

POLS 4720: Criminal Procedure

Dr. Karson P. Ray

University of Georgia, Fall 2025

E-mail: karson.ray@uga.edu

Office Hours: Tuesdays, 1:00 – 2:00 pm

Office: Baldwin Hall 305A

Class Hours: T/Th 11:10 am – 12:25 pm

Classroom: Sanford 109

Course Description

Criminal Procedure provides an overview of the Fourth, Fifth, Sixth and Eighth Amendments to the United States Constitution, with specific attention to the law governing criminal arrest, trial, and punishment.

Required Materials

- There is no assigned textbook for this course. Your required reading will be Supreme Court cases and consequently, your briefings of them.
- If you prefer to use a textbook to do so, I recommend Lloyd Weinreb's *Constitutional Cases on Criminal Justice*, published by Foundation Press. This casebook will still not contain every case we'll analyze, so some case research on your own will be necessary. On ELC, I have links or PDFs for each required case as well.
- I also recommend Matthew Lippman's *Criminal Procedure* for a textbook-type reading format.

Course Objectives

This course examines the constitutional policy making of the United States Supreme Court in the area of criminal procedure.

1. Students will primarily be exploring some of the basic protections that the Bill of Rights affords citizens against the government in the sphere of criminal justice.
2. Students will attain a basic understanding of the laws of criminal procedure and the political dynamics that are involved in the development of criminal procedure policy and doctrine.

3. Students will attain an ability to critically analyze legal case law and apply legal principles to factual situations.
4. Students will attain an ability to discuss legal and policy issues in a disciplined and cogent manner.

Course Structure

Class Structure

This course is designed to prepare you for a future in law school, graduate school, or the workforce in the field of criminal justice. The abundance and intensity of readings is meant to challenge you; I expect you to have a working understanding of all assigned cases before class, with a list of any clarifying questions to be asked in class during lectures. **I highly suggest reading and briefing cases during the weeks in which they are assigned, regardless of whether you've been assigned to submit briefs for grading in any given week.** This will set you up for success on a week-by-week basis in terms of participation, and also make studying for exams easier.

Grades

- **Exams** will be administered twice during the semester. These exams will be comprised of short answer (2-3 sentences) and essay questions, and will include application of concepts using hypothetical scenarios. You will have the entirety of the class to take the Midterm Exam (1 hour and 15 minutes). The Final Exam will take place on December 10th from 12:00 to 3:00 pm in our classroom and will be a cumulative assessment. The dates of each exam are listed in the schedule, but are subject to change dependent upon our pace throughout the semester; please note that the date of the Final Exam is dictated by the University of Georgia and will not change. **Makeup exams are only permitted in extraordinary circumstances such as documented medical emergencies. Makeup exams will not be offered without documentation and as much advance notice as possible, depending on the circumstances.**
- A **Moot Court Simulation** will allow you an opportunity to observe and interact with the decision making in criminal trials. This event will take place in the middle of November and will last two weeks in total. 10% of your grade will be your participation in the event, 5% will be the completion of research due at the start of the simulation, and 5% will be post-simulation analysis and reflection. For full credit on this assignment, **attendance is required during all four days of the simulation: November 11th, 13th, 18th, and 20th.** If you have a documented excuse for these days, an alternate assignment will be given once your excuse has been accepted by me. If you have any conflicts during these dates, you should explain so in an email to me, including documentation and details, as soon as possible.
- **Case Briefs** will count for 10% of your final grade. You will learn how to write case briefs during the first and second weeks of class. At the end of our second week of class, you will be assigned into one of four case brief groups. Each group will have two case briefs due on the Tuesday of two separate weeks during our semester; in total, you will submit

four case briefs for grading, making them each worth 2.5% of your final grade. There will be numerous suggested cases for briefing for each week; **you may submit briefs for any two of the suggested cases for grading.** Students should be prepared to discuss in greater detail, in class, **ALL** cases assigned during their two submission weeks, not just the two submitted for grading (this in-class engagement with cases will count towards your participation grade; see below). Case briefs should be submitted by our class start time, 11:10 am, on ELC. Grades will be generally returned by the following Tuesday. Due dates for each brief group are outlined below in the course schedule as well as at the end of the syllabus in a table. While you may work together with classmates on briefing the cases, **the work you submit to me should be original and only your own.** Failure to comply with this stipulation by turning in copied case briefs from group members or other classmates, or copying from legal sites like Oyez etc. will result in an academic dishonesty report. Please speak with me if you have questions about this.

