Instructor: Dr. John Newton  
Email: jmnewton@uga.edu  
Phone: 706.542.2778  
Office: 372 Baldwin Hall

Class time and location: MWF 8:00-8:50am Baldwin Hall Room 102

Office hours: After class and by appointment.


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Course description: This class is an introduction to criminal law. The primary text is a case book. This means the readings are mostly cases which provide examples of the concepts of Criminal Law. The class focuses on concepts although we will discuss a few specific crimes such as homicide, rape, and theft. A few (not many) readings will be assigned in addition to what is included in the textbook. This syllabus is just a guide and there will likely be deviations announced in class. The opportunity to observe the local DUI Court will be provided for extra credit.

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, theft, and others.

Grading: Grades will be determined from two quizzes, a midterm, and a final exam. The final exam will be cumulative. Participating in class discussion is your friend! Read the assignments and come to class ready to discuss them! I will assign a class participation bonus for students who participate at the end of the semester. **Also, if you distract from the class by texting, using Facebook, or anything else that may cause a distraction from the class, I will lower your grade. You may NOT use electronics when we have a guest speaker.**
Grades
Quiz 1 15%
Quiz 2 15%
Midterm 30%
Final Exam 40%
Class Participation Bonus/Penalty

Extra Credit:
- **DUI Court**: There will be a limited number of spots for you to sit through Judge Auslander’s DUI/Drug Court. To receive credit, you must attend the court session and write a reaction paper of up to 5 pages. The sign-up is under the groups section on ELC. Please see the longer explanation on ELC.
- A limited number of **presentations** will be available for students to present cases to the class. These will be announced and awarded in class. Participating students get 2 points toward a quiz grade. This is great experience briefing a case and presenting it.

*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. Below is the grading scale I will use this semester.

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<thead>
<tr>
<th>Score Range</th>
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<tr>
<td>100-94</td>
<td>A</td>
<td>82-80</td>
<td>B-</td>
<td>69-60</td>
<td>D</td>
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<td>93-90</td>
<td>A-</td>
<td>79-76</td>
<td>C+</td>
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<td>89-86</td>
<td>B+</td>
<td>75-73</td>
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<td>85-83</td>
<td>B</td>
<td>72-70</td>
<td>C-</td>
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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.
Emergencies: In case of an emergency during class, we will take the following action:

- **Fire**: We will exit the building and reconvene in the cemetery. We will make sure everyone accounted for and then dismiss class.
- **Tornado/Severe Weather**: We will move to the lowest floor in the building and shelter until it has passed. In Baldwin Hall the shelter location is near the vending machines on the first floor.
- **Medical Emergency**: One person will be designated to meet EMS outside the building and guide them to our location. If an AED is needed, it is located on the first floor near room 101D.
- I encourage you to download the UGA Safe app. You can get more information at [https://prepare.uga.edu/uga-safe/](https://prepare.uga.edu/uga-safe/).

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: [https://uga.edu/honesty](https://uga.edu/honesty). Lack of knowledge of the academic honesty policy is not a reasonable explanation for a violation. Please ask if you have any questions.

Unless explicitly stated, artificial intelligence based technologies such as ChatGPT, Bard, and other similar tools are not allowed to be used in this class. Use of such technology will be considered academic dishonesty.

Attendance: Attending class should greatly help you grasp the concepts presented in this class. I will take roll regularly to help me better get to know you and have a record of class attendance. Please see above under grading to understand how attendance can enhance your grade.

Important Dates:
- Drop/Add ends Tuesday, August 22
- Labor Day Break - No class Sept 1, No class Sept 4
- Quiz 1 – September 15
- Midterm – October 6
- Withdrawal Deadline – Monday, October 23
- Fall Break - Friday, October 27
- Quiz 2 – November 17
- Thanksgiving Break: November 22-24
- Last Day of Class – Tuesday, December 5
- Final Exam – Monday, December 11: 8:00am – 11:00am (Comprehensive Exam)

