

## FACTS ABOUT STREET RIGHTS

### Your Rights on the Street

- "Vagrancy" or loitering is not a crime – you can't be stopped or arrested by the police for simply being on the street, a sidewalk or in a public park, and police do not have the right to tell you to move from a particular area if you are doing nothing illegal.
- You have the right to keep or carry your belongings with you, in any type bags or containers, as long as you don't leave them unattended or block the sidewalk or the right of way.
- You have the right to panhandle, as long as you are not within 10 feet of an ATM or 15 feet of Metro property, and as long as you aren't "aggressively panhandling", which means touching or threatening someone with bodily harm; asking for money after someone says no; or blocking someone's way.
- **NOTE:** All panhandling is illegal on *federal* parkland, which includes McPherson Square, Rock Creek Park, Lafayette Park, and the Mall.
- You generally have the right to lie down or sleep in public, as long as you are not on *federal* parkland, or in an automobile, a tent or

### Dealing with D.C. Metropolitan Police Department (MPD)

- If you are approached or questioned by the D.C. police and they do not say that you are suspected of a crime, you do not have to answer any questions or give them any information, and are free to leave. (MPD General Order 304-10).
- If the police ask or order you to move from a particular area, you do not have to move unless they say that you are violating the law by being there. The police cannot order you to "move on" unless you are in a group of 3 or more and are disturbing the peace or blocking the street/sidewalk. (MPD Special Order 92-9).
- If you are not under arrest, the police may only frisk you or search your belongings if they reasonably suspect that you are carrying a concealed weapon and are a threat to their safety. (MPD General Order 304-10).
- If you are stopped by the police, always ask for the names and badge numbers of the officers and write this down immediately, along with the date, time and location of the incident. **MAKE SURE TO SAVE ALL DOCUMENTS THEY GIVE YOU, SUCH AS TICKETS, WARNINGS, ETC.**
- For more information, or if you feel you've been a victim of police harassment or mistreatment, call the **WASHINGTON LEGAL CLINIC FOR THE HOMELESS** at 202-328-5500, or the **OFFICE OF CITIZEN COMPLAINT REVIEW (OCCR)** at 202-727-3838.

other structure, in the street, or blocking the sidewalk or a building, BUT beware that the police may attempt to move you or ticket you for "temporary abode". If this occurs, contact the **WASHINGTON LEGAL CLINIC FOR THE HOMELESS** at 202-328-5500.

- You have the right to have your personal property registered and retained for at least 30 days if it's confiscated by the D.C. police, but make sure that all of your bags are prominently marked with identification to prevent police from throwing them away.

### Illegal Conduct

- Aggressive panhandling; panhandling from someone in an automobile; panhandling in exchange for cleaning car windows, reserving a parking space, or protecting a car; panhandling within 10 feet of an ATM or 15 feet of Metro property.
- Drinking alcohol or having an open container in public, or being intoxicated in public. (**Note:** If you are intoxicated and outside in severe cold weather, the Police can require you to go to Detox.)
- Urinating or defecating in public.
- Camping, sleeping, panhandling, or storing property on *federal* parkland.

### **SHELTER HOTLINE** **1-800-535-7252**

**Comprehensive Psychiatric  
Emergency Program (CPEP)**  
**888-793-4357 or 202-561-7000**

**Domestic Violence Hotline**  
**202-347-2777**

**DC Rape Crisis**  
**202-333-7273**

**Substance Abuse/Detox**  
**202-698-6080**

**Office of Citizen Complaint Review  
(OCCR)**  
**(Deals with complaints re: the MPD)**  
**202-727-3838**

**Metropolitan Police  
Emergency: 911  
Non-Emergency: 311  
Property Clerk: 202-645-0132**