- **Attendance** will be taken every day (excluding exam days and simulation week) throughout the semester, and participation in class discussion will count towards this grade as well. Some days, attendance will be taken by brief in-class assignments. Attendance will count for 10% of your grade, along with participation. Participation will be in the form of answering questions (on all cases assigned for that week—not just the ones you submitted for grading) during the weeks in which you submitted case briefs. You will have other opportunities to participate as well, but **you should expect to be called on and graded on your participation in class during your assigned case brief submission dates.** I will accept **two unexcused absences, no questions asked.** For each unexcused absence following, one point will be deducted from your attendance grade (a 10% reduction). I will accept documented excuses up to 7 days following the missed class period.

Grading Summary

I reserve the right to curve the scale dependent on overall class scores at the end of the semester. Your final grade will count these assessments using the following proportions:

- **60%** of your grade will be determined by 2 in-class exams. The Midterm Exam will be worth 30% and the Final Exam will be worth 30%.
- **20%** of your grade will be the Moot Court Simulation. This will be graded on your individual effort during the simulation (10%), your pre-simulation research (5%), and your post-simulation analysis (5%).
- **10%** of your grade will be determined by case briefs.
- **10%** of your grade will be based on your attendance and participation.

A	94-100
A-	90-93
B+	88-89
B	84-87
B-	80-83
C+	78-79
C	74-77
C-	70-73
D+	68-69
D	64-67
D-	60-63
F	< 60

Class Policies

During Class

I absolutely understand that using laptops to record notes is important, so computers will be allowed in my classroom as long as the use of these devices does not disturb the learning capability of other students. If laptops are discovered

to be used for any other purpose than academics pertaining to this course, then the privilege of electronic devices will be taken away. I aim to respectfully allow each student the same learning capability, which could be hindered by the use of electronic devices. Phones will not be allowed during class time, except in case of emergency. Eating and drinking are permitted, so long as we can respect our classroom and allow for regular class to be conducted.

Attendance Policy

Attendance will be taken every day and this will account for 10% of your grade, along with in-class participation. You will be allowed two unexcused absences. Following two unexcused absences, further unexcused absences will result in a one point attendance deduction per absence. Excused absences will include those with legitimate documentation, which can be sent to my email up to 7 days after the absence.

Policies on Incomplete Grades and Late Assignments

I will accept incomplete or late assignments when a legitimate excuse is provided. This requires documentation, and notice as soon as possible. I am flexible, and understanding, but I must be aware of your circumstances to be able to accept incomplete or late work. Incomplete work without an excuse will be graded as such, and late work without an excuse is subject to a 10% reduction in overall grade for every business day after the deadline.

Academic Integrity and Honesty

Please see UGA's extensive policies on academic honesty (<http://honesty.uga.edu>). Be aware that under no circumstances will cheating, plagiarism, or other forms of academic dishonesty be tolerated in this class. 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 honesty.uga.edu.

Please note that in my class, the use of unauthorized devices on in-class exams will result in an automatic report to UGA's Office of Academic Honesty and severe grade penalties. Should you need to have access to your phone for emergency purposes during an examination, you must speak with me **before** the assessment takes place.

