

# CRIMINAL LAW

JURI 4050 | Spring 2025

Professor John Meixner | [john.meixner@uga.edu](mailto:john.meixner@uga.edu)

Tuesday & Fridays | 9:00 AM – 10:15 AM | Room B

## COURSE DESCRIPTION AND OBJECTIVES

Welcome to Criminal Law! In this course, we will confront some of the most important, challenging, and urgent issues in our society. Are there types of conduct that warrant a legal response beyond civil liability? What makes that conduct different? And if criminal liability is appropriate, what is the proper response, or punishment? What societal goals are served by punishing in the first place?

We'll work through these questions and many more in our adventure together. We'll begin with an overview of the criminal justice system, the sources of criminal law, theories of punishment, and constitutional limitations. We will study the building blocks of criminal offenses, known as "elements," such as actus reus, causation, and mens rea, as well as defenses. We will also focus on substantive crimes, such as homicide and sexual assault, and explore how crimes evolve over time. Toward the end of the course, we'll examine incomplete offenses (attempt) and liability for group crime. Through it all, we'll talk about these topics from both a theoretical perspective and a practical one, examining the role of discretion of prosecutors and judges, the impact of incarceration on individuals and communities, and the ways that the system often results in disparate outcomes across race, gender, class, and other lines.

At the end of this class, you should (1) have a working understanding of the basic elements of common criminal offenses, both under the common law and the model penal code; (2) be able to apply the framework of criminal statutes and the model penal code to unique fact patterns and novel circumstances; and (3) understand the competing policy concerns, biases, and practical pressures that drive the development of the doctrine.

## COURSE MATERIALS

The majority of class readings will come from *Dressler & Garvey, Criminal Law: Cases and Materials* (9th Ed., 2022). The book contains an appendix with the Model Penal Code, so you don't need to purchase any separate copy of the Code.

In addition to the book, we will sometimes read cases, articles, or other materials that I will post to the eLC page. Last, the casebook has a companion hornbook, *Dressler, Understanding Criminal Law* (8th Ed., 2018). It is not necessary, but you might find it helpful in understanding the material.

Note: This syllabus is a *general plan* for the course; and deviations may be necessary during the semester.

## **CONTACT INFORMATION AND OFFICE HOURS**

My email address is [john.meixner@uga.edu](mailto:john.meixner@uga.edu), and I encourage you to use it regularly, for questions both large and small. I will generally linger after class, and if you have a short question, you can ask right then. After that, I'll be in my office until 11 AM following class, and you can stop by if you'd like to discuss anything. If you'd like to meet at any other time, feel free to schedule a meeting with me using the calendar [here](#).

## **CLASS PARTICIPATION AND INTERACTION**

**General format.** In some ways, the format of our class will be similar to your other 1L classes—I'll call on you, and we'll discuss cases, doctrine, and policy together as we work through the material. In other ways, our class will be different from what you may have done so far. I may assign you a role as a prosecutor or defense attorney to argue for or against a certain position, or we may break into small groups to work through problems. In all of these formats, my goal is to foster an environment where we treat each other with respect and always feel comfortable expressing differing views in good faith.

**Passing.** If you know before a class that you will be unprepared to respond to questions, you may send me an email at least one hour before class, requesting not to be called on that day. There's no hard cap on the number of passes you may take, but excessive passing may affect your participation grade.

**Polling.** We will sometimes use the PollEverywhere system during class so that we can collectively work through problems together. You will be able to access this system via either a laptop or phone/tablet. I will provide instructions on how to do that via the eLC page. Your polling responses will not be part of your grade, but I strongly encourage you to give it your best effort.

**Respecting each other.** The substance of this course goes to the core of how to build a community. We'll build a community in our class, too, and that community will be based on several values. First, all of your voices are important, and a diverse array of perspectives will help us all learn. Second, our class will be a place of respectful engagement. We will often discuss sensitive and difficult issues like racism, sexual assault, sexism, violence, and trauma. I'll do my best to flag especially difficult materials ahead of time. If you have particular triggers you'd like to discuss with me, please raise them with me individually (this will be kept confidential). You may find you disagree with another student on a particular topic. Sometimes, I may assign you to argue a position that you might disagree with. I ask that you presume good faith in each others' arguments and treat each other with unwavering respect.

