

### District of Columbia

Washington, D.C. has a variety of laws to protect you from street harassment, especially if you are under the age of 18, including verbal harassment, blocking paths, up-skirt photos, indecent exposure, following, groping, and hate crimes. Here are the laws and reporting procedures you need to know.

#### Verbal Harassment

##### *Disorderly Conduct*

[Title 22, Subtitle I, Chap. 13 §1321](#)

It is illegal in D.C. for anyone, in public, to:

- Act intentionally and recklessly in such a way that puts you in reasonable fear that you or your personal property are likely to be harmed or taken.
- Engage in loud, threatening, or abusive language, or disruptive conduct, that unreasonably impedes, disrupts, or disturbs your use of a public conveyance (public transportation or another bus, train, or transportation service).

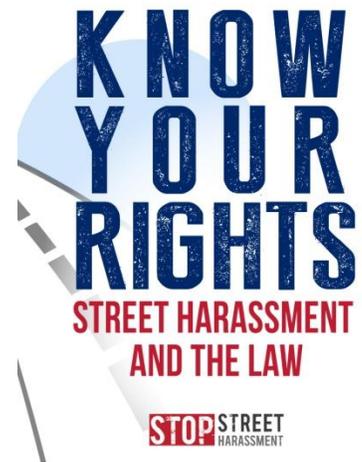
If someone is harassing you on public transportation or, does something to make you fear for your personal safety in any public space, such as following or threatening you, you can also report him/her.

It is also illegal to:

- “Jostle” or “unnecessarily crowd” you, so as to incite a breach of the peace (a violent or tumultuous response).
- Direct abusive or offensive language or gestures to you in a manner likely to provoke an immediate violent response.
- Otherwise incite or provoke violence

“A manner likely to provoke an immediate violent response” part makes it a "[fighting words](#)" law. Since street harassment rarely results in the harassed person fighting back, these laws usually have not been used to address street harassment. But you can still try using it, and if enough people make a case for why it should be used, then it might be applied more often.

Penalty: Disorderly conduct is a misdemeanor, punishable by a fine of up to \$500 and/or up to 90 days in jail.



## Stop Street Harassment

### ***Enticing A Child or Minor***

[Title 22, Subtitle I, Chap. 30 §3010](#)

It is illegal in D.C. for anyone to attempt to seduce, entice, allure, convince, or persuade a minor to engage in sexual activity or to go with him or her to any place for the purpose of engaging in sexual activity.

If you (or a young person you care for) are under 18 years of age and a street harasser solicits you for sexual activity or attempts to persuade you to go somewhere with him or her, you can report that person for enticing a minor.

Penalty: Enticing a child or minor is punishable by a fine of up to \$50,000 and/or up to 5 years in prison.

### ***Soliciting for Prostitution***

[Title 22, Subtitle I, Chap. 27 §2701](#)

Soliciting for prostitution is illegal in D.C. If a street harasser solicits sexual activity from you, you can report him/her.

You can also make the case that harassers who yell, “How much?!” or offer you money, or anything else, for sex, even in jest, are soliciting prostitution.

Stop Street Harassment doesn’t oppose consensual sex work, but we do think it’s inappropriate for a street harasser to make assumptions about your sexual availability and make you feel uncomfortable.

Penalty: Soliciting for prostitution is punishable by a fine of up to \$500 and/or up to 90 days in jail.

### ***Sexual Proposal to a Minor***

[Title 22, Subtitle I, Chap. 13 §1312](#)

It is illegal in D.C. for anyone to make “an obscene or indecent sexual proposal to a minor.”

If you (or a young person you care for) are under 18 years of age and a street harasser speaks to you in a sexually explicit way and asks you to engage in sexual activity, you can report him/her.

Penalty: Making a sexual proposal to a minor is a misdemeanor, punishable by a fine of up to \$500 and/or up to 90 days in jail.

## **Unlawful Filming & Photography**

### ***Voyeurism***

[Title 22, Subtitle I, Chap. 35 §3531](#)

There are two ways the D.C. law addresses unlawful filming and photographing.

1. It is illegal for anyone to surreptitiously observe or electronically record someone in any place where a person would reasonably expect privacy.

If a street harasser photographs or records you while you are using a restroom, undressed, or engaging in sexual activity, you can report him/her.

