

# POLS 4730 Criminal Law Spring 2023

Tuesday/Thursday 11:10am-12:25pm, Baldwin Hall 102

**Instructor:** Matthew Baker, J.D.  
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**Office:** Baldwin Hall TBD  
**Office Hours:** Tuesdays, 1:30-3:00pm

**Course Description:** This class is an introduction to criminal law. Legal statutes vary from state to state so this class will consist of an overview of criminal law. It is important to remember that law is codified by legislatures and then ruled upon in the court system. Because of the common law tradition in our country, we will be reading cases as examples of the implementation of criminal law.

**Course Objectives:** The objective of the class is to introduce students to concepts in criminal law. Law is dynamic and criminal law changes both with new statutes passed by legislatures and rulings from the court system. At the end of this semester students will be familiar with concepts of criminal law such as vagueness, general intent, specific intent, *actus reus*, *mens rea*, causation, concurrence, excuses, justification and others. Additionally, students will become familiar with the legal foundation for types of crimes such as homicide, sexual offenses, and others.

### Required Books:

*Contemporary Criminal Law: Concepts, Cases, and Controversies, FIFTH EDITION (SAGE publishing), Matthew Lippman, 2018 (ISBN: 9781544308135)*

*Punishment Without Crime, Alexandra Natapoff, 2018, ISBN-10: 0465093795*

*Why the Innocent Plead Guilty and the Guilty Go Free, Jed. S. Rakoff, ISBN-10: 1250829569*

GRADING		GRADING SCALE			
EXAM 1	25%	100-94	A	79-76	C+
BOOK ASSIGNMENT	15%	93-90	A-	75-73	C
EXAM 2	30%	89-86	B+	72-70	C-
PRESENTATION	15%	85-83	B	69-60	D
ATTENDANCE/PARTICIPATION	15%	82-80	B-	Below 60	F

**Exams:** The two exams will combine multiple choice, true/false, and short answer questions and will test material from your readings, lectures, and discussions. All exams will be administered online on eLC during our class time and can be taken at the location of your choice (including our classroom). The exams will be open note/open book but **collaboration among students is prohibited**. Unless otherwise noted, exams will NOT be cumulative. *Exam make-ups will not be offered unless previously scheduled due to extenuating circumstances, or in the event of a verifiable emergency.*

**Book Assignment:** Students will find a state/jurisdiction that's made a recent (in the last 5 years) change to their misdemeanor system, explain the changes made, discuss any data that exists comparing the misdemeanor system before and after the reforms and critically analyze these changes. The final product should be a 4-6 page paper summarizing their findings.

**Presentation:** Students will form groups of 5 and create a short (5 minute) multimedia presentation (PowerPoint, video, podcast interview, etc) engaging with a topic from the Rakoff book. More instructions to follow.

**Attendance and Participation:** Read the assignments and come to class ready to discuss them! If you don't participate, it WILL impact your grade. I'll take attendance at the beginning of each class in order to learn your names and ensure timely arrivals. You are permitted 3 absences, no questions asked, no need to let me know (quarantine related absences count as well). **Use them wisely.** Being "present" means

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being both physically and mentally present, excusing yourself from the latest TikTok video, Twitter war or Snap from your bestie.

**Diversity, Inclusion and Respect:** Every student in this course brings with them a unique and valuable perspective. Our differences strengthen and benefit one another, especially when we listen to one another. It is my intent to present materials and activities that are respectful of diversity: gender, sexuality, disability, age, socioeconomic status, ethnicity, race, and culture. Throughout this course we will engage in productive discussion about many controversial topics. It is important that these academic discussions remain respectful and constructive. With that in mind: rude, disrespectful, intimidating or unprofessional language in any communication or assignment in this course will not be permitted and may result in a reduction of your grade. I also encourage students to provide suggestions and feedback on how to improve the course, especially to make it more inclusive for new perspectives.

We will also discuss specific facts of criminal cases in detail. If a particular topic/case is particularly hard for you, please let me know and I will do my best to accommodate.

**Academic Integrity:** UGA Student Honor Code: "I will be academically honest in all of my academic work and will not tolerate academic dishonesty of others." A Culture of Honesty, the University's policy and procedures for handling cases of suspected dishonesty, can be found at [www.uga.edu/ovpi](http://www.uga.edu/ovpi). Be aware that under no circumstances will cheating, plagiarism, or other forms of academic dishonesty be tolerated in this class.

