**20.5B Aggravated Sexual Abuse of Child—By Certain Means Within Federal Jurisdiction (18 U.S.C. § 2241(c))**

The defendant is charged in [Count \_\_\_\_\_\_\_ of] the indictment with aggravated sexual abuse of a child in violation of Section 2241(c) 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 engaged in a sexual act with [*name of victim*];

Second, the defendant knowingly [*specify means under 18 U.S.C. § 2241(a) or (b)*];

Third, [*name of victim*] had reached the age of twelve years but had not yet reached the age of sixteen years;

Fourth, [*name of victim*] was at least four years younger than the defendant; and

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

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

**Comment**

For a definition of “knowingly,” *see* Instruction 4.8 (Knowingly).

Whether the crime alleged occurred at a particular location is a question of fact. Whether the location is within the special maritime and territorial jurisdiction of the United States, a federal prison, or a facility where federal detainees are held pursuant to a contract is a question of law. *See United States v. Mujahid*, 799 F.3d 1228, 1236-38 (9th Cir. 2015); *see* also *United States v. Gipe*, 672 F.2d 777, 779 (9th Cir. 1982) (per curiam).

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