**20.3 Aggravated Sexual Abuse—Administration of Drug, Intoxicant,**

**or Other Substance (18 U.S.C. § 2241(b)(2))**

The defendant is charged in [Count \_\_\_\_\_\_\_ of] the indictment with aggravated sexual abuse in violation of Section 2241(b)(2) of Title 18 of the United States Code. For the defendant to be found guilty of that charge, the government must prove each of the following elements beyond a reasonable doubt:

First, the defendant knowingly administered a drug, intoxicant, or other similar substance to [*name of victim*] [[by force or threat of force] [without the knowledge or permission of [*name of victim*]]];

Second, as a result, [*name of victim*]’s ability to judge or control conduct was substantially impaired;

Third, the defendant then engaged in a sexual act with [*name of victim*]; and

Fourth, the offense was committed at [*specify place of federal jurisdiction*].

In this case, “sexual act” means [*specify statutory definition*].

**Comment**

*See* Comment to Instruction 20.1 (Aggravated Sexual Abuse (18 U.S.C. § 2241(a)).

*See* 18 U.S.C. § 2246(2) for the definition of sexual act referred to in the last paragraph of the instruction.