

SUMMARY OF CONTENTS

	Page
PREFACE TO THE SIXTH EDITION	v
PREFACE TO THE FIRST EDITION	vii
COPYRIGHT ACKNOWLEDGEMENTS	xiii
TABLE OF CASES	xxxvii
TABLE OF MODEL PENAL CODE SECTIONS	xlv
 Chapter 1. Introduction: Setting the Stage	 1
A. Nature, Sources, and Limits of the Criminal Law	1
B. Criminal Law in a Procedural Context: Pre-Trial	6
C. Criminal Law in a Procedural Context: Trial by Jury	7
D. Proof of Guilt at Trial	9
E. Jury Nullification	18
 Chapter 2. Principles of Punishment	 29
A. Theories of Punishment	30
B. The Penal Theories in Action	49
C. Proportionality of Punishment	69
 Chapter 3. Modern Role of Criminal Statutes	 92
A. Principle of Legality	92
B. Statutory Interpretation	119
 Chapter 4. Actus Reus	 127
A. Voluntary Act	128
B. Omissions (“Negative Acts”)	136
C. Social Harm	147
 Chapter 5. Mens Rea	 149
A. Nature of “Mens Rea”	149
B. General Issues in Proving Culpability	153
C. Strict Liability Offenses	174
D. Mistake and Mens Rea	193
 Chapter 6. Causation	 213
A. Actual Cause (Cause-in-Fact)	213
B. Proximate Cause (“Legal” Cause)	218
C. Concurrence of the Elements	232
 Chapter 7. Criminal Homicide	 235
A. Overview	235
B. Intentional Killings	254

	Page
C. Unintentional Killings: Unjustified Risk-Taking	294
D. Unintentional Killings: Unlawful Conduct	308
E. Capital Murder	338
Chapter 8. Rape	379
A. Overview	379
B. Forcible Rape	397
C. Rape by Fraud or Non-Physical Threats	446
D. Rape Shield Laws	452
E. Statutory Rape	457
Chapter 9. General Defenses to Crimes	461
A. Categories of Defenses	461
B. Burden of Proof	467
C. Principles of Justification	478
D. Principles of Excuse	560
E. New Defenses?	659
Chapter 10. Inchoate Offenses	708
A. Overview	708
B. Attempt	711
C. Solicitation	772
D. Conspiracy	777
Chapter 11. Liability for the Conduct of Another	828
A. Accomplice Liability	828
B. Conspiracy Liability	873
C. Vicarious Liability	874
D. Corporate Liability	879
Chapter 12. Theft	893
A. Larceny	894
B. Embezzlement	918
C. False Pretenses	922
D. Federal Mail, Wire, and Computer Fraud	927
Appendix. American Law Institute Model Penal Code	937
INDEX	1005