



Defining Crimes (Aspen Casebook)

William J. Stuntz, Joseph L. Hoffmann

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The distinguished author team of William J. Stuntz and Joseph L. Hoffmann has written an innovative new casebook that moves the study of criminal law out of the classic law and philosophy framework "Why do we punish?" and into the real world "How is criminal law interpreted and applied in today's criminal justice system?". The entirely new perspective of **Defining Crimes** reflects the essential nature of the problems and issues that affect criminal cases every day.

This groundbreaking casebook offers:

- **A focus on institutional relationships** that places criminal law in the context of the complex relationships among the key institutions: legislatures, prosecutors, police, judges, and juries that share responsibility for defining and applying criminal law.
- **A balanced treatment of the Model Penal Code and the common law**, presenting the advantages and disadvantages of the MPC and the common-law approach that it sought to replace.
- **Broader coverage of drug crimes and "low-level" crimes used for social control** that reflects the real world of criminal law and also allows for the introduction of some of the general concepts of criminal law; such as conspiracy and complicity in the specific context where they are most frequently applied.
- **Discussion of federal criminal law, such as the Hobbs Act and mail and wire fraud.** The federal criminal law's jurisdictional elements, strict liability for at least some regulatory offenses, and requirements of factual and legal knowledge for others, raise interesting issues not often discussed in most criminal law casebooks.
- **Coverage of sentencing**, including sentencing discretion, guideline sentencing, "three-strikes" laws, and victim restitution, that demonstrates that the line between crime and punishment is largely arbitrary and subject to legislative manipulation.
- **Contemporary cases, most decided since 2000 and many after 2005.** The chestnuts are not eliminated, but the primary focus on modern cases provides a rich and challenging set of materials ripped straight from today's headlines; that shows how American criminal law continues to evolve in today's world.

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