

**DISTRICT OF COLUMBIA**  
**OFFICIAL CODE**

**TITLE 22.**  
**CRIMINAL OFFENSES AND PENALTIES.**

**CHAPTER 13.**  
**DISTURBANCES OF THE PUBLIC PEACE.**

**2001 Edition**

**DISTRICT OF COLUMBIA OFFICIAL CODE**  
**CHAPTER 13. DISTURBANCES OF THE PUBLIC**  
**PEACE.**

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# CHAPTER 13. DISTURBANCES OF THE PUBLIC PEACE.

## **§ 22-1301. AFFRAYS.**

Whoever is convicted of an affray in the District shall be fined not more than \$1,000 or imprisoned not more than 180 days, or both.

(July 16, 1912, 37 Stat. 192, ch. 235, § 1; Dec. 23, 1963, 77 Stat. 617, Pub. L. 88-241, § 11(a); Aug. 20, 1994, D.C. Law 10-151, § 107, 41 DCR 2608.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 22-1101.

1973 Ed., § 22-1101.

#### *Emergency Act Amendments*

For temporary amendment of section, see § 107 of the Omnibus Criminal Justice Reform Emergency Amendment Act of 1994 (D.C. Act 10-255, June 22, 1994, 41 DCR 4286).

#### *Legislative History of Laws*

Law 10-151, the "Omnibus Criminal Justice Reform Amendment Act of 1994," was introduced in Council and assigned Bill No. 10-98, which was referred to the Committee on the Judiciary. The Bill was adopted on first and second readings on March 29, 1994, and April 12, 1994, respectively. Signed by the Mayor on May 4, 1994, it was assigned Act No. 10-238 and transmitted to both Houses of Congress for its review. D.C. Law 10-151 became effective on August 20, 1994.

## **§ 22-1302. DUELLING CHALLENGES.[REPEALED]**

(Mar. 3, 1901, 31 Stat. 1328, ch. 854, § 852; May 21, 1994, D.C. Law 10- 119, § 2(f), 41 DCR 1639; Apr. 29, 2004, D.C. Law 15-154, § 3(d), 50 DCR 10996.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 22-1102.

1973 Ed., § 22-1102.

#### *Legislative History of Laws*

Law 10-119, the "Anti-Gender Discriminatory Language Criminal Offenses Amendment Act of 1994," was introduced in Council and assigned Bill No. 10-332, which was referred to the Committee on the Judiciary. The Bill was adopted on first and second readings on February 1, 1994, and March 1, 1994, respectively. Signed by the Mayor on March 17, 1994, it was assigned Act No. 10-209 and transmitted to both Houses of Congress for its review. D.C. Law 10- 119 became effective on May 21, 1994.

For Law 15-154, see notes following § 22-101.

## **§ 22-1303. ASSAULT FOR REFUSAL TO ACCEPT CHALLENGE.[REPEALED]**

(Mar. 3, 1901, 31 Stat. 1328, ch. 854, § 853; May 21, 1994, D.C. Law 10- 119, § 2(g), 41 DCR 1639; Apr. 29, 2004, D.C. Law 15-154, § 3(e), 50 DCR 10996.)

### *HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 22-1103.

1973 Ed., § 22-1103.

*Legislative History of Laws*

For legislative history of D.C. Law 10-119, see Historical and Statutory Notes following § 22-1302.

For Law 15-154, see notes following § 22-101.

**§ 22-1304. LEAVING DISTRICT TO GIVE OR RECEIVE CHALLENGE.[REPEALED]**

(Mar. 3, 1901, 31 Stat. 1328, ch. 854, § 854; Apr. 29, 2004, D.C. Law 15- 154, § 3(f), 50 DCR 10996.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 22-1104.

1973 Ed., § 22-1104.

*Legislative History of Laws*

For Law 15-154, see notes following § 22-101.

**§§ 22-1305, 22-1306. PRIZE FIGHTS AND ANIMAL FIGHTS PROHIBITED; "PUGILISTIC ENCOUNTER" DEFINED.[REPEALED]**

(June 25, 1948, 62 Stat. 862, ch. 645, § 21.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., §§ 22-1105, 22-1106.

**§ 22-1307. BLOCKING PASSAGE.**

It is unlawful for a person, alone or in concert with others, to crowd, obstruct, or incommode the use of any street, avenue, alley, road, highway, or sidewalk, or the entrance of any public or private building or enclosure or the use of or passage through any public conveyance, and to continue or resume the crowding, obstructing, or incommoding after being instructed by a law enforcement officer to cease the crowding, obstructing, or incommoding. A person who violates any provision of this section shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than \$500, imprisoned for not more than 90 days, or both.

(July 29, 1892, 27 Stat. 323, ch. 320, § 6; July 8, 1898, 30 Stat. 723, ch. 638; June 29, 1953, 67 Stat. 97, ch. 159, § 210; May 26, 2011, D.C. Law 18-375, § 2(a), 58 DCR 731.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 22-1107.