**Writing Assignments.** In addition to our regular reading assignments, we will have writing assignments to reinforce what we are learning. None of these assignments will be graded, but you must complete them and turn them in on time for participation credit. I will provide a full schedule of written assignments to you near the start of the semester.

**Pronouns and addressing each other.** I use he/him pronouns and happily respond to “Professor Meixner” or “Dr. Meixner.” (For the reason why I prefer you don’t use my first name, see [this thoughtful piece](#)). At the start of the semester, I will ask you to email me some basic information, including your pronoun preferences and the correct pronunciation of your name. In class, I will expect us all to make a good faith effort to respect each other’s publicly stated preferences, while acknowledging that it is not always easy to shift to unfamiliar grammatical norms.

**Technology.** You may use laptops or other devices in class for class-related purposes only. Class recording by students is not permitted without express authorization.

### **ATTENDANCE**

Attendance is mandatory, and critical to your learning. Criminal law is a challenging topic, both doctrinally and theoretically, and also from a societal perspective. The best way for all of us to learn is through shared dialogue. If you aren’t in class to participate in that dialogue, you will have a hard time learning criminal law.

The class will follow [the Law School’s attendance policy](#). I will organize an online attendance sheet at the beginning of the semester and expect you to fill it out regularly. You are permitted four absences during the course of the semester. If at any time you think you will need to miss more than four classes, please notify me in advance by email, explain the situation, and request that the absence be excused. I will handle such requests on a case-by-case basis, doing my best to balance your wellbeing with reasonable academic expectations.

As a general matter, I do not permit students to attend class via Zoom if they have a conflict preventing in-person attendance. Participation and active engagement are much more difficult via Zoom than they are in person, and I find that students’ learning suffers when they are not physically in class. However, I will make an occasional exception when circumstances warrant one. If you need to discuss this, please email me or see me after class.

## **CLASS WEBPAGE**

I will use [our course's eLearning Commons \(eLC\) page](#) to communicate information about upcoming classes, as well as distribute course materials. I will generally post PowerPoint slides from each day's class to the eLC page later that afternoon. Please make sure you check the page regularly, and check your eLC notifications to ensure that you are receiving updates for the course.

## **GRADING & FINAL EXAM**

Your grade will be based on a three-hour final examination. I also reserve the right to raise or lower your grade by one half grade (e.g., from a B to a B+ based on your participation in class (including completion of writing assignments) and engagement with the materials. All grading will be consistent with the [policies outlined in the student handbook](#).

The final exam is scheduled for Monday, April 28, at 9 AM. It will last three hours, and will include both multiple choice and essay questions. It will be open-book and open-note, but you will not be permitted to access any internet resources.

## **GENERATIVE AI POLICY**

Developing skills in using generative AI is an important part of being an effective modern lawyer. To that end, you may use generative AI software such as ChatGPT to help you study in this class, review cases, develop your outlines, or otherwise learn the material. However, you should note that the material generated by generative AI may be inaccurate, incomplete, or otherwise problematic. You should presume that facts it gives you are incorrect until you verify them independently. Beware that overly relying on AI may also stifle your own independent thinking and creativity.

While using AI as a study tool is permissible in this class, you may not submit any work generated by an AI program as your own. Your writing assignment submissions must be your own written product, and should not contain *any* words generated by AI.

## **LAW SCHOOL HONOR CODE AND UGA'S ACADEMIC HONESTY POLICY**

All work done in this course is subject to the [University of Georgia Law School Honor Code and Plagiarism Policy](#), and the University of Georgia Academic Honesty Policy, and the University of Georgia Non-Discrimination and Anti-Harassment Policy.

## **MENTAL HEALTH AND WELLNESS RESOURCES**

**It is totally normal to seek out and use mental health services and related resources.** If you or someone you know needs assistance, you are encouraged to contact [Chantelle Tickles](#), the law school Director of Student Affairs. You may also 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.