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2. It is illegal for anyone to intentionally capture an image of a private area of a person's body without his/her express consent under circumstances in which he/she has a reasonable expectation of privacy. The private area of a person's body includes naked *or* undergarment-clad genitals, pubic area, butt, or breasts.
3. If a street harasser takes an "up-skirt" or "down-blouse" photo of you or observes or records you in a private place, you can report him or her for voyeurism.

**Penalty:** Voyeurism is a misdemeanor, punishable by a fine of \$2,500 and/or up to 1 year in jail. Anyone who distributes or disseminates illegally taken photographs or recordings, or attempts to do so, may be punished by a fine of up to \$12,500 and/or up to 5 years in jail.

## Indecent Exposure

### ***Lewd, Indecent, or Obscene Acts***

[Title 22, Subtitle I, Chap. 13 §1312](#)

It is illegal in D.C. for anyone to "make an obscene or indecent exposure" of his or her genitals or anus, to masturbate, or to engage in a sexual act in a public place.

If a street harasser exposes him or herself to you or flashes you, masturbates in front of you, or does any other sexual act in public, you can report him/ her.

**Penalty:** A lewd, indecent, or obscene act is a misdemeanor, punishable by a fine of up to \$500 and/or up to 90 days in jail.

### ***Misdemeanor Sexual Abuse of a Child or Minor***

[Title 22, Subtitle I, Chap. 30 §3010.01](#)

The crime of lewd, indecent, or obscene acts covers indecent exposure generally, but if you are under 18 years of age, and a street harasser who is more than 4 years older, than you masturbates in front of you or engages in another sexual act in public, you can report him or her for the more serious charge of misdemeanor sexual abuse of a child or minor.

**Penalty:** Misdemeanor sexual abuse of a child or minor is punishable by a fine of up to \$1,000 and/or up to 180 days in jail.

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## Obstructing Your Path

### ***Blocking Passage***

[Title 22, Subtitle I, Chap. 13 §1307](#)

It is illegal in D.C. for anyone to "crowd, obstruct, or incommode [inconvenience] 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 [public transportation]," after being told not to do so by a law enforcement officer.

If someone is obstructing your path, you can enlist a police officer to tell him or her to stop.

## Stop Street Harassment

Penalty: Blocking passage after being told by a law enforcement officer not to do so is a misdemeanor, punishable by a fine of up to \$500 and/or up to 90 days in jail.

### Following

If you think someone is following you, you can call 911 right away, the first time it happens. You do not have to wait for that person to commit a crime.

### ***Stalking***

[Title 22, Subtitle I, Chap. 31A §3133](#)

D.C. law defines stalking as purposefully engaging in a course of conduct, targeted at a specific individual, that is *either* intended to cause that person emotional distress *or* that the harasser knows or should have known would cause a [reasonable person](#) to:

- Suffer emotional distress
- Feel seriously alarmed, disturbed or frightened
- Fear for one's personal safety or the safety of another person.

“Engaging in a course of conduct” – i.e., the actions relevant to street harassment that constitute stalking – means to do any of the following on two or more occasions:

- Following, monitoring or surveilling you,
- Threatening you or communicating to or about you, and/or
- Interfering with, damaging, or taking your property.

If a street harasser commits two or more of the above acts and those acts make you feel scared or intimidated or cause you substantial emotional distress – such as verbally harassing you and/or following you – his or her actions may constitute stalking and you can report him/her.

Penalty: Stalking is punishable by fine of up to \$1,000 and/or up to 12 months in jail.

### Groping

#### ***Attempt to Commit Sexual Offenses***

[Title 22, Subtitle I, Chap. 30 §3018](#)

Attempting to commit a sexual crime is a punishable offense in D.C.

If a street harasser gropes or sexual assaults you, you can report him or her under the laws detailed below. If s/he *attempts* to have inappropriate sexual contact with you and doesn't succeed, you can report him/her under this law.

Penalty: Attempt to commit sexual offenses is punishable by up to half of the fine and prison term of the offense attempted.

## Stop Street Harassment

### ***Misdemeanor Sexual Abuse & Second Degree Sexual Abuse***

[Title 22, Subtitle I, Chap. 30 §3006](#)

It is illegal in D.C. for anyone to have sexual contact with someone if s/he should have known that the sexual contact was without consent. Sexual contact is defined as touching, either under or over clothing, your genitals, groin, inner thigh, butt, or breast with the intent to:

- Humiliate
- Harass
- Degrade
- Arouse or gratify sexual desire

If a street harasser touches or grabs you inappropriately or rubs up against you, you can report him or her for misdemeanor sexual abuse. If you are under 16 years of age, you can report groping as second degree sexual abuse.