1973 Ed., § 22-1107.

*Effect of Amendments*

D.C. Law 18-375 rewrote the section, which formerly read:

"It shall not be lawful for any person or persons within the District of Columbia to congregate and assemble in any street, avenue, alley, road, or highway, or in or around any public building or inclosure, or any park or reservation, or at the entrance of any private building or inclosure, and engage in loud and boisterous talking or other disorderly conduct, or to insult or make rude or obscene gestures or comments or observations on persons passing by, or in their hearing, or to crowd, obstruct, or incommode, the free use of any such street, avenue, alley, road, highway, or any of the foot pavements thereof, or the free entrance into any public or private building or inclosure; it shall not be lawful for any person or persons to curse, swear, or make use of any profane language or indecent or obscene words, or engage in any disorderly conduct in any street, avenue, alley, road, highway, public park or inclosure, public building, church, or assembly room, or in any

other public place, or in any place wherefrom the same may be heard in any street, avenue, alley, road, highway, public park or inclosure, or other building, or in any premises other than those where the offense was committed, under a penalty of not more than \$250 or imprisonment for not more than 90 days, or both for each and every such offense."

#### *Emergency Act Amendments*

For temporary (90 day) amendment of section, see § 302(a) of Public Safety Legislation Sixty-Day Layover Emergency Amendment Act of 2010 (D.C. Act 18-693, January 18, 2011, 58 DCR 640).

For temporary (90 day) amendment of section, see § 302(a) of Public Safety Legislation Sixty-Day Layover Congressional Review Emergency Amendment Act of 2011 (D.C. Act 19-45, April 20, 2011, 58 DCR 3701).

#### *Legislative History of Laws*

Law 18-375, the "Disorderly Conduct Amendment Act of 2010", was introduced in Council and assigned Bill No. 18-425, which was referred to the Committee on Public Safety and the Judiciary. The Bill was adopted on first and second readings on November 23, 2010, and December 7, 2010, respectively. Signed by the Mayor on January 19, 2011, it was assigned Act No. 18-699 and transmitted to both Houses of Congress for its review. D.C. Law 18-375 became effective on May 26, 2011.

### **§ 22-1308. PLAYING GAMES IN STREETS.**

It shall not be lawful for any person or persons to play the game of football, or any other game with a ball, in any of the streets, avenues, or alleys in the City of Washington; nor shall it be lawful for any person or persons to play the game of bandy, shindy, or any other game by which a ball, stone, or other substance is struck or propelled by any stick, cane, or other substance in any street, avenue, or alley in the City of Washington, under a penalty of not more than \$5 for each and every such offense.

(July 29, 1892, 27 Stat. 325, ch. 320, § 17; Feb. 11, 1895, 28 Stat. 650, ch. 79.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 22-1108.

1973 Ed., § 22-1108.

### **§ 22-1309. THROWING STONES OR OTHER MISSILES.**

It shall not be lawful for any person or persons within the District of Columbia to throw any stone or other missile in any street, avenue, alley, road, or highway, or open space, or public square, or inclosure, or to throw any stone or other missile from any place into any street, avenue, road, or highway, alley, open space, public square, or inclosure, under a penalty of not more than \$500 for every such offense.

(July 29, 1892, 27 Stat. 322, ch. 320, § 3; July 23, 2008, D.C. Law 17-206, § 3, 55 DCR 5168.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 22-1109.

1973 Ed., § 22-1109.

##### *Effect of Amendments*

D.C. Law 17-206 substituted "\$500" for "five dollars".

##### *Legislative History of Laws*

For Law 17-206, see notes following § 22-3751.

### **§ 22-1310. URGING DOGS TO FIGHT OR CREATE DISORDER.**

It shall not be lawful for any person or persons to entice, induce, urge, or cause any dogs to engage in a fight in any street, alley, road, or highway, open space, or public square in the District of Columbia, or to urge, entice, or cause such dogs to continue or prolong such fight, under a penalty of not more than \$1,000 for each and every offense; and any person or persons who shall induce or cause any animal of the dog kind to run after, bark at, frighten, or bite any person, horse, or horses, cows, cattle of any kind, or other animals lawfully passing along or standing in or on any street, avenue, road, or highway, or alley in the District of Columbia, shall forfeit and pay for such offense a sum not exceeding \$1,000.

(July 29, 1892, 27 Stat. 324, ch. 320, § 10; Oct. 18, 1988, D.C. Law 7-176, § 7, 35 DCR 4787; Aug. 20, 1994, D.C. Law 10-151, § 104, 41 DCR 2608.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 22-1110.

1973 Ed., § 22-1110.

##### *Emergency Act Amendments*

For temporary amendment of section, see § 104 of the Omnibus Criminal Justice Reform Emergency Amendment Act of 1994 (D.C. Act 10-255, June 22, 1994, 41 DCR 4286).

##### *Legislative History of Laws*

Law 7-176, the "Dangerous Dog Amendment Act of 1988," was introduced in Council and assigned Bill No. 7-276, which was referred to the Committee on Human Services. The Bill was adopted on first and second readings on May 17, 1988 and May 31, 1988, respectively. Signed by the Mayor on June 9, 1988, it was assigned Act No. 7-190 and transmitted to both Houses of Congress for its review.

For legislative history of D.C. Law 10-151, see Historical and Statutory Notes following § 22-1301.

## **§ 22-1311. ALLOWING DOGS TO GO AT LARGE.**

(a) If any owner or possessor of a fierce or dangerous dog shall permit the same to go at large, knowing said dog to be fierce or dangerous, to the danger or annoyance of the inhabitants, he shall upon conviction thereof, be punished by a fine not exceeding \$5,000; and if such animal shall attack or bite any person, the owner or possessor thereof shall, on conviction, be punished by a fine not exceeding \$10,000, and in addition to such punishment the court shall adjudge and order that such animal be forthwith delivered to the poundmaster, and said poundmaster is hereby authorized and directed to kill such animal so delivered to him.