Policy on the Use of Artificial Intelligence

To ensure you develop and master the foundational knowledge and skills in this course, the use of generative AI (GAI) tools is strictly prohibited. This includes all stages of your work process, even the preliminary ones. This prohibition extends to AI writing tools like Grammarly and Wordtune, as well as GAI tools like ChatGPT, Copilot, Writesonic, Rytr, and Rytutor. If you are uncertain about using a particular tool to support your work, please consult with me before using it.

Mental Health and Wellness at UGA

UGA Well-being Resources promote student success by cultivating a culture that supports a more active, healthy, and engaged student community. Anyone needing assistance is encouraged to contact Student Care & Outreach (SCO) in the Division of Student Affairs at 706-542-8479 or visit sco.uga.edu. Student Care & Outreach helps students navigate difficult circumstances by connecting them with the most appropriate resources or services. They also administer the Embark@UGA program which supports students experiencing, or who have experienced, homelessness, foster care, or housing insecurity. UGA provides both clinical and non-clinical options to support student well-being and mental health, any time, any place. Whether on campus, or studying from home or abroad, UGA Well-being Resources are here to help.

- Well-being Resources: well-being.uga.edu
- Student Care and Outreach: sco.uga.edu
- University Health Center: healthcenter.uga.edu
- Counseling and Psychiatric Services: caps.uga.edu or CAPS 24/7 crisis support at 706-542-2273
- Health Promotion/ Fontaine Center: healthpromotion.uga.edu

- Disability Resource Center and Testing Services: drc.uga.edu

Additional information, including free digital well-being resources, can be accessed through the UGA app or by visiting <https://well-being.uga.edu>.

Disability Accommodations

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 Accessibility and Testing Center (A&T), formerly the Disability Resource Center (DRC). I will accommodate requests from A&T in this course. Additional information can be found here: <https://accessibility.uga.edu>

Prohibition on Class Recordings and Distribution of Course Materials

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.

For more information on securing an accommodation to record lectures, see: <https://accessibility.uga.edu/faculty-guidelines-for-record-lecture/>.

Schedule

The course syllabus is a general plan for the course; deviations announced to the class by the instructor may be necessary. The schedule is tentative and subject to change, though I commit to giving you plenty of advance notice if anything changes. The learning goals expressed in the syllabus above should be viewed as the key concepts you should grasp after each week. You should have all readings completed by the Tuesday of each week.

(Week 1) 8/14: Introduction

- Read syllabus in detail and email any questions to karson.ray@uga.edu.

(Week 2) 8/19 and 8/21: The Courts and Criminal Procedure

- Read Pye 1968, Arenella 1984, and Smith 2002 on ELC.
- Review "Writing Case Briefs" on ELC.
- Case Brief Groups will be assigned on 8/21 in class and posted to ELC.

(Week 3) 8/26 and 8/28: Due Process of Law

- Case Brief Options: Rochin v. California (1952), Griswold v. Connecticut (1965), Duncan v. Louisiana (1968), Kahler v. Kansas (2020)
- Also read: Adamson v. California (1947), Palko v. Connecticut (1937), Washington v. Glucksberg (1997)

(Week 4) 9/2 and 9/4: Search and Seizure

- Case Brief Options: *Katz v. United States* (1967), *United States v. Dunn* (1987), *Kyllo v. United States* (2001), *Florida v. Jardines* (2013), *United States v. Jones* (2011)
- Also read: *Olmstead v. United States* (1928), *Florida v. Riley* (1989), *Smith v. Maryland* (1979), *Illinois v. Caballes* (2004)

(Week 5) 9/9 and 9/11: Probable Cause and the Warrant Requirement

- Case Brief Options: *Illinois v. Gates* (1983), *Kentucky v. King* (2010), *Michigan Department of State Police v. Sitz* (1989), *Riley v. California* (2014), *Georgia v. Randolph* (2005), *Arizona v. Gant* (2008)
- Also read: *Maryland v. Pringle* (2003), *Warden v. Hayden* (1966), *Birchfield v. North Dakota* (2016), *California v. Acevedo* (1991), *Wilson v. Arkansas* (1994)

