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To: JPP Subcommittee  
From: Stephen J. Schulhofer  
Date: April 1, 2015

Re: Pending revision of Model Penal Code Article 213

The reference materials we received in preparation for our meeting on April 9, 2015, include at Tab 10 a copy of the pending draft revision of the MPC, as it stood in the Fall of 2014. Since that time the draft has undergone considerable revision, and a new draft, dated April 1, 2015, has just become available.

The principal changes reflected in the new draft are the addition of provisions addressing sexual contact short of penetration and provisions addressing possible defenses in cases involving spouses or other intimate partners.

Along with these substantive additions, the new draft reflects a significant stylistic change in the presentation of the penetration offenses. For these offenses, the offense boundaries identified in the draft you have at Tab 10 are largely unchanged in the new draft, but the organization and terminology have been modified somewhat in an effort to enhance the clarity and coherence of the draft.