Penalty: Misdemeanor sexual abuse is punishable by a fine of up to \$1,000 and/or 180 days in jail. Engaging in sexual contact with a child younger than 16 years of age is second degree sexual abuse, punishable by a fine of up to \$10,000 and/or up to 10 years in prison.

## **Hate Crimes**

### ***Bias-Related Crime***

[Title 22, Subtitle II, Chap. 37, §400-4004](#)

In D.C., a hate crime is a crime that is committed against a person because of prejudice or bias, including because of a person's actual or perceived:

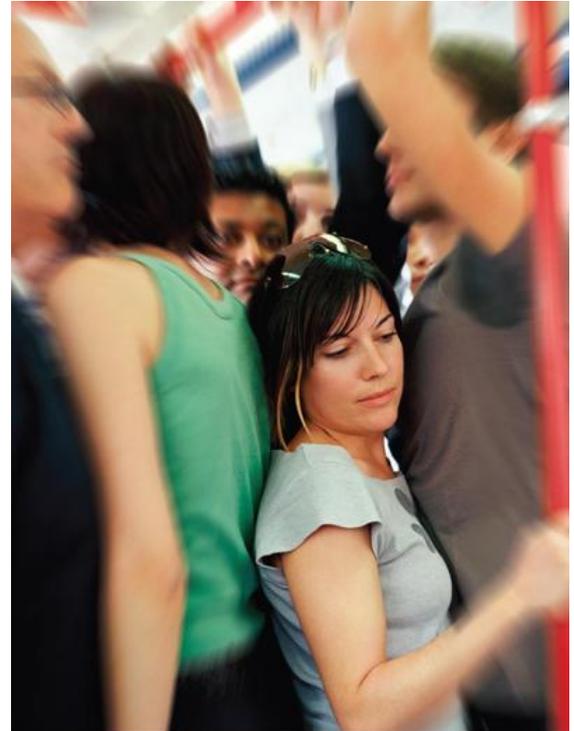
- Race
- Color
- Religion
- National origin
- Sex
- Age
- Marital status
- Personal appearance
- Sexual orientation
- Gender identity or expression
- Family responsibility
- Homelessness
- Physical disability
- Matriculation
- Political affiliation

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**Penalty:** A person who is charged with and found guilty of a bias-related crime shall be fined not more than 1 1/2 times the maximum fine authorized for the designated act and imprisoned for not more than 1 1/2 times the maximum term authorized for the designated act.

### Reporting Crimes to the Police

- Call 911 for help if:
  - The crime is in progress
  - You or someone else is physically hurt or have been threatened with physical violence
  - You can provide information about who may have committed a crime.
- Call the local police office's non-emergency number to submit a report afterward. For example, you can call 311, if within the city limits, and (202)737-4404 if not. Be prepared to provide them with:
  - When it happened (date and time).
  - Where it happened (street location, store location, bus line or bus stop, park name, etc).
  - Who is reporting (your name and contact information).
  - A description of what happened.
- The name and contact information of any witnesses, if you spoke to any.
  - It can be helpful to include the law the crime falls under, such as Lewd, Indecent, or Obscene Acts, [Title 22, Subtitle I, Chap. 13 §1312](#). If you're not sure which law you should use to report an incident of street harassment, just tell the police what happened and s/he or the district attorney's office can determine the appropriate charges.
  - A description of the harasser/s.
- Many police departments also have online reporting forms. For example, Metro Transit Police allow you to make reports about sexual harassment that take place on the Metro transportation system [via this online form](#).
- Some police departments also allow you to anonymously send a tip about a non-emergency incident, for example if you see a group of people routinely harassing passersby



Rub  
against me  
and I'll  
expose you.

If someone rubs, touches or speaks to you inappropriately, speak up! Contact a Station Manager for assistance, and report it to the Metro Transit Police Department by calling 202-962-2121, emailing [harassment@wmata.com](mailto:harassment@wmata.com), or by going online at [wmata.com/harassment](http://wmata.com/harassment).



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at the same location. Visit your local police department website for information.

- For example, you can call (202) 727-9099 for the anonymous tip line, or text your tip to the number 50411.
- Once you've reported a crime, if you've provided your contact information, within a few days, you will receive a call with a police report case number and may have to answer follow-up questions. Save a copy of the police report for your records.

If someone tries to tell you that street harassment "isn't a big deal," or isn't illegal, don't buy it. You always have the right to be free from sexual harassment and assault in public.

