

February 15, 2005- Sanchez Introduces Bill to Update Military Sexual Assault Laws

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Feb. 16, 2005 Congresswoman Sanchez Introduces Bill to Update Military Sexual Assault Laws

WASHINGTON, D.C. - On February 8, Rep. Loretta Sanchez introduced H.R. 664, the Military Sexual Assault Crimes Revision Act of 2005. This bill would repeal Article 120 of the Uniformed Code of Military Justice (UCMJ) and replace it with an improved sexual abuse statute. Sanchez introduced an identical bill last year (H.R.4709), which was offered in the House Armed Services Committee.

Although the legislation was not included in the final authorizing bill last year, a provision was included requiring the Secretary of Defense to provide the House and Senate Armed Services Committee, by March 1, 2005, a proposal for changes regarding sexual offenses in the UCMJ and the rationale for the changes. The language also "strongly encourages DoD to closely align the UCMJ's language on sexual assault law with the appropriate section of the federal criminal code".

"I am reintroducing this legislation to send a strong message to the Defense Department that Congress is serious about updating the military's sexual assault statute, and that the changes are expected to incorporate the U.S. federal code," said Sanchez.

This legislation would help prosecutors, protect victims, and promote good order and discipline in the Armed Forces. It offers a graduated array of offenses that more precisely define nonconsensual sex crimes. This legislation expressly provides for cases involving voluntary and involuntary intoxication of the victim, which are common fact patterns in military sexual assault cases. Finally, it criminalizes sexual extortion and other forms of coercing sex from subordinates and fellow service men and women in a way that will help commanders to maintain good order and discipline in the armed forces.

"By undertaking this critical revision to the UCMJ, we will demonstrate that the Department of Defense and Congress are committed to reducing the incidence of sexual assault within the Armed Forces, and bringing justice to the victims."