

Gregg v Georgia (1976): Lesson Plan

Topic	
<p>In <i>Gregg v Georgia</i> (1976), the Court decided that the death penalty could be upheld if there was guided discretion sentencing. The death penalty does not fall under “cruel and unusual punishment” in the Court’s eyes. Capital punishment was reinstated under this decision.</p>	
Possible subjects/classes	Time needed
<ul style="list-style-type: none"> ● Civics ● History ● Social Studies 	30-45 mins
Video link:	
https://academy4sc.org/video/gregg-v-georgia-1976/	
Objective: <i>What will students know/be able to do at the end of class?</i>	
<p>By the end of this lesson, students will be able to:</p> <ul style="list-style-type: none"> ● Explain guided discretion sentencing. ● Explain the Court’s reading of “cruel and unusual punishment” and the death penalty. 	
Key Concepts & Vocabulary	
Capital punishment, hitchhikers	
Materials Needed	
Worksheet, Internet Access for the Activity Ideas	
Before you watch	
Discuss as a class your initial perspective on capital punishment. What are the reasons for it, and what are the reasons against it?	
While you watch	
Complete the Worksheet.	

After you watch/discussion questions

1. Do you agree with the Court that a bifurcated trial is better at preventing needless death sentences than a mandatory death sentence?
2. What type of practices do you think fall under "cruel and unusual punishment"?
3. Do you agree that the death penalty can serve two purposes: deterrence and retribution?

Activity Ideas

- Look up your state's position on the death penalty. Then write a persuasive essay as to why you are in favor of or against their death penalty policy. Cite the Eighth and Fourteenth Amendment.
- Research *Furman v Georgia* (1972). What is the difference between Georgia's death penalty policy in '72 and '76, and do you find the bifurcated response much different from the response in *Furman*?

Sources/places to learn more

1. Gillman, Howard. American Constitutionalism, Second Edition. Volume II Rights and Liberties. [Virtual Source Bookshelf].
2. "Gregg v. Georgia." Oyez, www.oyez.org/cases/1975/74-6257.
3. Coenen, Dan T. "Gregg v. Georgia (1976)." New Georgia Encyclopedia. 17 May 2016. Web.
4. CNN Editorial Research, "Death Penalty Fast Facts." *CNN US*. 7 January 2020.