(b) If any owner or possessor of a female dog shall permit her to go at large in the District of Columbia while in heat, he shall, upon conviction thereof, be punished by a fine not exceeding \$20.

(June 19, 1878, 20 Stat. 174, ch. 323, § 9; June 30, 1902, 32 Stat. 547, ch. 1332; Oct. 18, 1988, D.C. Law 7-176, § 7(f), 35 DCR 4787.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 22-1111.

1973 Ed., § 22-1111.

##### *Legislative History of Laws*

For legislative history of D.C. Law 7-176, see Historical and Statutory Notes following § 22-1310.

## **§ 22-1312. LEWD, INDECENT, OR OBSCENE ACTS.**

It is unlawful for a person, in public, to make an obscene or indecent exposure of his or her genitalia or anus, to engage in masturbation, or to engage in a sexual act as defined in § 22-3001(8). It is unlawful for a person to make an obscene or indecent sexual proposal to a minor. A person who violates any provision of this section shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than \$500, imprisoned for not more than 90 days, or both.

(July 29, 1892, 27 Stat. 324, ch. 320, § 9; July 8, 1898, 30 Stat. 724, ch. 638; Sept. 26, 1942, 56 Stat. 760, ch. 565; June 9, 1948, 62 Stat. 346, ch. 428, title I, § 101; June 29, 1953, 67 Stat. 92, ch. 159, § 202(a)(1); Apr. 24, 2007, D.C. Law 16-306, § 210, 53 DCR 8610; May 26, 2011, D.C. Law 18-375, § 2(b), 58 DCR 731; Sept. 26, 2012, D.C. Law 19-171, § 79, 59 DCR 6190.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 22-1112.

1973 Ed., § 22-1112.

##### *Effect of Amendments*

D.C. Law 16-306 rewrote subsec. (a), which had read as follows:

"(a) It shall not be lawful for any person or persons to make any obscene or indecent exposure of his or her person, or to make any lewd, obscene, or indecent sexual proposal, or to commit any other lewd, obscene, or indecent act in the District of Columbia, under penalty of not more than \$300 fine, or imprisonment of not more than 90 days, or both, for each and every such offense."

D.C. Law 18-375 rewrote the section, which formerly read:

"(a) It shall not be lawful for any person or persons to make any obscene or indecent exposure of his or her person, or to make any lewd, obscene, or indecent sexual proposal in the District of Columbia under penalty of not more than \$300 fine, or imprisonment of not more than 90 days, or both, for each and every such offense.

"(b) Any person or persons who shall commit an offense described in subsection (a) of this section, knowing he or she or they are in the presence of a child under the age of 16 years, shall be punished by imprisonment of not more than 1 year, or fined in an amount not to exceed \$1,000, or both, for each and every such offense."

D.C. Law 19-171 validated a previously made technical correction.

#### *Emergency Act Amendments*

For temporary (90 day) amendment of section, see § 210 of Omnibus Public Safety Emergency Amendment Act of 2006 (D.C. Act 16-445, July 19, 2006, 53 DCR 6443).

For temporary (90 day) amendment of section, see § 210 of Omnibus Public Safety Congressional Review Emergency Amendment Act of 2006 (D.C. Act 16-490, October 18, 2006, 53 DCR 8686).

For temporary (90 day) amendment of section, see § 210 of Omnibus Public Safety Congressional Review Emergency Amendment Act of 2007 (D.C. Act 17-10, January 16, 2007, 54 DCR 1479).

For temporary (90 day) amendment of section, see § 210 of Omnibus Public Safety Second Congressional Review Emergency Amendment Act of 2007 (D.C. Act 17-25, April 19, 2007, 54 DCR 4036).

For temporary (90 day) amendment of section, see § 302(b) of Public Safety Legislation Sixty-Day Layover Emergency Amendment Act of 2010 (D.C. Act 18-693, January 18, 2011, 58 DCR 640).

For temporary (90 day) amendment of section, see § 302(b) of Public Safety Legislation Sixty-Day Layover Congressional Review Emergency Amendment Act of 2011 (D.C. Act 19-45, April 20, 2011, 58 DCR 3701).

#### *Legislative History of Laws*

For Law 16-306, see notes following § 22-404.

For history of Law 18-375, see notes under § 22-1307.

Law 19-171, the "Technical Amendments Act of 2012", was introduced in Council and assigned Bill No. 19-397, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on March 20, 2012, and April 17, 2012, respectively. Signed by the Mayor on May 23, 2012, it was assigned Act No. 19-376 and transmitted to both Houses of Congress for its review. D.C. Law 19-171 became effective on September 26, 2012.

## **§ 22-1313. KINDLING BONFIRES.**

It shall not be lawful for any person or persons within the limits of the District of Columbia to kindle or set on fire, or be present, aiding, consenting, or causing it to be done, in any street, avenue, road, or highway, alley, open ground, or lot, any box, barrel, straw, shavings, or other combustible, between the setting and rising of the sun; and, any person offending against the provisions of this section shall on conviction thereof, forfeit and pay a sum not exceeding \$10 for each and every offense.

(July 29, 1892, 27 Stat. 325, ch. 320, § 14.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 22-1113.

1973 Ed., § 22-1113.

## **§ 22-1314. DISTURBING RELIGIOUS CONGREGATION.[REPEALED]**

(July 29, 1892, 27 Stat. 324, ch. 320, § 11; May 26, 2011, D.C. Law 18-375, § 2(c), 58 DCR 731.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 22-1114.