The law school has [a web page highlighting numerous health and wellness resources](#), including several resources specific to law students or the legal profession. UGA also has several resources for a student seeking mental health services. If you need help managing stress, anxiety, relationships, etc., please visit [BeWellUGA](#) for a list of free workshops, classes, mentoring, and health coaching led by licensed clinicians and health educators in the University Health Center. Additional resources can be accessed through the UGA App.

## **ADA ACCOMMODATIONS**

Students requiring accommodations under the Americans with Disabilities Act should contact [Chantelle Tickles](#), the Law School Director of Student Affairs, who will ensure that the request is properly documented and that I receive instructions about your accommodation consistent with University policy.

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

## SCHEDULE

The schedule below is ***tentative***, and we will likely skip some of the below readings as time requires. I have included reading assignments from the casebook in the below chart, but always also check eLC, as there will be required supplemental readings there. The assignments are designated by case name (with its starting page number in parentheses) and the notes you should read following the cases. You should complete all assigned readings before class and be prepared to discuss them.

	Date	Unit	Topic	Reading
1	Tue 1/7	Foundations of Criminal Law	Introduction; Sources and Theories	<ul style="list-style-type: none"> <li>• <i>Dudley</i> (pgs. 53–56; skip the notes)</li> <li>• 1–10 (intro materials)</li> </ul>
2	Fri 1/10		Theories of Punishment	<ul style="list-style-type: none"> <li>• <i>Owens</i> (14) &amp; n.1–5</li> <li>• 19–20 (intro)</li> <li>• <i>Ragland</i> (20) &amp; n.4–5</li> <li>• 31–45 (intro materials)</li> </ul>
3	Tue 1/14		Theories of Punishment; Sentencing	<ul style="list-style-type: none"> <li>• <i>Du</i> (56 &amp; 59 both) &amp; n.1–6</li> <li>• 75–76 (intro)</li> </ul>
4	Fri 1/17		Sentencing; Legality; Vagueness	<ul style="list-style-type: none"> <li>• <i>Coker</i> (76) &amp; n.1–5</li> <li>• 95 (intro)</li> <li>• <i>Mochan</i> (95) &amp; n.1–4</li> <li>• 109 (intro)</li> <li>• <i>Desertrain</i> (118) &amp; n.1–2</li> </ul>
5	Tue 1/21		Statutory Interpretation; Criminal Law and Society; Starting Actus Reus	<ul style="list-style-type: none"> <li>• 125 (intro)</li> <li>• <i>Muscarello</i> (125) &amp; n.1</li> <li>• Frampton article (eLC)</li> <li>• 133 (intro)</li> <li>• <i>Martin</i> (134) &amp; n.1–5</li> </ul>
6	Fri 1/24	General Principles of Liability	Actus Reus	<ul style="list-style-type: none"> <li>• <i>Utter</i> (137) &amp; n.1–3, 5–6, 10–11</li> <li>• <i>Beardsley</i> (146) &amp; n.1–2, 4</li> <li>• MPC § 2.01 (pg. 1026)</li> </ul>
7	Tue 1/28		Mens Rea: Generally	<ul style="list-style-type: none"> <li>• <i>Cordoba-Hincapie</i> (161) &amp; n.1–2</li> <li>• <i>Cunningham</i> (163) &amp; n.1–4</li> <li>• <i>Conley</i> (165) &amp; n.1–3, 6–7</li> </ul>
8	Fri 1/31		Mens Rea: Willful Blindness & Statutory Interpretation	<ul style="list-style-type: none"> <li>• 173–177 (up to section 3)</li> <li>• MPC § 2.02</li> </ul>

