

1. Is the current definition of “consent” unclear or ambiguous?
2. Should the statute define defenses relying on the victim’s consent or the accused’s mistake of fact as to consent in sexual assault cases?
3. Should the statute define “incapable of consenting?”
4. Is the definition concerning the accused’s “administration of a drug or intoxicant” overbroad?
5. Does the definition of “bodily harm” require clarification?
6. Is the definition of “threatening wrongful action” ambiguous or too narrow?
7. How should fear be defined to acknowledge both subjective and objective factors?
8. Is the definition of “force” too narrow?
9. Are the definitions of “sexual act” and “sexual contact” too narrow, or are they overly broad?
10. Should the accused’s knowledge of a victim’s capacity to consent be a required element of sexual assault?
11. Should the offense of “indecent act” be added to the UCMJ as an enumerated offense?