1973 Ed., § 22-1114.

*Emergency Act Amendments*

For temporary (90 day) repeal of section, see § 302(c) of Public Safety Legislation Sixty-Day Layover Emergency Amendment Act of 2010 (D.C. Act 18-693, January 18, 2011, 58 DCR 640).

For temporary (90 day) repeal of section, see § 302(c) of Public Safety Legislation Sixty-Day Layover Congressional Review Emergency Amendment Act of 2011 (D.C. Act 19-45, April 20, 2011, 58 DCR 3701).

*Legislative History of Laws*

For history of Law 18-375, see notes under § 22-1307.

## **§ 22-1314.01. DEFINITIONS.**

For the purpose of § 22-1314.02, the term:

- (1) "Health professional" means a person licensed to practice a health occupation in the District pursuant to § 3-1201.01.
- (2) "Medical facility" includes a hospital, clinic, physician's office, or other facility that provides health or surgical services.
- (3) "Person" shall not include:
  - (A) The chief medical officer of the medical facility or his or her designee;
  - (B) The chief executive officer of the medical facility or his or her designee;
  - (C) An agent of the medical facility; or
  - (D) A law enforcement officer in the performance of his or her official duty.

(July 29, 1892, 27 Stat. 322, ch. 320, § 11a, as added Sept. 20, 1996, D.C. Law 11-157, § 2, 43 DCR 3699.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 22-1114.1.

*Emergency Act Amendments*

For temporary addition of section, see § 2 of the Interference with Medical Facilities and Health Professionals Congressional Review Emergency Amendment Act of 1996 (D.C. Act 11-306, July 26, 1996, 43 DCR 4205).

*Legislative History of Laws*

Law 11-157, the "Interference with Medical Facilities and Health Professionals Amendment Act of 1996," was introduced in Council and assigned Bill No. 11-385, which was referred to the Committee on the Judiciary. The Bill was adopted on first and second readings on May 7, 1996, and June 19, 1996, respectively. Signed by the Mayor on June 19, 1996, it was assigned Act No. 11-286 and transmitted to both Houses of Congress for its review. D.C. Law 11-157 became effective on September 20, 1996.

## **§ 22-1314.02. PROHIBITED ACTS.**

(a) It shall be unlawful for a person, except as otherwise authorized by District or federal law, alone or in concert with others, to willfully or recklessly interfere with access to or from a medical facility or to willfully or recklessly disrupt the normal functioning of such facility by:

- (1) Physically obstructing, impeding, or hindering the free passage of an individual seeking to enter or depart the facility or from the common areas of the real property upon which the facility is located;
- (2) Making noise that unreasonably disturbs the peace within the facility;
- (3) Trespassing on the facility or the common areas of the real property upon which the facility is located;
- (4) Telephoning the facility repeatedly to harass or threaten owners, agents, patients, and employees, or knowingly permitting any telephone under his or her control to be so used for the purpose of threatening owners, agents, patients, and employees; or
- (5) Threatening to inflict injury on the owners, agents, patients, employees, or property of the medical facility or knowingly permitting any telephone under his or her control to be used for such purpose.

(b) A person shall not act alone or in concert with others with the intent to prevent a health professional or his or her family from entering or leaving the health professional's home.



(c) Subsections (a) and (b) of this section shall not be construed to prohibit any otherwise lawful picketing or assembly.

(d) Any person who violates subsections (a) or (b) of this section, upon conviction, shall be fined not more than \$1,000, imprisoned for not more than 180 days, or both.

(July 29, 1892, 27 Stat. 322, ch. 320, § 11b, as added Sept. 20, 1996, D.C. Law 11-157, § 2, 43 DCR 3699.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 22-1114.2.

##### *Temporary Amendments of Section*

Temporary amendment of Reestablishment of Health Services Planning and Certificate of Need Program: Sections 201 through 221 of D.C. Law 11-75 reestablished the Health Services Planning and Certificate of Need Program.

Section 301(b) of D.C. Law 11-75 provided that this act shall expire after 225 days of its having taken effect.

See §§ 2 and 3 of D.C. Law 11-133.

Section 5(b) of D.C. Law 11-133 provided that the act shall expire on the 225th day of its having taken effect.

##### *Emergency Act Amendments*

Emergency Reestablishment of a Health Services Planning and Certificate of Need Regulatory Program: For temporary reestablishment of a Health Services Planning and Certificate of Need Regulatory Program in the District of Columbia, see §§ 201-221 of the Interference with Medical Facilities and Health Professionals and Reestablishment of Health Services Planning and Certificate of Need Program Emergency Act of 1995 (D.C. Act 11-117, July 25, 1995, 42 DCR 4044).

For temporary re-establishment of a health services planning and certificate of need regulatory program in the District of Columbia, see §§ 2 through 23 of the Health Services Planning and Certificate of Need Program Emergency Act of 1995 (D.C. Act 11-151, November 9, 1995, 42 DCR 6550).

For temporary addition of section, see § 2 of the Interference with Medical Facilities and Health Professionals Congressional Review Emergency Amendment Act of 1996 (D.C. Act 11-306, July 26, 1996, 43 DCR 4205).

For temporary establishment of a health services planning and certificate of need regulatory program in the District of Columbia, see § 2-22 of the Health Services Planning Program Legislative Review Emergency Act of 1996 (D.C. Act 11-345, August 8, 1996, 43 DCR 4517).

