Instructor: Dr. John Newton  
Email: jmnewton@uga.edu  
Phone: 706.542.2778  
Office: 180E Baldwin Hall (inside the main Political Science Office)

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! At the end of the semester I may increase your overall grade based on class participation. I judge class participation based on two elements: did the student demonstrate and understanding of the material and/or did the student facilitate the learning process. **Also, if you distract from the class by texting, online shopping, or anything else, I will lower your grade. You may NOT use electronics when we have a guest speaker.**
Grades
Quizzes (4) 24% (6% each)
Midterm 26%
Final Exam 50%
Class Participation Bonus/Penalty

Quizzes will be on ELC and done outside of class. They are open resource exams (excluding other humans).

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 may be available for students. This may be researching specific Georgia law, briefing a recent Supreme Court case, or something similar. These are at the sole discretion of the instructor.

*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. The general late penalty is fifteen points, but this is only a guide as each circumstance is different. Below is the grading scale I will use this semester.

<table>
<thead>
<tr>
<th>Score Range</th>
<th>Grade</th>
</tr>
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<tbody>
<tr>
<td>100-94</td>
<td>A</td>
</tr>
<tr>
<td>93-90</td>
<td>A-</td>
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<tr>
<td>89-86</td>
<td>B+</td>
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<tr>
<td>85-83</td>
<td>B</td>
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<tr>
<td>82-80</td>
<td>B-</td>
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<td>79-76</td>
<td>C+</td>
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<tr>
<td>75-73</td>
<td>C</td>
</tr>
<tr>
<td>72-70</td>
<td>C-</td>
</tr>
<tr>
<td>Below 60</td>
<td>F</td>
</tr>
</tbody>
</table>

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 4
- Quiz 1 – Due September 6
- Quiz 2 – Due September 27
- Midterm – October 9th and 11th
- Withdrawal Deadline – Monday, October 23
- Fall Break - Friday, November 1
- Quiz 3 – Due November 8
- Thanksgiving Break: November 27-29
- Last Day of Class – Tuesday, December 3
- Quiz 4 – Due December 3
- Final Exam – Wednesday, December 11: 8:00am – 11:00am (Comprehensive Exam)
Resources:
Disability Resource Center – https://drc.uga.edu
Academic Support - https://dae.uga.edu/
Financial Hardship - https://financialhardship.uga.edu/
UGA Well-being – https://well-being.uga.edu
UGA Involvement Network - https://uga.campuslabs.com/engage/
Georgia Museum of Art - https://georgiamuseum.org/
Study Away - 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.
- If you email me a question about the content or conduct of the class, 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/. The RSVP resources include confidentiality.
**Fall 2024 Approximate Readings Schedule**

**Week 1 - August 14, 19**
Dressler, pp. 1-29:
Nature, Sources, and Limits 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
People v. Superior Court
People v. Du

Sources and General Limitations, excerpt from Criminal Law by LaFave and Ohlin on ELC

**Week 2 – August 26**
Dressler, pp 75-93
Constitutional Principles
Coker v. Georgia
Ewing v. California

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

City of Grants Pass v. Johnson [Extra Credit – not required reading]
Statutory Interpretation
*Muscarello v. United States*

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

*United States v. Rahimi* [Extra Credit – not required reading]

**Week 3 – September 2**
Dressler, pp. 133 - 159
Actus Reus
*Martin v. State*
*State v. Utter*
*People v. Beardsley*
*Barber v. Superior Court*

**Week 4 – September 9**
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 16**
Dressler, pp. 231-255 (causation)
*Velazquez v. State*
*Oxendine v. State*
*People v. Rideout*
*Velazquez v. State*
*State v. Rose* (concurrence)

**Week 6 – September 23**
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)
Extra Credit Presentation on limits of felony murder in Georgia

Week 7 – September 30
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
Extra credit presentation on sexual offenses in Georgia, definitions of force and consent, constructive force

**Week 8 – October 7**

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*

**Week 9 – October 14**

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 21**

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 28**
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

**Week 12 – November 4**
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 14**
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 21/28**  
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  

**Week 15 - November 28/ Dec 4,5**  
Catch-up/Review  
Burglary  
Robbery  
Bowers v. Hardwick (ELC)  
Lawrence v. Texas (ELC)  
Entrapment (ELC)  

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