

POLS 4730
Criminal Law
Spring Semester 2026

Instructor: Dr. John Newton
Email: jmnewton@uga.edu
Office: 413 Baldwin Hall

Class time and location: Tu/Th 9:55-11:15 Baldwin 102

Office hours: Tuesdays 11:30 – 12:30 and by appointment

Primary text: Dressler, Joshua and Stephen Garvey. *Cases and Materials on Criminal Law* (Tenth Edition). West Publishing. 2025. (ISBN 978-8-89209-776-5).

15% Student Discount:

Students can save **15%** when they purchase their book directly from us at www.westacademic.com by using the Discount Code: **HESTUDENT**. The discount code can be applied to both print books and eBooks. Students who purchase their print books on the West Academic store receive free ground shipping and instant 14-day digital access to most casebooks while their book ships.

Optional Text: Dressler, Joshua. *Understanding Criminal Law* (Nineth Edition). Carolina Academic Press. 2022. (An older edition would probably work well and be much cheaper, but this is an excellent book!).

Course description: Substantive criminal law in the United States. State and federal statutes and selected cases, with particular focus on the definition and classification of crime, the elements of crime, types of crime, and justifications and excuses related to criminal liability.

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. The focus of the class will be on concepts of criminal law such as theories of punishment, constitutional limitations, *actus reus*, *mens rea*, causation, concurrence, excuses, justification, and legal responsibility. The class will also review the foundations of some specific crimes such as theft, sexual assault, and homicide.

The Student Learning Outcomes are as follows:

Students will be introduced to the theories underlying American criminal law as well as the essential principles.

Students will explore some of the explanations for criminal punishment and the students will learn to apply legal rules to factual situations.

Students will examine and discuss other salient issues in contemporary criminal justice, public policy, and legal discourse.

Students will attain a basic understanding of criminal law and the rationales underlying criminal punishment.

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Students will attain an ability to critically analyze legal case law and apply legal principles to factual situations.

Students will attain an ability to discuss legal and policy issues in a disciplined and cogent manner.

TOPICAL OUTLINE

Processes and Purposes

Sources and Limits of the Criminal Law

Mental State

The Act Requirement

Homicide: Using Mental State and Other Factors to Classify Crimes

Mental Disease or Defect

Alcoholism and Addiction: Intoxication; Immaturity

Justification and Excuse

Rape: The Dilemmas of Law Reform

Attempts

Conspiracy and Solicitation

Parties; Liability for the Conduct of Another

Grading: Grades will be determined from pop 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. For a more thorough explanation of quality comments, see the attendance section below. **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.**

If you need to make a phone call, answer a text, order the latest gadget or clothes, purchase concert tickets that just went on sale, etc – just step outside of the classroom and do what you need to do. After you are done, return to the class (if you wish). Please do not distract the other students (or me) and be respectful.

Grades

Pop Quizzes	20%
Midterm	30%
Final Exam	50%
Class Participation	Bonus/Penalty

Quizzes will be on ELC and can be done in class or out of class, but they will have limited time to complete. You won't know when or how many quizzes will be assigned. They will only be announced in class. The quizzes will be due very soon after being announced.

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

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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.

100-94	A	82-80	B-	69-60	D
93-90	A-	79-76	C+	Below 60	F
89-86	B+	75-73	C		
85-83	B	72-70	C-		

Students with special needs that require accommodation should notify me and Accessibility and Testing at the beginning of the semester to facilitate appropriate arrangements.

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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/>.

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://honesty.uga.edu>. Lack of knowledge of the academic honesty policy is not a reasonable explanation for a violation. This means I expect you to follow the rules of this course and not use outside assistance on any quizzes, writing assignments, presentations, tests, or other work unless authorized by the assignment. Please ask if you have questions.

Under the honor code, you have agreed to the statement below:

"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.

Unless explicitly stated, artificial intelligence based technologies such as ChatGPT, Gemini, Copilot, Grok, Claude, DeepSeek, 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. This helps me get to know you and have a record of class attendance. Please see above under grading to understand how attendance can enhance your grade.

Class participation is a very important part of the learning process in this course. Although not explicitly graded, you will be evaluated on the QUALITY of your contributions and insights. Quality comments possess one or more of the following properties:

- Offers a different and unique, but relevant, perspective;
- Contributes to moving the discussion and analysis forward;
- Assists in the learning process
- Demonstrates an understanding of the assigned material
- Includes evidence, argumentation, or recognition of contrasting values or tradeoffs (ie critical thinking)
- Demonstrates analytical thinking – especially using information or expertise learned outside of this class

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Your participation is especially helpful for borderline grades. While your participation grade is subjective, it will not be random or arbitrary. And, clearly, more frequent quality comments are better than less frequent quality comments.

The decision to excuse an absence is the responsibility of the class instructor. Under certain circumstances, the Office of Student Care and Outreach may certify the legitimacy of absences.

The Office of Student Care and Outreach does not excuse or verify routine absences. The decision to excuse an absence, allow make-up work, or reschedule or make up an exam is entirely at the discretion of each faculty member or instructor.

Students who miss a significant amount of class (generally more than one week) and have documentation that helps provide verification of the legitimacy of the absences may provide that documentation to the instructor. If there are compelling privacy concerns, Student Care and Outreach will review the documentation at the request of the student and/or instructor. If the documentation appears sufficient to establish verification of the legitimacy of the absences, Student Care and Outreach will send a memo to the student's instructor(s) notifying the instructor(s) that the student has provided sufficient documentation of legitimate reasons for the absence. This memo will inform the instructor's decisions regarding whether to and/or how to accommodate or excuse any absences. The decision to excuse an absence, allow make-up work, or reschedule or make up an exam is entirely at the discretion of each faculty member or instructor.