For temporary establishment, on an emergency basis due to Congressional review, a health services planning and certificate of need regulatory program in the District of Columbia, see § 2-22 of the Health Services Planning Program Congressional Review Emergency Act of 1996 (D.C. Act 11-422, October 28, 1996, 43 DCR 6118).

For temporary establishment, on an emergency basis due to Congressional review, of a health services planning and certificate of need regulatory program in the District of Columbia, see § 2-22 of the Health Services Planning Program Second Congressional Review Emergency Act of 1996 (D.C. Act 11-489, January 2, 1996, 44 DCR 734), and see § 2-22 of the Health Services Planning Program Congressional Review Emergency Act of 1997 (D.C. Act 12-40, March 31, 1997, 44 DCR 2070).

##### *Legislative History of Laws*

Law 11-75, the "Interference with Medical Facilities and Health Professionals and Reestablishment of Health Services Planning and Certificate of Need Program Temporary Act of 1995," was introduced in Council and assigned Bill No. 11- 374. The Bill was adopted on first and second readings on July 11, 1995, and July 29, 1995, respectively. Signed by the Mayor on August 11, 1995, it was assigned Act No. 11-136 and transmitted to both Houses of Congress for its review. D.C. Law 11-75 became effective on December 15, 1995.

Law 11-133, the "Health Services Planning and Certificate of Need Program Temporary Amendment Act of 1996," was introduced in Council and Assigned Bill No. 11-560. The Bill was adopted on first and second readings on February 6, 1996, and March 5, 1996, respectively. Signed by the Mayor on March 21, 1996, it was assigned Act No. 11-240 and transmitted to both Houses of Congress for its review. D.C. Law 11-133 became effective on May 29, 1996.

For legislative history of D.C. Law 11-157, see Historical and Statutory Notes following § 22-1314.01.

##### *Delegation of Authority*

Delegation of authority pursuant to D.C. Law 11-117, the "Interference with Medical Facilities and Health Professionals and Reestablishment of Health Services Planning and Certificate of Need Program Emergency Act of 1995": See Mayor's Order 95-112, August 18, 1995.

Delegation of authority pursuant to the Health Services Planning and Certificate of Need Program Emergency Act of 1995, effective November 7, 1995 (D.C. Act 11-151), see Mayor's Order 95-162, December 4, 1995.

## **§ 22-1315. INTERFERENCE WITH FOREIGN DIPLOMATIC AND CONSULAR OFFICES, OFFICERS, AND PROPERTY--PROHIBITED.[REPEALED]**

(May 7, 1988, D.C. Law 7-105, § 2, 35 DCR 728.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 22-1115.

#### *Legislative History of Laws*

Law 7-105, the "Protection for Foreign Officials, Official Guests, and Internationally Protected Persons Amendment Act of 1987," was introduced in Council and assigned Bill No. 7-59, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on December 8, 1987 and January 5, 1988, respectively. The Bill was transmitted to the Mayor on January 12, 1988, and was deemed approved without signature upon expiration of the 10-day mayoral review period. The Bill was assigned Act No. 7-138 and transmitted to both Houses of Congress for its review.

## **§ 22-1317. FLYING FIRE BALLOONS OR PARACHUTES.**

It shall not be lawful for any person or persons to set up or fly any fire balloon or parachute in or upon or over any street, avenue, alley, open space, public enclosure, or square within the limits of the City of Washington, under a penalty of not more than \$10 for each and every such offense.

(July 29, 1892, 27 Stat. 322, ch. 320, § 4; Feb. 11, 1895, 28 Stat. 650, ch. 79; July 29, 1970, 84 Stat. 667, Pub. L. 91-358, title VIII, § 802.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 22-1117.

1973 Ed., § 22-1117.

## **§ 22-1318. DRIVING OR RIDING ON FOOTWAYS IN PUBLIC GROUNDS.**

If any person shall drive or lead any horse, mule, or other animal, or any cart, wagon, or other carriage whatever on any of the paved or graveled footways in and on any of the public grounds belonging to the United States within the District of Columbia, or shall ride thereon, except at the intersection of streets, alleys, and avenues, each and every such offender shall forfeit and pay for each offense a sum not less than \$1 nor more than \$5.

(July 29, 1892, 27 Stat. 325, ch. 320, § 16.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 22-1118.

1973 Ed., § 22-1118.

## **§ 22-1319. FALSE ALARMS AND FALSE REPORTS; HOAX WEAPONS.**

(a) It shall be unlawful for any person or persons to willfully or knowingly give a false alarm of fire within the District of Columbia, and any person or persons violating the provisions of this subsection shall, upon conviction, be deemed guilty of a misdemeanor and be punished by a fine not exceeding \$1,000 or by imprisonment for not more than 6 months, or by both such fine and imprisonment. Prosecutions for violation of the provisions of this subsection shall be on information filed in the Superior Court of the District of Columbia by the Office of the Attorney General for the District of Columbia.

(a-1) It shall be unlawful for any person or persons to willfully or knowingly use, or allow the use of, the 911 call system to make a false or fictitious report or complaint which initiates a response by District of Columbia emergency personnel or officials when, at the time of the call or transmission, the person knows the report or complaint is false. Any person or persons violating the provisions of this subsection shall, upon conviction, be deemed guilty of a misdemeanor and be punished by a fine not exceeding \$1,000 or by imprisonment for not more than 6 months. Prosecutions for violation of the provisions of this subsection

shall be on information filed in the Superior Court of the District of Columbia by the Office of the Attorney General for the District of Columbia.