**Mental Health and Wellness @ UGA:** If you or someone you know needs assistance, you are encouraged to contact Student Care and Outreach in the Division of Student Affairs at 706-542-7774 or visit <https://sco.uga.edu>. They will help you navigate any difficult circumstances you may be facing by connecting you with the appropriate resources or services. UGA has several resources for a student seeking mental health services (<https://www.uhs.uga.edu/bewelluga/bewelluga>) or crisis support (<https://www.uhs.uga.edu/info/emergencies>). If you need help managing stress anxiety, relationships, etc., please visit BeWellUGA (<https://www.uhs.uga.edu/bewelluga/bewelluga>) for a list of FREE workshops, classes, mentoring, and health coaching led by licensed clinicians and health educators in the University Health Center.

**Disability Resources @ UGA:** If you anticipate needing classroom or exam accommodations due to the impact of a disability or medical condition, you must register for services with the Disability Resource Center (DRC). I will accommodate requests from the DRC in this course. Additional information can be found here: <http://drc.uga.edu/>

**PROHIBITION ON RECORDING LECTURES:** In the absence of written authorization from the UGA Disability Resource Center, students **may not make a visual or audio recording of any aspect of this course**. Students who have a recording accommodation agree in writing that they: Will use the records only for personal academic use during the specific course; Understand that faculty members have copyright interest in their class lectures and that they agree not to infringe on this right in any way; Understand that the faculty member and students in the class have privacy rights and agree not to violate those rights by using recordings for any reason other than their own personal study; Will not release, digitally upload, broadcast, transcribe, or otherwise share all or any part of the recordings. They also agree that they will not profit financially and will not allow others to benefit personally or financially from lecture recordings or other course materials; Will erase/delete all recordings at the end of the semester; Understand that violation of these terms may subject them to discipline under the Student Code of Conduct or subject them to liability under copyright laws.

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*The course syllabus is a general plan for the course; deviations announced to the class by the instructor may be necessary.*

*In late March/early April we will likely have a class that's cancelled with relatively short notice. Students will be expected to meet in their groups to discuss their final presentations. More details on this the first week of class. Your flexibility is appreciated!*

**Important Dates:**

Drop/Add ends	January 13	Withdrawal Deadline	March 23
Midterm	March 2	Last Day of Class	April 27
Spring Break-	March 6-10	FINAL	May 4 (12-3pm)

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### Spring 2023 Readings Schedule

**\*\*Expect Changes, check eLC for updates\*\***

Week	Date	Topics	Readings (Complete Readings on eLC)
<b>1</b>	1/10	Syllabus, Criminal Law in the News	p. 9-11 (You Decide 1.1 on eLC)
	1/12	<b>NO CLASS MEETING-SPSA Conference</b>	Rakoff p. 3-34
<b>2</b>	1/17	The Nature, Purpose, and Function of Criminal Law	Lippman, Chapter 1
	1/19	Constitutional Limitations	Lippman, Chapter 2
<b>3</b>	1/24		Rakoff p.139-163
	1/26	Punishment and Sentencing	Lippman, Chapter 3
<b>4</b>	1/31		Rakoff, p. 7-34
	2/2	Actus Reus	Lippman, Chapter 4
<b>5</b>	2/7		Rakoff p. 71-84
	2/9	<i>Mens Rea</i> , Concurrence, and Causation	Lippman, Chapter 5
<b>6</b>	2/14		
	2/16	Parties to Crime and Vicarious Liability	Lippman, Chapter 6
<b>7</b>	2/21		
	2/23	<b>EXAM 1 (Chapters 1-6)</b>	
<b>8</b>	2/28	NO CLASS MEETING (asynchronous reading/video assignment) Misdemeanors: Introduction, Data Issues, Process and Impacts	Natapoff, p. 1-148
	3/2	Misdemeanors: History and Change	Natapoff, p. 149-246
<b>SPRING BREAK 3/6-3/10</b>			
<b>9</b>	3/14	Attempt, Conspiracy, and Solicitation	Lippman, Chapter 7
	3/16		
	3/17	<b>BOOK ASSIGNMENT DUE</b>	
<b>10</b>	3/21	Justifications	Lippman, Chapter 8
	3/23		
<b>11</b>	3/28	Excuses	Lippman, Chapter 9
	3/30		
<b>12</b>	4/4	Homicide	Lippman, Chapter 10
	4/6		
<b>13</b>	4/11	Criminal Sexual Conduct, Assault and Battery, Kidnapping, and False Imprisonment	Lippman, Chapter 11
	4/13		
<b>14</b>	4/18	Burglary, Trespass, Arson, and Mischief	Lippman, Chapter 12
	4/20		
<b>15</b>	4/25	FLOATING MAKE UP DAY	Final Project Group Meeting
	4/27	<b>EXAM 2 (Chapters 7-12)</b>	
<b>FINAL</b>	5/4	<b>GROUP PRESENTATIONS</b>	