

# WARNING!

## NOTICE TO ALL PANHANDLERS

Be advised that certain types of panhandling are prohibited in the District of Columbia.

1. **Aggressive asking, begging or soliciting of money, which is**
  - Speaking to, or following a person in a manner as would cause a reasonable person to fear bodily harm.
  - Touching another person without that person's consent.
  - Continuously begging after the person makes a negative response.
  - Intentionally blocking or interfering with the safe or free passage of a person in any place open to the public.
2. **Begging or soliciting money in any public transportation vehicle; or at any bus, train or subway station or stop.**
3. **Begging within 10 feet of any automatic teller machine (ATM).**
4. **Begging any operator or occupant of a motor vehicle that is in traffic on a public street.**
5. **Begging any operator or occupant of a motor vehicle on a public street in exchange for blocking or reserving a public parking space.**
6. **Begging in exchange for cleaning motor vehicle windows while the vehicle is in traffic on a public street.**
7. **Begging in exchange for protecting, watching, cleaning, repairing, or painting a motor vehicle or bicycle while it is parked on a public street.**
8. **Begging on private property or residential property without permission from the owner or occupant.**

*Any person(s) committing a violation of the  
"Panhandling Control Emergency Act of 1993"  
in the presence of a police officer is subject to a fine  
not to exceed \$300 and/or imprisonment not to exceed 90 days.*



Government of the District of Columbia  
Sharon Pratt Kelly  
Mayor June 1993



Metropolitan Police Department  
Fred Thomas  
Chief of Police

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 16, 1993

To make certain panhandling acts crimes; to allow law enforcement officers to arrest a person without a warrant if the law enforcement officer has probable cause to believe that the person committed an illegal panhandling offense; and to repeal the provision prohibiting begging under the District's vagrancy law.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Panhandling Control Act of 1993".

Sec. 2. Definitions.

For the purposes of this act, 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.

Sec. 3. 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.

New Secti  
22-3311

New Secti  
22-3312

(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.

**Sec. 4. 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 act.

New Section  
22-3313

**Sec. 5. Penalties.**

(a) Any person convicted of violating any provision of section 3 shall be fined not more than \$300 or be imprisoned not more than 90 days or both.

New Section  
22-3314

(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 section 3 may be required to perform community service as provided in D.C. Code § 16-712.

**Sec. 6. Conduct of prosecutions.**

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

New Section  
22-3315

**Sec. 7. Disclosure.**

Any arrest or conviction under this act 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.

New Section  
22-3316

**Sec. 8. Arrest without warrant authorized.**

Section 23-581 of the District of Columbia Code is amended by adding a new subsection (a-2) to read as follows:

Section  
23-581

"(a-2) A law enforcement officer may arrest a person without an arrest warrant if the officer has probable cause to believe the person has committed an offense as provided in the Panhandling Control Act of 1993."

**Sec. 9. Repealer.**

Paragraph (7) of section 1 of An Act To define and punish vagrancy in the District of Columbia, and for other purposes, approved December 17, 1941 (55 Stat. 809; D.C. Code § 22-3302(6)), is repealed.

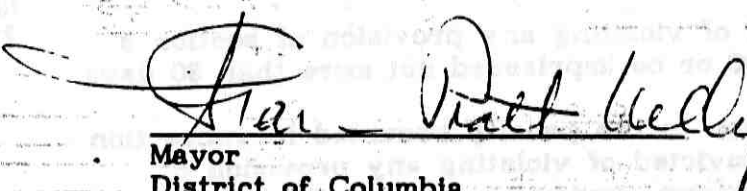
Section  
22-3302

**Sec. 10. Effective date.**

This act shall take effect after a 60-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the

veto) as provided in section 602(c)(2) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(2)), and publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.

  
Acting Chairman  
Council of the District of Columbia

  
Mayor  
District of Columbia

July 16, 1993