Important Dates:

Classes Begin: January 12

Spring Break: March 9-13

Midterm – February 26

Withdrawal Deadline – April 9th

Classes End: April 27

Reading Day: April 28

Final Exam – April 30 8-11am

UGA Well-Being

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

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- 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
- Accessibility and Testing: accessibility.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>.

My recommendation for additional resources that may be useful:

- Rec Sports – <https://recsports.uga.edu> - stay healthy and have fun. I encourage you to maintain a fitness routine as this is great for physical and mental health. Also – if you go on an outdoor trip, I would love to hear about it so I can live vicariously through you.
- Georgia Museum of Art – not part of the well-being initiative, but you should visit. Take a break and walk around. It is free, on campus, and a great place to spend some time. <https://georgiamuseum.org>.
- UGA Involvement Network – <https://uga.campuslabs.com/engage>
- The UGA Police – 706-542-2200: You can contact them 24/7. They work for UGA and can connect you to on-call mental health, help fix broken lights, or whatever you might need. You can also use the UGA Safe app to text the police anytime.

Resources:

Accessibility and Testing – <https://accessibility.uga.edu>

Academic Support - <https://dae.uga.edu/>

Student Care and Outreach - <https://sco.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

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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.

Flexibility

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

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Approximate Readings Schedule
****Expect Changes****

Week 1- January 12

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. 44- as we will not cover those readings)

Penal Theories in Action, pp. 53-61

How Much Punishment Should be Imposed

United States v. Smith

Optional Reading on ELC: *Sources and General Limitations*, excerpt from *Criminal Law* by LaFare and Ohlin

Week 2 – January 19

Dressler, pp 64-75

Constitutional Principles

Ewing v. California

Coker v. Georgia (see PDF on ELC)

pp. 87-111

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]

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Statutory Interpretation
Muscarello v. United States

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

Week 3 – January 26

Dressler, Chapter 4
Actus Reus
Martin v. State
State v. Utter
People v. Beardsley
Barber v. Superior Court
Social Harm

Week 4 – February 2

Dressler, Chapter 5
Nature of *Mens Rea*
United States v. Cordoba-Hincapie
Regina v. Cunningham
People v. Conley
Model Penal Code Approach (Make sure to read and study the Model Penal Code definitions on pp. 159-162)
Knowledge of Attendant Circumstances
State v. Nations
Problems with Statutory Interpretation
Flores-Figueroa v. United States

Dressler, Chapter 5 (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 – February 9

Dressler, Chapter 6 (causation)
Velazquez v. State
Oxendine v. State
People v. Rideout
Velazquez v. State
State v. Rose (concurrency)

Week 6 – February 16

Homicide, Dressler, Chapter 7

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Homicide Statistics

Common Law Origins and Reform

Sample Statutes (don't worry about memorizing these statutes, but read them and look for differences)

State v. Guthrie

Midgett v. State

State v. Forrest

Girouard v. State

Reasonable Person, pp. 386-291

People v. Casassa

Unintentional Killings: Unjustified Risk Taking: Introduction: A Road Map

People v. Knoller

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 – February 23

Sexual Assault, Dressler Chapter 8

Reflections on Law in Flux

Rape/Sexual Assault Statistics (and notes)

State v. Alston

Rusk v. State

State v. Rusk

Susan Ager – The Incident

460-496

Commonwealth v. Berkowitz

M.T.S.

State v. Kelso-Christie

Commonwealth v. Lopez

Garnett v. State (read the case starting on p. 186 and the notes in this section)

Chapter 9

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Categories of Defenses

United States v. Peterson
People v. Goetz
State v. Wanrow
State v. Norman (NC Court of Appeals)
State v. Norman (NC Supreme Court)

Extra credit presentation on sexual offenses in Georgia, definitions of force and consent, constructive force

Week 8 – March 9

Defense of Habitation
State v. Boyett

Necessity, Excuse
Nelson v. State
ALI, Model Penal Code
State Ex Rel. Haskell v. Spokane County District Court

Duress, Intoxication
United States v. Contento-Pachon
People v. Unger
People v. Anderson
United States v. Veach

Week 9 – March 16

Insanity - Competency to Stand Trial
Pre-trial Assertion
Burden of Proof
Post-Trial Disposition

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

State v. Wilson (Extra Credit)

Week 10 – March 23

Diminished Capacity & Infancy
Clark v. Arizona
In Re Devon T

Robinson v. California – Extra Credit
Powell v. Texas – Extra Credit

Week 11 – March 30

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Attempt
People v. Gentry
Bruce v. State
United States v. Mandujano
An Initial Effort at Drawing the...

People v. Rizzo

People v. Thousand
Commonwealth v. McCloskey
One Final Problem

Week 12 – April 6

People v. Carter
Pinkerton v. United States
People v. Swain
People v. Lauria
Commonwealth v. Azim

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

Week 13 – April 13

Accomplice
State v. Ward
State v. Hoselton
Mens Rea: Intent: Purpose or Knowledge
People v. Lauria

State v. Linscott
State v. V.T.

A Special Problem: Mutual Combat

United States v. Lopez
People v. McCoy

Week 14 – April 20

Theft
Lee v. State
State v. Jones
United States v. Mafnas
Topolewski v. State
Rex v. Pear
Brooks v. State
Lund v. Commonwealth

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People v. Brown
People v. Davis

Embezzlement
Rex v. Bazeley
People v. Ingram
People v. Whight
United States v. Czubinski

Week 15 – April 27

Catch-up/Review
Burglary
Robbery
Bowers v. Hardwick (ELC)
Lawrence v. Texas (ELC)
Entrapment (ELC)