



## SUMMER 2026 COURSE SYLLABUS

Course Number: 138-R01

Course Title: Death Penalty in America

Credit Hours: 1

Grading Mode: Letter grade

Meeting Day(s)/ Time(s): TUE 6:05-7:50p

Meeting Mode: ONLINE

Exam Day(s)/ Time(s): N/A

Final Exam Mode: TAKE HOME

Prerequisite(s): N/A

Corequisite(s): N/A

Instructor(s): AKIN ADEPOJU

Contact Information: N/A

Office Hours: Students should feel free to consult with me via e-mail. Never hesitate to reach out.

### Course Overview

This course examines the legal, social, and moral implications of capital punishment in America, focusing particularly on Supreme Court decisions since the early 1970s. Main themes of the course will include: the right to, and role of counsel; jury selection; the allocation of decision-making authority between judges and juries; the role of aggravating and mitigating factors; efforts to limit the arbitrary and racially discriminatory application of the death penalty; and the rules governing juveniles and the intellectually disabled. While legal analysis is the major focus, some attention is given to empirical analyses of the practice and philosophical examinations of its wisdom. All views on capital punishment are welcome. Understanding the law and engaging in proper analysis is the only benchmark of success in this course.

## Course Learning Outcomes

- Students will understand the modern death penalty in the United States, and be able to spot, analyze, and evaluate criminal law issues in given fact patterns.
- Students will be able to analyze and evaluate the legal requirements (substantive and procedural) for imposition of the death penalty in the United States.
- Students will articulate cogent legal issues; write objective and persuasive analysis and be able to engage in other skills exercise.
- Students will be able to evaluate a fact pattern to determine whether the legal requirements (substantive and procedural) for imposition of the death penalty in the United States have been met.

## Reading(s) & Supplement(s):

Cases and Materials on the Death Penalty by Nina Rivkind & Steven Shatz (West Academic Publishing, Fourth Edition, 2016; ISBN-13: 978-1634590419). And later editions.

Other materials, including news articles, speakers, and videos may be assigned to offer a more practical view of capital litigation.

## Grading Policies

Participation & Preparation %: 40

Final %: 60

Professor Adepoju will discuss his expectations about the final examination during several class sessions. The final examination will likely consist of short answer and essay questions.

## Additional Information:

This class involves the reading and analysis of relevant cases and engaging in discussions around these materials, distilling key legal principles, and exploring the evolving nature of this area of law. This class does not solely focus on fixed elements. Instead, we will examine how the standards and factors related to the death penalty are ever-changing and developing, which may make this course feel different from others you have taken. Expect a dynamic, thoughtful exploration of how law interacts with complex, real-world issues. Thoughtful class participation is required for this course. Good class participation distinguishes itself not by its quantity, but by its insightful and timely contribution to advancing the class discussion over the course of the semester.

We will often discuss difficult and challenging topics, as this course by its very nature, grapples with societal and interpersonal conflict in some of its most troubling manifestations. Death

penalty issues can be emotional so expect disagreeable discussions. Yet, always remain mindful of the diversity of perspectives in our class and respectful as you articulate your arguments. Please listen respectfully to others and feel free to express your thoughts.

I look forward to teaching and learning with, and from all of you.

## **Classroom Policies**

**Attendance:** Per AR 3-1.4, “maintenance of matriculation requires regular class preparation, participation and attendance, registration in the course of study required for the student’s program (full-time or part-time), successive registration for each fall and spring term of each academic year until study is completed, and compliance with all other relevant requirements.”

**Absences:** Per AR 4-1.1, “if a student is absent for any reason for more than 20 percent of the sessions of a course, the student is not eligible for credit in that course. A student who is not present for at least 75 percent of a session of the course is absent from that session.”

### **Use of Technology & AI:**

**Strict Use Policy:** The use of generative AI tools is not permitted for any coursework in this course. Unauthorized use will be treated as a violation of academic standards.

## Course Schedule & Assignments

### Week 1:

Date: May 19, 2026

Topic:

Introduction: Why the Death Penalty? And Supreme Court's Seminal Cases

Assignment(s):

Chapter 1: Introduction

pages 11-21 Furman v.

Georgia, pg. 56-87

Gregg v. Georgia, pg. 87-104

Woodson v. North Carolina, pg. 106-115

### Week 2:

Date: May 26, 2026

Topic:

Limiting Risk of Arbitrariness

Assignment(s):

Zant v.

Stephens

Lowenfeld v.

Phelps

Godfrey v.

Georgia

Arave v.

Creech

Week 3:

Date: June 2, 2026

Topic:

Limiting Risk of Arbitrariness (Part II); Individualized Penalty Determination

Assignment(s):

McCleskey

v. Kemp

Lockett v.

Ohio

Eddings v.

Oklahoma

Week 4:

Date: June 9, 2026

Topic:

Proportionality

Assignment(s):

Coker v.

Georgia

Tison v.

Arizona

Kennedy v.

Louisiana

Week 5:

Date: June 16, 2026

Topic:

Proportionality II

Assignment(s):

Atkins v.

Virginia

Roper v.

Simmons

Week 6:

Date: June 23, 2026

Topic:

Race and "Jury Selection"

Assignment(s):

Witherspoon v.

Illinois Turner v.

Murray

Flowers v. Mississippi (summary on page 580-81)

Philadelphia District Attorney's Office Training Video (YouTube video)

Week 7:

Date: June 30, 2026

Topic:

The Death Penalty Reconsidered

Assignment(s):

Minister of Justice v. Burns

Julian Assange Extradition Article (AP March 26, 2024)

Domestic Perspective: Victim's Families, Prison Officials, and

Reformers A Juror's Reflections on the Death Penalty (Video of

Lindy Lou Isonhood)

## **Student Resources**

[Antonin Scalia Law School Academic Regulations](#)

[GMU Common Course Policies Addendum](#)

[Mason Square Services](#)

[Mason Square Police](#)

Van Metre Hall, Room 110

Emergency - Dial 911

Escort Services - 703-993-8070

Dispatch – 703-993-2810

[Student Support and Advocacy Center \(SSAC\)](#)

Mason Square Sexual Assault Services:

Van Metre Hall, Room 222D

703-993-8186

Notice of Mandatory Reporting of Sexual Assault, Sexual Harassment, Interpersonal Violence, and Stalking:

As a faculty member, I am designated as a “Non-Confidential Employee,” and must report all disclosures of sexual assault, sexual harassment, interpersonal violence, and stalking to Mason’s Title IX Coordinator per University Policy 1202. If a student wishes to speak with someone confidentially, please contact one of Mason’s confidential resources, such as Student Support and Advocacy Center (SSAC) at 703-380-1434 or Counseling and Psychological Services (CAPS) at 703-993-2380. Students may also seek assistance or support measures from Mason’s Title IX Coordinator by calling 703-993-8730, or emailing [titleix@gmu.edu](mailto:titleix@gmu.edu).

[Mason Square Clinic](#)

Van Metre Hall, Room B102

703-991-2831

[Counseling and Psychological Services](#)

[Student Health Services](#)

[Student Disability Services](#)

[University Life](#)