

Issues Related to Coercive Sexual Relationships and Abuse of Authority

Issue 6: Is the definition of “threatening wrongful action” ambiguous or too narrow?

Issue 12: Is the current practice of charging inappropriate relationships or maltreatment under articles of the UCMJ other than Article 120 appropriate and effective when sexual conduct is involved?

Issue 13: Does the 2012 version of the UCMJ afford prosecutors the ability to effectively charge coercive sexual relationships or those involving abuse of authority under Article 120?

Issue 14: Should the definition of “threatening or placing that other person in fear” be amended to ensure that coercive sexual relationships or those involving abuse of authority are covered under an existing Article 120 provision?

Issue 15: Should a new provision be added under Article 120 to specifically address coercive sexual relationships or those involving abuse of authority?

Issue 16: Should sexual relationships between basic training instructors and trainees be treated as strict liability offenses under Article 120?

Issue 17: As an alternative to further amending Article 120, should coercive sexual relationships currently charged under other articles of the UCMJ be added to DoD’s list of offenses that trigger sex offender registration?