(Week 6) 9/16 and 9/18: Arrests, Stops, and Reasonable Suspicion

- Case Brief Options: *Florida v. Bostick* (1991), *Terry v. Ohio* (1967), *Florida v. J.L.* (1999), *California v. Hodari* (1990), *United States v. Sharpe* (1985)
- Also read: *Atwater v. City of Lago Vista* (2001), *United States v. Mendenhall* (1980), *Illinois v. McArthur* (2000), *Illinois v. Wardlow* (2000), *Ornelas v. United States* (1995)

(Week 7) 9/23 and 9/25: MIDTERM EXAM

- Midterm Exam preparation will be in-class on 9/23, if time permits.
- Midterm Exam will take place on 9/25 in class.

(Week 8) 9/30 and 10/2: Exclusionary Rule

- Case Brief Options: *Weeks v. United States* (1914), *Mapp v. Ohio* (1961), *Nix v. Williams* (1984), *United States v. Leon* (1984)
- Also read: *Arizona v. Evans* (1994), *Hudson v. Michigan* (2005), *Wong Sun v. United States* (1963), *Brown v. Illinois* (1975), *Murray v. United States* (1987), *Illinois v. Krull* (1986)

(Week 9) 10/7 and 10/9: Guest Speaker

- Guest Speaker on 10/9. Attendance will be taken.

(Week 10) 10/14 and 10/16: Interrogations and Confessions

- Case Brief Options: *Escobedo v. Illinois* (1963), *Miranda v. Arizona* (1965), *Oregon v. Elstad* (1984), *New York v. Quarles* (1983)
- Also read: *Spano v. New York* (1958), *Oregon v. Mathiason* (1976), *J.D.B. v. North Carolina* (2010), *Harris v. New York* (1971), *Berghuis v. Thompson* (2009), *Dickerson v. United States* (2000)

(Week 11) 10/21 and 10/23: Right to Counsel and Effective Assistance

- Case Brief Options: *Powell v. Alabama* (1932), *Betts v. Brady* (1942), *Gideon v. Wainwright* (1962), *Strickland v. Washington* (1984), *Brewer v. Williams* (1976)
- Also read: *Argersinger v. Hamlin* (1972), *Ross v. Moffitt* (1974), *United States v. Cronin* (1983), *Faretta v. California* (1974)

(Week 12) 10/28 and 10/30: Trial Rights

- Case Brief Options: *Batson v. Kentucky* (1985), *Sheppard v. Maxwell* (1965), *In re Winship* (1969), *Crawford v. Washington* (2003), *Brady v. Maryland* (1963)
- Also read: *J.E.B. v. Alabama* (1993), *Marker v. Wingo* (1971), *Maryland v. Craig* (1989), *Williams v. Florida* (1969), *Georgia v. McCollum* (1991), *Taylor v. Louisiana* (1974)

(Week 13) 11/4 and 11/6: Content Wrap-Up and Simulation Preparation

- Pre-simulation research due on 11/6 at the start of class, 11:10 a.m. Submit on ELC.

(Weeks 14 and 15) 11/11 through 11/20: Moot Court Simulation

- Attendance is required during class on 11/11, 11/13, 11/18, and 11/20. If you have a legitimate conflict or emergency, please email me as soon as possible, with documentation, to let me know.

(Week 16) 11/25: Last Day of Class – Simulation Debrief and Final Exam Prep

- Post-simulation Analysis due on 11/25 at 11:59 p.m. Submit on ELC.
- Happy Thanksgiving!

FINAL EXAM: December 10 from 12:00 to 3:00 pm

Withdrawal deadline is November 12.

Friday class schedule in effect on December 2 (no class meeting for us).

Reading Day is December 3.

Final exam period is December 4-10.

Case Brief Groups	Due Dates
Group #1	August 26 and September 30
Group #2	September 2 and October 14
Group #3	September 9 and October 21
Group #4	September 16 and October 28