = 70-72
D = 60-69
F = 0-59

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 20 for Martin Luther King Jr Day
Quiz 1 – February 7
One Page Summary Due – February 14
Midterm Exam – February 28
Withdrawal Deadline – March 20 (Friday)
Spring Break – March 9-13
Paper Due – April 3
Quiz 2 – April 17
Last Class on April 28
Final Exam – May 1, 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.
Week 1 - Jan 8
Dressler, pp. 11-14
Introduction

Dressler, pp. 36-49
Responsibilities of a Criminal Defense Attorney
The Norms of the Criminal Process

Dressler, pp. 49-69:
The Bill of Rights and the Fourteenth Amendment
_Duncan v. Louisiana_
The Best Trial in the World?

Dressler, pp 71-79, 83-94
Fourth Amendment Overview
The Reach of the Fourth Amendment
_Weeks v. United States_
_Mapp v. Ohio_

Week 2- Jan 13
Dressler, pp. 95-104, 116-173
_United States v. Katz_
_Smith v. Maryland_
_Kyllo v. United States_
_United States v. Jones_
_Florida v. Jardines_

_Carpenter v. United States_ (pp. 1-20 Supplement)

Week 3 - Jan 22
Dressler, pp. 188-275
_Ilinois v. Gates_
_Payton v. New York_
_ILo-Ji Sales, Inc. v. New York_
_Richards v. Wisconsin_
_Kentucky v. King_

Supplement, pp. 20-21

_Chimel v. California_
_Riley v. California_
Week 4 - Jan 27
Dressler, pp. 276-305
New York v. Belton
Arizona v. Gantt
Whren v. United States

Dressler, pp. 306-313, 320-339
Chambers v. Maroney

Supplement, pp. 23-24 (Collins v. Virginia)

United States v. Chadwick
California v. Acevedo

Warrant Clause: When are Warrants Required

Week 5 - February 3
Dressler pp. 346-352 (plain view)
Arizona v. Hicks

Dressler, pp. 352-384 (consent)
Schneckloth v. Bustamonte
Georgia v. Randolph
Illinois v. Rodriguez

Quiz 1 - February 7

Week 6 - February 10
Dressler, pp. 389-409
Terry v. Ohio

Dressler, pp. 417-427
United States v. Mendenhall

Dressler, pp. 433-459
Alabama v. White
Illinois v. Wardlow

Dressler, pp. 454-468
Maryland v. Buie

Special Needs Searches, 469-474

One Page Summary Due February 14
Week 7 – February 17
Dressler, pp. 493-496,
Remedies for Fourth Amendment Violations

*Rakas v. Illinois*, pp. 497-507
Supplement, pp 25-26

Dressler, pp. 507-520
*Minnesota v. Carter*
Notes on *Mapp v. Ohio*
Scope of Exclusionary Rule

Pp. 522-538
*Murray v. United States*
*Wong Sun v. United States*

Pp. 568-584
*Herring v. United States*
*Davis v. United States*

Exclusionary Rule, Note 8 at the bottom of the page
*Supplement* pp.26-27

Week 8 - February 25
Midterm Exam – February 28

Dressler, pp. 14-36
*Brown v. Mississippi*
*Powell v. Alabama*

Dressler, pp. 603-614
*Spano v. New York*

Dressler, pp. 625-646
*Miranda v. Arizona*

Week 9 – March 2
Dressler, pp. 652-669
*New York v. Quarles*
*Oregon v. Elstad*

Dressler, pp. 678-690
*Missouri v. Seibert*

Dressler, pp. 691-711
*Berkemer v. McCarty*
Rhode Island v. Innis
Dressler, pp. 720-754
Berguis v. Thompkins
Edwards v. Arizona
A Year on the Killing Streets

Spring Break - March 9-13

Week 10 – March 16
Dressler, pp. 755-777
Massiah v. United States
Brewer v. Williams

Dressler, pp. 788-801
Montejo v. Louisiana

Dressler, pp. 827-858
United States v. Wade
Perry v. New Hampshire

Week 11 – March 23
Dressler, pp. 864-888
Stack v. Boyle
United States v. Salerno

Dressler, pp. 898-910
United States v. Armstrong
Blackledge v. Perry

Dressler pp. 917-919
Grand Jury Screening

Dressler, pp. 937-940
Preparing for Adjudication

Dressler, pp. 979-983
Smith v. Cain

Discovery: Constitutional Discovery
Supplement pp.32-3

Week 12 – March 30
Dressler pp. 1042-1058
Gideon v. Wainwright
Scott v. Illinois
Dressler pp. 1065-1069
*Ross v. Moffit*

Dressler pp. 1070-1109
*Faretta v. California*
*Stickland v. Washington*

Dressler pp. 1109-1116
The Supreme Court and Defense Counsel

Dressler, pp. 1136-1148
*Brady v. United States*

**Paper Due April 3**

**Week 13 – April 6**
Dressler, pp. 1154-1164
*Missouri v. Frye*

Dressler, pp. 1199-1222
*Duncan v. Louisiana*
*Taylor v. Louisiana*

Dressler, pp. 1222(explanation of *Voir Dire*)
Dressler, pp.1246-1271
The Story of *Miller-El*
*Batson v. Kentucky*

**Week 14 – April 13**
Dressler, pp. 1288-1340
*Maryland v. Craig*
*Crawford v. Washington*
*Michigan v. Bryant*

Dressler, pp. 1368-1379
Right to Testify
*Griffin v. California*

Dressler, pp. 1395
Introductory Comment

Dressler, pp. 1398-1406
The Federal Sentencing Guidelines and the Key Compromises

Dressler, pp. 1437-1464
*Blakely v. Washington*
Quiz 2 April 17

Week 15 – April 20
Dressler, pp. 1523-1531
Jackson v. Virginia

Week 16, April 27/28
Review and Catch-up

Final Exam – Wednesday, May 8 from 8:00am – 11:00am (Comprehensive Exam)