

**D.C. Code Ann. § 22-3003. Second degree sexual abuse**

A person shall be imprisoned for not more than 20 years and may be fined in an amount not to exceed \$200,000, if that person engages in or causes another person to engage in or submit to a sexual act in the following manner:

- (1) By threatening or placing that other person in reasonable fear (other than by threatening or placing that other person in reasonable fear that any person will be subjected to death, bodily injury, or kidnapping); or
- (2) Where the person knows or has reason to know that the other person is:
  - (A) Incapable of appraising the nature of the conduct;
  - (B) Incapable of declining participation in that sexual act; or
  - (C) Incapable of communicating unwillingness to engage in that sexual act.