(b)(1) It shall be unlawful for any person to willfully or knowingly make, or cause to be made, a false or fictitious report to any individual which initiates a response by District of Columbia emergency personnel or officials, wherein such report involves, is alleged to involve, or may reasonably be deemed to involve, the delivery, presence, or use of a weapon of mass destruction, as defined by § 22-3152(12), within the District of Columbia.

(2) It shall be a violation of this subsection for any person to willfully and knowingly give, transport, mail, send, or cause to be sent any hoax weapon of mass destruction, as defined by § 22-3152(3), to another person or to place any such hoax weapon of mass destruction in or upon any real or personal property.

(3) Any person violating the provisions of this subsection shall, upon conviction, be guilty of a misdemeanor and be punished by imprisonment of not more than one year or fined in an amount not to exceed the greater of \$10,000 or the costs of responding to and consequential damages resulting from the offense, or both.

(c)(1) It shall be unlawful for anyone to willfully or knowingly, with the intent of intimidating or frightening people, causing panic or civil unrest, extorting profit, or causing economic damage, make, or cause to be made, a false or fictitious report to any individual, which initiates a response by District of Columbia emergency personnel or officials, wherein such report involves, is alleged to involve, or may reasonably be deemed to involve, the delivery, presence, or use of a weapon of mass destruction, as defined by § 22-3152(12), within the District of Columbia.

(2) It shall be a violation of this subsection for any person to willfully or knowingly, with the intent of intimidating or frightening people, causing panic or civil unrest, extorting profit, or causing economic damage, give, transport, mail, send, or cause to be sent any hoax weapon of mass destruction, as defined by § 22-3152(3), to another person or to place any such hoax weapon of mass destruction in or upon any real or personal property.

(3) Any person violating the provisions of this subsection shall, upon conviction, be guilty of a felony and may be punished by imprisonment of not more than 5 years or fined in an amount not to exceed the greater of \$50,000 or the costs of responding to and consequential damages resulting from the offense, or both.

(d)(1) It shall be unlawful for any person to willfully or knowingly, during a state of emergency, as declared by the Mayor pursuant to § 7-2304, with the intent of intimidating or frightening people, causing panic or civil unrest, extorting profit, or causing economic damage, make, or cause to be made, a false or fictitious report to any individual, which initiates a response by District of Columbia emergency personnel or officials, wherein such report involves, is alleged to involve, or may reasonably be deemed to involve, the delivery, presence, or use of a weapon of mass destruction, as defined by § 22-3152(12), within the District of Columbia.

(2) It shall be a violation of this subsection for any person to willfully or knowingly, during a state of emergency, as declared by the Mayor pursuant to § 7-2304, with the intent of intimidating or frightening people, causing panic or civil unrest, extorting profit, or causing economic damage, give, transport, mail, send, or cause to be sent any hoax weapon of mass destruction, as defined by § 22-3152(3), to another person or to place any such hoax weapon of mass destruction in or upon any real or personal property.

(3) Any person violating the provisions of this subsection shall, upon conviction, be guilty of a felony and may be punished by imprisonment of not more than 10 years or fined in an amount not to exceed \$100,000 or the cost of responding to and consequential damages resulting from the offense, or both.

(e) For the purposes of subsections (b), (c), and (d) of this section, the manner in which the false or fictitious report is communicated may include, but is not limited to:

(1) A writing;

(2) An electronic transmission producing a visual, audio, or written result;

(3) An oral statement; or

(4) A signing.

(f) There is jurisdiction to prosecute any person who participates in the commission of any offense described in this section if any act in furtherance of the offense occurs in the District of Columbia or where the effect of any act in furtherance of the offense occurs in the District of Columbia.

(June 8, 1906, 34 Stat. 220, ch. 3055, § 1; Apr. 1, 1942, 56 Stat. 190, ch. 207, § 1; July 8, 1963, 77 Stat. 77, Pub. L. 88-60, § 1; July 29, 1970, 84 Stat. 570, Pub. L. 91-358, title I, § 155(a); May 21, 1994, D.C. Law 10-119, § 8, 41 DCR 1639; Oct. 17, 2002, D.C. Law 14-194, § 153, 49 DCR 5306; Apr. 7, 2006, D.C. Law 16-91, § 142, 52 DCR 10637; May 26, 2011, D.C. Law 18-373, § 3, 58 DCR 613.)

*Prior Codifications*

1981 Ed., § 22-1119.

1973 Ed., § 22-1119.

*Effect of Amendments*

D.C. Law 14-194 designated subsec. (a), and added subsecs. (b) to (f).

D.C. Law 16-91, in par. (c)(2), substituted "§ 22-3152(3)" for "§ 22-3152(12)".

D.C. Law 18-373 rewrote subsec. (a); and added subsec. (a-1). Prior to amendment, subsec. (a) read as follows:

"(a) It shall be unlawful for any person or persons to wilfully or knowingly give a false alarm of fire within the District of Columbia, and any person or persons violating the provisions of this section shall upon conviction, be deemed guilty of a misdemeanor and be punished by a fine not exceeding \$100 or by imprisonment for not more than 6 months, or by both such fine and imprisonment. Prosecutions for violation of the provisions of this section shall be on information filed in the Superior Court of the District of Columbia by the Corporation Counsel of the District of Columbia or by any Assistant Corporation Counsel."

*Emergency Act Amendments*

For temporary (90 day) amendment of section, see § 103 of Public Safety Legislation Sixty-Day Layover Emergency Amendment Act of 2010 (D.C. Act 18-693, January 18, 2011, 58 DCR 640).

