

TITLE 18 - CRIMES AND CRIMINAL PROCEDURE
PART I - CRIMES
CHAPTER 109A - SEXUAL ABUSE

§ 2242. Sexual abuse

Whoever, in the special maritime and territorial jurisdiction of the United States or in a Federal prison, or in any prison, institution, or facility in which persons are held in custody by direction of or pursuant to a contract or agreement with the head of any Federal department or agency, knowingly—

- (1) causes another person to engage in a sexual act by threatening or placing that other person in fear (other than by threatening or placing that other person in fear that any person will be subjected to death, serious bodily injury, or kidnapping); or
- (2) engages in a sexual act with another person if that other person is—
 - (A) incapable of appraising the nature of the conduct; or
 - (B) physically incapable of declining participation in, or communicating unwillingness to engage in, that sexual act;

or attempts to do so, shall be fined under this title and imprisoned for any term of years or for life.

(Added Pub. L. 99–646, § 87(b), Nov. 10, 1986, 100 Stat. 3621, and Pub. L. 99–654, § 2, Nov. 14, 1986, 100 Stat. 3661; amended Pub. L. 103–322, title XXXIII, § 330021(1), Sept. 13, 1994, 108 Stat. 2150; Pub. L. 109–162, title XI, § 1177(a)(3), Jan. 5, 2006, 119 Stat. 3125; Pub. L. 109–248, title II, §§ 205, 207 (2), July 27, 2006, 120 Stat. 613, 615; Pub. L. 110–161, div. E, title V, § 554, Dec. 26, 2007, 121 Stat. 2082.)

Codification

Pub. L. 99–646 and Pub. L. 99–654 added identical sections 2242.

Amendments

2007—Pub. L. 110–161 substituted “the head of any Federal department or agency” for “the Attorney General” in introductory provisions.

2006—Pub. L. 109–248 inserted comma after “Attorney General” in introductory provisions and substituted “and imprisoned for any term of years or for life” for “, imprisoned not more than 20 years, or both” in concluding provisions.

Pub. L. 109–162 inserted “or in any prison, institution, or facility in which persons are held in custody by direction of or pursuant to a contract or agreement with the Attorney General” after “in a Federal prison,” in introductory provisions.

1994—Par. (1). Pub. L. 103–322 substituted “kidnapping” for “kidnaping”.