

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 22.
CRIMINAL OFFENSES AND PENALTIES.

CHAPTER 23.
PANHANDLING.

2001 Edition

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CHAPTER 23. PANHANDLING.

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CHAPTER 23. PANHANDLING.

§ 22-2301. DEFINITIONS.

For the purposes of this chapter, the term:

(1) "Aggressive manner" means:

- (A) Approaching, speaking to, or following a person in a manner as would cause a reasonable person to fear bodily harm or the commission of a criminal act upon the person, or upon property in the person's immediate possession;
- (B) Touching another person without that person's consent in the course of asking for alms;
- (C) Continuously asking, begging, or soliciting alms from a person after the person has made a negative response; or
- (D) Intentionally blocking or interfering with the safe or free passage of a person by any means, including unreasonably causing a person to take evasive action to avoid physical contact.

(2) "Ask, beg, or solicit alms" includes the spoken, written, or printed word or such other act conducted for the purpose of obtaining an immediate donation of money or thing of value.

(Nov. 17, 1993, D.C. Law 10-54, § 2, 40 DCR 5450.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 22-3311.

Legislative History of Laws

Law 10-54, the "Panhandling Control Act of 1993," was introduced in Council and assigned Bill No. 10-72, which was referred to the Committee on the Judiciary. The Bill was adopted on first and second readings on June 1, 1993, and June 29, 1993, respectively. Signed by the Mayor on July 16, 1993, it was assigned Act No. 10-48 and transmitted to both Houses of Congress for its review. D.C. Law 10-54 became effective on November 17, 1993.

§ 22-2302. PROHIBITED ACTS.

- (a) No person may ask, beg, or solicit alms, including money and other things of value, in an aggressive manner in any place open to the general public, including sidewalks, streets, alleys, driveways, parking lots, parks, plazas, buildings, doorways and entrances to buildings, and gasoline service stations, and the grounds enclosing buildings.
- (b) No person may ask, beg, or solicit alms in any public transportation vehicle; or at any bus, train, or subway station or stop.
- (c) No person may ask, beg, or solicit alms within 10 feet of any automatic teller machine (ATM).
- (d) No person may ask, beg, or solicit alms from any operator or occupant of a motor vehicle that is in traffic on a public street.
- (e) No person may ask, beg, or solicit alms from any operator or occupant of a motor vehicle on a public street in exchange for blocking, occupying, or reserving a public parking space, or directing the operator or occupant to a public parking space.
- (f) No person may ask, beg, or solicit alms in exchange for cleaning motor vehicle windows while the vehicle is in traffic on a public street.
- (g) No person may ask, beg, or solicit alms in exchange for protecting, watching, washing, cleaning, repairing, or painting a motor vehicle or bicycle while it is parked on a public street.
- (h) No person may ask, beg, or solicit alms on private property or residential property, without permission from the owner or occupant.

(Nov. 17, 1993, D.C. Law 10-54, § 3, 40 DCR 5450.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 22-3312.

Legislative History of Laws

For legislative history of D.C. Law 10-54, see Historical and Statutory Notes following § 22-2301.

§ 22-2303. PERMITTED ACTIVITY.

Acts authorized as an exercise of a person's constitutional right to picket, protest, or speak, and acts authorized by a permit issued by the District of Columbia government shall not constitute unlawful activity under this chapter.

(Nov. 17, 1993, D.C. Law 10-54, § 4, 40 DCR 5450.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 22-3313.

Legislative History of Laws

For legislative history of D.C. Law 10-54, see Historical and Statutory Notes following § 22-2301.

§ 22-2304. PENALTIES.

(a) Any person convicted of violating any provision of § 22-2302 shall be fined not more than \$300 or be imprisoned not more than 90 days or both.

(b) In lieu of or in addition to the penalty provided in subsection (a) of this section, a person convicted of violating any provision of § 22-2302 may be required to perform community service as provided in § 16-712.

(Nov. 17, 1993, D.C. Law 10-54, § 5, 40 DCR 5450.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 22-3314.

Legislative History of Laws

For legislative history of D.C. Law 10-54, see Historical and Statutory Notes following § 22-2301.

§ 22-2305. CONDUCT OF PROSECUTIONS.

Prosecutions for violations of this chapter shall be conducted in the name of the District of Columbia by the Corporation Counsel.

(Nov. 17, 1993, D.C. Law 10-54, § 6, 40 DCR 5450.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 22-3315.

Legislative History of Laws

For legislative history of D.C. Law 10-54, see Historical and Statutory Notes following § 22-2301.

§ 22-2306. DISCLOSURE.

Any arrest or conviction under this chapter shall be disclosed to public and private social service agencies that request the Metropolitan Police Department or the court to be notified of such events.

(Nov. 17, 1993, D.C. Law 10-54, § 7, 40 DCR 5450.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 22-3316.

Legislative History of Laws

For legislative history of D.C. Law 10-54, see Historical and Statutory Notes following § 22-2301.