For temporary (90 day) amendment of section, see § 103 of Public Safety Legislation Sixty-Day Layover Congressional Review Emergency Amendment Act of 2011 (D.C. Act 19-45, April 20, 2011, 58 DCR 3701).

*Legislative History of Laws*

For legislative history of D.C. Law 10-119, see Historical and Statutory Notes following § 22-1302.

Law 14-194, the "Omnibus Anti-Terrorism Act of 2002", was introduced in Council and assigned Bill No. 14-373, which was referred to the Committee on the Judiciary. The Bill was adopted on first and second readings on April 9, 2002, and May 7, 2002, respectively. Signed by the Mayor on June 3, 2002, it was assigned Act No. 14-380 and transmitted to both Houses of Congress for its review. D.C. Law 14-194 became effective on October 17, 2002.

For Law 16-91, see notes following § 22-3152.

Law 18-373, the "Health and Safety 911 Abuse Prevention Amendment Act of 2010", was introduced in Council and assigned Bill No. 18-692, which was referred to the Committee on Public Safety and the Judiciary. The Bill was adopted on first and second readings on November 9, 2010, and December 7, 2010, respectively. Signed by the Mayor on January 12, 2011, it was assigned Act No. 18-682 and transmitted to both Houses of Congress for its review. D.C. Law 18-373 became effective on May 26, 2011.

## **§ 22-1320. SALE OF TOBACCO TO MINORS UNDER 18 YEARS OF AGE.**

Recodified as § 7-1721.02

(Feb. 7, 1891, 26 Stat. 736, ch. 117; May 2, 1991, D.C. Law 8-262, § 3, 37 DCR 8434.)

## **§ 22-1321. DISORDERLY CONDUCT.**

(a) In any place open to the general public, and in the communal areas of multi-unit housing, it is unlawful for a person to:

- (1) Intentionally or recklessly act in such a manner as to cause another person to be in reasonable fear that a person or property in a person's immediate possession is likely to be harmed or taken;
- (2) Incite or provoke violence where there is a likelihood that such violence will ensue; or
- (3) Direct abusive or offensive language or gestures at another person (other than a law enforcement officer while acting in his or her official capacity) in a manner likely to provoke immediate physical retaliation or violence by that person or another person.

(b) It is unlawful for a person to engage in loud, threatening, or abusive language, or disruptive conduct, with the intent and effect of impeding or disrupting the orderly conduct of a lawful public gathering, or of a congregation of people engaged in any religious service or in worship, a funeral, or similar proceeding.

(c) It is unlawful for a person to engage in loud, threatening, or abusive language, or disruptive conduct, which unreasonably impedes, disrupts, or disturbs the lawful use of a public conveyance by one or more other persons.

(d) It is unlawful for a person to make an unreasonably loud noise between 10:00 p.m. and 7:00 a.m. that is

likely to annoy or disturb one or more other persons in their residences.

(e) It is unlawful for a person to urinate or defecate in public, other than in a urinal or toilet.

(f) It is unlawful for a person to stealthily look into a window or other opening of a dwelling, as defined in § 6-101.07, under circumstances in which an occupant would have a reasonable expectation of privacy. It is not necessary that the dwelling be occupied at the time the person looks into the window or other opening.

(g) It is unlawful, under circumstances whereby a breach of the peace may be occasioned, to interfere with any person in any public place by jostling against the person, unnecessarily crowding the person, or placing a hand in the proximity of the person's handbag, pocketbook, or wallet.

(h) A person who violates any provision of this section shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than \$500, imprisoned not more than 90 days, or both.

(June 29, 1953, 67 Stat. 98, ch. 159, § 211(a); redesignated § 211, May 21, 1994, D.C. Law 10-119, § 9(a), 41 DCR 1639; May 26, 2011, D.C. Law 18-375, § 3(a), 58 DCR 731.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 22-1121.

1973 Ed., § 22-1121.

##### *Effect of Amendments*

D.C. Law 18-375 rewrote the section, which formerly read:

"Whoever, with intent to provoke a breach of the peace, or under circumstances such that a breach of the peace may be occasioned thereby: (1) acts in such a manner as to annoy, disturb, interfere with, obstruct, or be offensive to others; (2) congregates with others on a public street and refuses to move on when ordered by the police; (3) shouts or makes a noise either outside or inside a building during the nighttime to the annoyance or disturbance of any considerable number of persons; (4) interferes with any person in any place by jostling against such person or unnecessarily crowding such person or by placing a hand in the proximity of such person's pocketbook, or handbag; or (5) causes a disturbance in any streetcar, railroad car, omnibus, or other public conveyance, by running through it, climbing through windows or upon the seats, or otherwise annoying passengers or employees, shall be fined not more than \$250 or imprisoned not more than 90 days, or both."

##### *Emergency Act Amendments*

For temporary (90 day) amendment of section, see § 303(a) of Public Safety Legislation Sixty-Day Layover Emergency Amendment Act of 2010 (D.C. Act 18-693, January 18, 2011, 58 DCR 640).

For temporary (90 day) amendment of section, see § 303(a) of Public Safety Legislation Sixty-Day Layover Congressional Review Emergency Amendment Act of 2011 (D.C. Act 19-45, April 20, 2011, 58 DCR 3701).

##### *Legislative History of Laws*

For legislative history of D.C. Law 10-119, see Historical and Statutory Notes following § 22-1302.