9	Tue 2/4		Mens Rea: Willful Blindness & Strict Liability	<ul style="list-style-type: none"> <li>• <i>Nations</i> (177) &amp; n.2–4</li> <li>• 182–183 (introduction)</li> <li>• <i>Morrisette</i> (190) &amp; n.1</li> <li>• <i>Staples</i> (193) &amp; n.1–2</li> <li>• MPC § 2.05</li> </ul>
10	Fri 2/7		Mens Rea: Mistake of Fact; Starting Causation	<ul style="list-style-type: none"> <li>• <i>Navarro</i> (208) &amp; n.1–3, 5</li> <li>• <u>Skim</u> <i>Marrero</i> (213)</li> <li>• <i>Cheek</i> (225) &amp; n.2</li> <li>• MPC § 2.04</li> <li>• 231–32 (<i>Velazquez</i> intro)</li> <li>• <i>Oxendine</i> (232) &amp; n.1–2</li> </ul>
11	Tue 2/11		Causation	<ul style="list-style-type: none"> <li>• 237–38 (prox. cause intro)</li> <li>• <i>Rideout</i> (238) &amp; n.1–8, 10</li> <li>• <i>Velazquez</i> (249) (skip the notes)</li> <li>• MPC § 2.03</li> <li>• 258–60 (homicide intro)</li> </ul>
12	Fri 2/14	Specific Offenses	Homicide: Intentional	<ul style="list-style-type: none"> <li>• <i>Guthrie</i> (281) &amp; n.1–6</li> <li>• <i>Forrest</i> (289) &amp; n.1, 3</li> <li>• 293 (intro)</li> <li>• <i>Giurard</i> (294) &amp; n.1–7</li> <li>• 305 (intro) &amp; n.1, 3–6</li> <li>• <i>Casassa</i> (311) &amp; n.1–2, 6–7</li> <li>• MPC § 210.0–3</li> </ul>
13	Tue 2/18		Homicide: Unintentional	<ul style="list-style-type: none"> <li>• 324 (intro)</li> <li>• <i>Knoller</i> (325) &amp; n.1–8</li> <li>• <i>Williams</i> (333) &amp; n.1–7</li> <li>• MPC § 210.4</li> </ul>
14	Fri 2/21		Homicide: Unintentional & Felony Murder	<ul style="list-style-type: none"> <li>• 342–43 (intro)</li> <li>• <i>Fuller</i> (343) &amp; n.1–3</li> <li>• <u>Skim</u> 345–52 (articles; skip the notes)</li> <li>• MPC § 210.2(1)(b)</li> </ul>
15	Tue 2/25		Homicide: Felony Murder	<ul style="list-style-type: none"> <li>• <i>Fisher</i> (354) &amp; n.1–6</li> <li>• <i>Smith</i> (363) &amp; n.1–2</li> <li>• <i>Sophophone</i> (368) &amp; n.1–3</li> </ul>
	Fri 2/28		<u>NO CLASS</u>	Class replaced by court watching assignments
SPRING BREAK (March 3–7)				