Resources:
- Disability Resource Center – [https://drc.uga.edu](https://drc.uga.edu)
- Academic Support - [https://dae.uga.edu/](https://dae.uga.edu/)
- Financial Hardship - [https://financialhardship.uga.edu/](https://financialhardship.uga.edu/)
- UGA Well-being – [https://well-being.uga.edu](https://well-being.uga.edu)
- UGA Involvement Network - [https://uga.campuslabs.com/engage/](https://uga.campuslabs.com/engage/)
- Georgia Museum of Art - [https://georgiamuseum.org/](https://georgiamuseum.org/)
- Study Away - [https://web.oge.uga.edu/studyaway/home](https://web.oge.uga.edu/studyaway/home)

Preferred Name and Pronouns
If I call you by the wrong name, mispronounce your name, or otherwise do not refer to you in the manner that you would like, please correct me. My pronouns are he, him, and his. As a student in the class, it is appropriate to refer to me as Dr. Newton.

**Email/Contact Etiquette**

Even though you have likely done many wonderful and incredible things, I only know you by our interactions. For that reason, it is a good idea to be respectful in our communications. Here are my suggestions:

- Please email me from your UGA email address. This helps me know who you are and connect you with this class.
- Please do not email me through ELC. I have missed those emails in the past and I am afraid I might not see your email. It is best to email me from your UGA email account.
- Please understand that I may post your email and my response on ELC. I started this practice because many students have similar questions. I don’t post every email on ELC, because the email may not pertain to class questions. If you email me with questions about tests, what we are supposed to be reading, about concepts or anything we are learning – I may post your question and my reply to benefit others in the class.
- It is best to be respectful of everyone. You never know when that may come in handy for a recommendation, a suggestion, or something else. Talk to other people in the class (and in all your classes). Take a moment to say something nice to someone and be supportive of each other. We are stronger together.
- Please understand that I am a mandated reporter. If you share information about sexual assault, violence, or other incidents, it is likely that I am bound by law to report those incidents. Counseling and other resources are available through Relationship and Sexual Violence Prevention - [https://healthpromotion.uga.edu/rsvp/](https://healthpromotion.uga.edu/rsvp/). The RSVP resources include confidentiality.

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**Fall 2023 Readings Schedule**

**Expect Changes**

**Week 1 - August 16**

Dressler, pp. 1-29:
Nature, Sources, and Limit of the Criminal Law
Criminal Law in a Procedural Context: Pre-trial
Criminal Law in a Procedural Context: Trial by Jury
Proof of Guilt at Trial
Proof Beyond a Reasonable Doubt
*Owens v. State*
Jury Nullification
*State v. Ragland*

Dressler, 31-53
Principles of Punishment: Introduction & Initial Thoughts
A. Theories of Punishment
Kent Greenawalt - Punishment
Jeremy Bentham - An Introduction
Kent Greenawalt - Punishment (utilitarian)
Michael Moore - The Moral Worth of Retribution
Immanuel Kant – The Philosophy of Law
Jean Hampton – The Retributive Idea
(Note – you can omit pp. 46-50 as we will not cover those readings)

Penal Theories in Action, pp. 53-64
The Queen v. Dudley and Stephens
People v. Superior Court
People v. Du

Week 2 – August 21
Dressler, pp 75-93
Constitutional Principles
Coker v. Georgia
Ewing v. California

pp. 109-131
Principles of Legality
In Re Banks
Desertrain v. City of Los Angeles

Statutory Interpretation
Muscarello v. United States

Optional Reading on ELC – We may discuss as time permits:
Papachristou v. City of Jacksonville

Week 3 – August 28
Dressler, pp. 133 - 159
Actus Reus
Martin v. State
State v. Utter
People v. Beardsley
Barber v. Superior Court

Week 4 – September 4
No class on September 4

Dresler, pp. 161 - 185
Nature of Mens Rea
United States v. Cordoba-Hincapie
Regina v. Cunningham
People v. Conley
Model Penal Code Approach
Knowledge of Attendant Circumstances
State v. Nations
Problems with Statutory Interpretation
State v. Miles

Dressler, pp. 185-230 (strict liability & Mistake)
Morissette v. United States
Staples v. United States
Garnett v. State
People v. Navarro
People v. Marrero
Cheek v. United States

Week 5 – September 11
Dressler, pp. 231-255 (causation)
Velazquez v. State
Oxendine v. State
People v. Rideout
Velazquez v. State
State v. Rose (concurrence)