For history of Law 18-375, see notes under § 22-1307.

## **§ 22-1322. RIOTING OR INCITING TO RIOT.**

(a) A riot in the District of Columbia is a public disturbance involving an assemblage of 5 or more persons which by tumultuous and violent conduct or the threat thereof creates grave danger of damage or injury to property or persons.

(b) Whoever willfully engages in a riot in the District of Columbia shall be punished by imprisonment for not more than 180 days or a fine of not more than \$1,000, or both.

(c) Whoever willfully incites or urges other persons to engage in a riot shall be punished by imprisonment for not more than 180 days or a fine of not more than \$1,000, or both.

(d) If in the course and as a result of a riot a person suffers serious bodily harm or there is property damage in excess of \$5,000, every person who willfully incited or urged others to engage in the riot shall be punished by imprisonment for not more than 10 years or a fine of not more than \$10,000, or both.

(Dec. 27, 1967, 81 Stat. 742, Pub. L. 90-226, title IX, § 901; Aug. 20, 1994, D.C. Law 10-151, § 111, 41 DCR 2608.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 22-1122.

*Temporary Addition of Section*

Temporary addition of sections: D.C. Law 11-75 added 2 new sections to read as follows:

"§ 101. Definitions.

For the purposes of this title, the term:

(1) "Act" shall not include speech.

(2) "Health professional" means a person licensed to practice a health occupation in the District pursuant to § 2-3301.1 [1981 Ed.].

(3) "Medical facility" means a facility, agency, or organizational entity, as defined in § 32-1301 [1981 Ed.], licensed or otherwise authorized to provide health care services in the District.

(4) "Person" means:

(A) The chief medical officer of a medical facility or the chief medical officer's designee;

(B) The chief executive officer of a medical facility or the chief executive officer's designee;

(C) An agent of a medical facility; or.

(D) A law enforcement officer in the performance of the enforcement officer's official duty."

"§ 102. Interference with entering and leaving a medical facility or home.

(a) A person shall not act alone or in concert with others with the intent to prevent another person from entering or leaving a medical facility. A person shall not detain a person or obstruct, impede, or hinder a person's free passage.

(b) A person shall not act alone or in concert with others with the intent to prevent a medical provider or a member of the medical provider's family from entering or leaving the medical provider's home.

(c) Subsections (a) and (b) of this section shall not be construed to prohibit any lawful picketing or assembly.

(d) Any person who violates either subsection (a) or (b) of this section, upon conviction, shall be fined not more than \$1,000, imprisoned for not more than 6 months, or both."

Section 301(b) of D.C. Law 11-75 provided that the act shall expire after 225 days of its having taken effect.

*Emergency Act Amendments*

For temporary amendment of section, see § 111 of the Omnibus Criminal Justice Reform Emergency Amendment Act of 1994 (D.C. Act 10-255, June 22, 1994, 41 DCR 4286).

Interference with medical facilities and health professionals: For temporary prohibition of a person interfering with the free access to or egress from a medical facility or the home of a health professional in the District of Columbia, see §§ 101 and 102 of the Interference with Medical Facilities and Health Professionals and Reestablishment of Health Services Planning and Certificate of Need Program Emergency Act of 1995 (D.C. Act 11-117, July 25, 1995, 42 DCR 4044) and §§ 2 and 3 of the Interference with Medical Facilities and Health Professionals Congressional Review Emergency Act of 1995 (D.C. Act 11-152, November 9, 1995, 42 DCR 6565).

*Legislative History of Laws*

For legislative history of D.C. Law 10-151, see Historical and Statutory Notes following § 22-1301.

Law 11-75, the "Interference with Medical Facilities and Health Professionals and Reestablishment of Health Services Planning and Certificate of Need Program Temporary Act of 1995," was introduced in Council and assigned Bill No. 11- 374. The Bill was adopted on first and second readings on July 11, 1995, and July 29, 1995, respectively. Signed by the Mayor on August 11, 1995, it was assigned Act No. 11-136 and transmitted to both Houses of Congress for its review. D.C. Law 11-75 became effective on December 15, 1995.

## **§ 22-1323. OBSTRUCTING BRIDGES CONNECTING D.C. AND VIRGINIA.**

Effective with respect to conduct occurring on or after August 5, 1997, whoever in the District of Columbia knowingly and willfully obstructs any bridge connecting the District of Columbia and the Commonwealth of Virginia:

(1) Shall be fined not less than \$1,000 and not more than \$5,000, and in addition may be imprisoned not more than 30 days; or

(2) If applicable, shall be subject to prosecution by the District of Columbia under the provisions of District law and regulation amended by the Safe Streets Anti-Prostitution Amendment Act of 1996.

(Aug. 5, 1997, 111 Stat. 782, Pub. L. 105-33, § 11712(e).)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 22-1123.

*Effective Dates*

Section 11721 of title XI of Pub. L. 105-33, 111 Stat. 786, the National Capital Revitalization and Self-Government Improvement Act of 1997, provided that except as otherwise provided in this title, the provisions of this title shall take effect on the later of October 1, 1997, or the day the District of Columbia Financial Responsibility and Management Assistance Authority certifies that the financial plan and budget for the District government for fiscal year 1998 meet the requirements of section 201(c)(1) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, as amended by this title.

*References in Text*

The "regulation amended by the Safe Streets Anti-Prostitution Amendment Act of 1996," referred to in (2), is § 5 of D.C. Law 11-130, effective May 24, 1996, and found at 43 DCR 1570.