

D.C. Code Ann. § 22-3005. Fourth degree sexual abuse

A person shall be imprisoned for not more than 5 years and, in addition, may be fined in an amount not to exceed \$50,000, if that person engages in or causes sexual contact with or by another person 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 contact; or
 - (C) Incapable of communicating unwillingness to engage in that sexual contact.