Quiz 1 – September 15

Week 6 – September 18
Homicide:
Dressler, pp 257-274
Homicide Statistics
Common Law Origins and Reform
Sample Statutes

Pp. 281-300
State v. Guthrie
Midgett v. State
State v. Forrest
Girouard v. State

Reasonable Person, pp. 305-311

Dressler, pp. 324-333
Unintentional Killings: Unjustified Risk Taking: Introduction: A Road Map
People v. Knoller

Dressler, pp. 342-373
Felony Murder
People v. Fuller
The Policy Debate
In Defense of the Felony Murder Doctrine
*Fisher v. State*
*People v. Smith*
*State v. Sophophone*

*Gregg v. Georgia and McClesky v. Kemp* (Extra Credit Presentations)

**Week 7 – September 25**
Sexual Assault
Dressler, pp 439-456
*State v. Alston*
*Rusk v. State*
*State v. Rusk*

460-496
*Commonwealth v. Berkowitz*
*M.T.S.*
*Boro v. Superior Court*
*Commonwealth v. Lopez*

*Garnett v. State* (read the case starting on p. 201 and the notes in this section)

pp. 507-513
Categories of Defenses

pp. 524-572
*United States v. Peterson*
*People v. Goetz*
*State v. Wanrow*
*State v. Norman* (NC Court of Appeals)
*State v. Norman* (NC Supreme Court)

**Week 8 – October 2**
pp. 580-588
Defense of Habitation
*State v. Boyett*

Dressler, pp. 589-605 (necessity, excuse, duress, intoxication)
*Nelson v. State*
*ALI, Model Penal Code*
*State Ex Rel. Haskell v. Spokane County District Court*

Duress
pp. 617-645
*United States v. Contento-Pachon*
*People v. Unger*
People v. Anderson
United States v. Veach

Mid-term – October 6

Week 9 – October 9
Dressler, pp. 645-651
Insanity - Competency to Stand Trial
Pre-trial Assertion
Burden of Proof
Post-Trial Disposition

651-666
United States v. Freeman
State v. Johnson
ALI, Model Penal Code

678-682
Yates v. State
Should the defense be abolished?

Week 10 – October 16
Diminished Capacity & Infancy
pp. 690-713
Clark v. Arizona
In Re Devon T

pp. 733-747
Robinson v. California
Powell v. Texas

Week 11 – October 23
Attempt
Dressler, 773-785
People v. Gentry
Bruce v. State
United States v. Mandujano
An Initial Effort at Drawing the...

pp. 788-790
People v. Rizzo

pp. 802-822
People v. Thousand
Commonwealth v. McCloskey
No Class on October 27 for Fall Break

Week 12 – October 30
Conspiracy pp. 831-853
People v. Carter
Pinkerton v. United States
People v. Swain
People v. Lauria
Commonwealth v. Azim

pp. 859-871, 873-878
People v. Foster
Kilgore v. State
Lannelli v. United States

Dressler, pp. 883-891
Offenses with “A Large Inchoate Aspect”
Major v. State

Week 13 – November 6
Dressler, pp. 893-904 (accomplice)
State v. Ward
State v. Hoselton
Mens Rea: Intent: Purpose or Knowledge
People v. Lauria

911-917
State v. Linscott
State v. V.T.

926-927
A Special Problem: Mutual Combat

pp. 932-937
United States v. Lopez
People v. McCoy

Week 14 – November 13
Dressler, pp 965-995 (Theft)
Lee v. State
State v. Jones
United States v. Mafnas
Topolewski v. State
Rex v. Pear
Brooks v. State
Lund v. Commonwealth
People v. Brown
People v. Davis

Dressler, pp. 995-1013 (embezzlement)
Rex v. Bazeley
People v. Ingram
People v. Whight
United States v. Czubinski

Quiz 2 – November 17

Thanksgiving Holiday – November 22-25

Week 15 - November 27 Dec 4,5
Catch-up/Review
Burglary
Robbery
Bowers v. Hardwick (ELC)
Lawrence v. Texas (ELC)
Entrapment (ELC)

Final Exam – Monday, December 11: 8:00am – 11:00am (Comprehensive Exam)