16	Tue 3/11	Specific Offenses	Homicide: Capital Murder; starting Sexual Assault	<ul style="list-style-type: none"> <li>• 374–75 (intro)</li> <li>• <i>Gregg</i> (375) (skip the notes)</li> <li>• 391–92 (intro)</li> <li>• <i>McCleskey</i> (392) &amp; n.1–5</li> <li>• 417–22 (through n.2)</li> <li>• 424–25 (stop at the notes)</li> <li>• <i>Alston</i> (439) &amp; n.1–5</li> <li>• MPC § 213.0–2</li> </ul>
17	Fri 3/14		Sexual Assault: Actus Reus; Mens Rea	<ul style="list-style-type: none"> <li>• <i>Rusk</i> (445, both) &amp; n.1–6</li> <li>• 457 (Estrich squib)</li> <li>• <i>MTS</i> (471) &amp; n.1–4</li> <li>• <i>Boro</i> (483) &amp; n.1–2</li> <li>• <i>Lopez</i> (490) (skip the notes)</li> </ul>
18	Tue 3/18	Defenses	Generally; Evidentiary Burdens; Self-defense	<ul style="list-style-type: none"> <li>• 510–14 (Dressler article and intro)</li> <li>• <i>Patterson</i> (514) &amp; n.1</li> <li>• 521–24 (intro materials)</li> <li>• <i>Peterson</i> (524) &amp; n.3–9</li> </ul>
	Fri 3/21		<b><u>NO CLASS</u></b>	Class replaced by extra session on 4/8 @ noon
19	Tue 3/25	Defenses	Justifications: Self-defense	<ul style="list-style-type: none"> <li>• <i>Goetz</i> (536) &amp; n. 3–7</li> <li>• <i>Wanrow</i> (549) (skip the notes)</li> <li>• MPC §§ 3.04, 3.09</li> <li>• <i>Norman</i> (557) (both parts) &amp; n.1–7, 9–10</li> </ul>
20	Fri 3/28		Justifications: Self-defense; Necessity	<ul style="list-style-type: none"> <li>• <i>Giminski</i> (576) &amp; n.1–3</li> <li>• <i>Boyett</i> (581) (and the intro section before it) &amp; n.1–7</li> <li>• MPC §§ 3.05, 3.06, 3.07</li> <li>• <i>Nelson</i> (589)</li> <li>• ALI Commentary &amp; n.1–6</li> <li>• <i>Haskell</i> (596) &amp; n.1–5</li> <li>• MPC § 3.02</li> </ul>
21	Tue 4/1		Excuse: Duress, Intoxication	<ul style="list-style-type: none"> <li>• 613–17 (intro)</li> <li>• <i>Contento-Pachon</i> (617) &amp; n.1–7</li> <li>• <i>Veatch</i> (637) &amp; n.1–6</li> <li>• MPC §§ 2.08, 2.09</li> </ul>
22	Fri 4/4		Excuse: Insanity and Diminished Capacity	<ul style="list-style-type: none"> <li>• 645–51 (intro)</li> <li>• <i>Freeman</i> (651) &amp; n.1–2</li> <li>• 653–58 (intro, case, &amp; discussion) &amp; n.1–4</li> <li>• <i>Wilson</i> (667) &amp; n.1–3</li> <li>• 681–82 (ALI Commentary) &amp; n.1</li> <li>• MPC § 4.01</li> </ul>



23	Tue 4/8	Inchoate and Group Offenses	Attempt: Mens Rea	<ul style="list-style-type: none"> <li>• Skim 763–72</li> <li>• <i>Gentry</i> (773) &amp; n.1–6</li> <li>• MPC § 5.01</li> </ul>
24	Tue 4/8, 12-1 PM		Attempt: Actus Reus; Defenses	<ul style="list-style-type: none"> <li>• <i>Peaslee</i> (785) &amp; n.1–4</li> <li>• <i>Reeves</i> (794)</li> </ul>
25	Fri 4/11		Attempt Defenses; Conspiracy	<ul style="list-style-type: none"> <li>• <i>Thousand</i> (802) &amp; n.1–4, 6–7</li> <li>• <i>McClosky</i> (818) &amp; n.1–4</li> <li>• <i>Carter</i> (831) &amp; n.1–3</li> <li>• <i>Pinkerton</i> (835) &amp; n.1–4</li> <li>• MPC § 5.03</li> </ul>
26	Tue 4/15		Conspiracy; Accomplice Liability	<ul style="list-style-type: none"> <li>• 864–65 (intro)</li> <li>• <i>Swain</i> (839) &amp; n.1, 5–6</li> <li>• <i>Kilgore</i> (865) (skip the notes)</li> <li>• <i>Ward</i> (893) (and intro before it) &amp; n.1</li> </ul>
27	Fri 4/18		Accomplice Liability	<ul style="list-style-type: none"> <li>• <i>Hoselton</i> (897) (and “theoretical foundation” before it) (skip the notes)</li> <li>• <i>Riley</i> (904) n.1</li> <li>• <i>V.T.</i> (915) (skip the note)</li> <li>• MPC § 2.06</li> </ul>
	TBD		Review session	-
F	Mon 4/28		Final Exam	-

Please note two deviations from our standard schedule. Two of our class sessions, on 2/28 and 3/21, are canceled due to external speaking engagements that I have on those days. We will make up the class time for one of those sessions during a makeup class scheduled on 4/8, from 12–1 PM. For the second missed class, we will make up the class time with a day of court watching in a local courthouse. You will receive additional details about that assignment early in the semester during class.