**2015 SUPPLEMENT**

**CRIMINAL LAW ROADMAP**

**p. 45: Add**

**b. Example: Elonis v. United States, 135 S.Ct. 2001 (2015)**

The Supreme Court held that the federal statute that prohibits transmitting in interstate commerce “any communication containing any threat … to injury the person of another” requires at least a mens rea of recklessness, and that negligence is insufficient to prove the federal crime. Although the statute did not specify the required mental state, the general rule is that a defendant must have a culpable state of mind to be guilty of a crime. In the Court’s words, “wrongdoing must be conscious to be criminal.”

**p. 67: Add after “Example and Analysis”**

1. **Elonis v. United States, 135 S.Ct. 2001 (2015)**

Citing *Morrisette***, t**he Supreme Court held that the federal statute that prohibits transmitting in interstate commerce “any communication containing any threat … to injury the person of another” requires proof that the defendant realized his words would be interpreted as a true threat. Accordingly, although the statute lacked mens rea language, it is not a strict liability or negligence crime.

**p. 164: Add to `“Manner of Execution”**

Glossip v. Gross, 135 S. Ct. 2726 (2015) (upholding 3-drug protocol for lethal injection).