

227.15 [SEXUAL ACTIVITY] [SOLICITATION OF SEXUAL ACTIVITY] IN A MASSAGE AND BODYWORK THERAPY ESTABLISHMENT.

The defendant has been charged with [sexual activity] [solicitation of sexual activity] in a massage and bodywork therapy establishment.

For you to find the defendant guilty of this offense, the State must prove two things beyond a reasonable doubt.

First, that the defendant knowingly engaged in [sexual activity] [solicitation of sexual activity] in a massage and bodywork therapy establishment<sup>1</sup>. Sexual activity is [masturbation, whether done alone or with another human or an animal] [vaginal, anal, or oral intercourse<sup>2</sup>, whether done with another human or with an animal] [touching, in an act of apparent sexual stimulation or sexual abuse, of the clothed or unclothed genitals, pubic area, or buttocks of another person or the clothed or unclothed breasts of a human female] [an act or condition that depicts torture, physical restraint by being fettered or bound, or flagellation of or by a person clad in undergarments or in revealing or bizarre costume] [excretory functions] [the insertion of any part of a person’s body, other than the male sexual organ, or any object into another person’s anus or vagina, except when done as part of a recognized medical procedure] [the lascivious exhibition of the genitals or pubic area of any person].

And Second, the sexual activity occurred in a massage and bodywork establishment.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date that the defendant engaged in [sexual activity] [solicitation of sexual activity] in a massage and body work therapy

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establishment and that the defendant acted knowingly then it would be your duty to return a verdict of guilty. If you do not so find or have a reasonable doubt as to one or more of these things, it would be your duty to return a verdict of not guilty.

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1 N.C. Gen. Stat. § 90-622(3a) defines massage and bodywork therapy establishment.

2 Oral intercourse can be any of the following acts: (1) cunnilingus, which is any touching, however slight, by the lips or the tongue of one person to any part of the female sex organ or another; (2) fellatio, which is any touching by the lips or tongue of another and the male sex organ of another; (3) anilingus, which is any touching by the lips or tongue of one person and the anus of another.