Preface to the Third Edition

This Third Edition of *Defining Crimes* preserves the structure and content of the First and Second Editions, while adding a few new subjects and expanding on a couple of others:

(1) There’s a new Chapter 8, on Gun Crimes, designed to provide a brief introduction to this important aspect of modern American criminal law. The new chapter covers both stand-alone gun crimes and the role that guns can play in enhancing other crimes and punishments. The original Chapters 8 through 12 have been renumbered to become Chapters 9 through 13.

(2) There’s a new subsection in the chapter on Defenses—which is now numbered as Chapter 11—about Police Use of Force, a subject that has become highly controversial due to a number of recent police-involved shootings of young black men. This new subsection addresses the general issue of criminal liability for police officers, and the special defenses they may have for the use of deadly force.

(3) The discussion of Acquaintance Rape in the chapter on Crimes of Sex and Sexual Violence—which is now numbered as Chapter 9—has been updated to reflect the continuing evolution of legal and societal views about consent to sex, and especially the current debate about “no means no” versus “yes means yes” policies.

(4) The original section of Chapter 6, Drug Crimes, on Drugs and Medicine—which was deleted from the Second Edition—has been restored, in light of the recent societal and political focus on the problem of opioid addiction.

(5) Chapter 4, on Federal Criminal Law, has been partially rewritten to incorporate two recent U.S. Supreme Court decisions: *Taylor v. United States* (2016), on federal jurisdiction under the Hobbs Act, and *Elonis v. United States* (2015), on *mens rea* for federal crimes.

Last but not least, in conjunction with this Third Edition, new student assessment questions will be made available — including a number of questions written by the current casebook author. It is hoped that these new student assessment questions will prove helpful to both the students themselves and the teachers who continually strive to improve student learning.

As always, I want to recognize my dear friend, the late Bill Stuntz, with whom I co-authored the First Edition of this casebook, and whose intellect and spirit still inhabit every page of the book. My mission is to carry on Bill’s legacy by keeping the book fresh and up-to-date, while always remaining
true to what Bill and I originally designed this book to do: introduce students to the wonderful and often strange world of criminal law, in a manner that’s both fun and interesting for students and teachers, and with a special focus on the way that criminal law actually works in the real world and the real-world institutions that define it.

Joseph L. Hoffmann

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