

# KNOW YOUR RIGHTS

## DRUG-FREE ZONES

### Drug-free zones are the law in D.C. - for now.

A new D.C. law called the Secure DC Omnibus Amendment Act of 2024 allows the Chief of Police to select an area of up to 1,000 square feet as a “drug-free zone” for up to five days at a time.

ACLU-D.C. believes that the new drug-free zones are ineffective, racially discriminatory, and unconstitutional, but they are the law for now. Here are your rights and what to do in drug-free zones.

#### If police approach you in a drug-free zone:

- Police can lawfully ask you questions.
- You don't have to speak to police or answer their questions.
- You should ask “am I free to leave?” If the officer says yes, you can walk away.

#### If police tell you to leave a drug-free zone:

- Uniformed police can order a group of two or more people to disperse if the officer reasonably believes they are gathering to possess, distribute, or intend to distribute illegal drugs.
- Even if the officer is wrong, the people must leave the zone and not gather there again for the same purpose for as long as the zone remains in effect. People who return to gather in the zone can be arrested without a second warning if an officer reasonably believes they are again gathering to possess, distribute, or intend to distribute illegal drugs.

#### If police stop you in a drug-free zone:

- What is a “stop”? When police act in a way that would make a reasonable person feel not free to leave (for example, by ordering you to stop or physically halting you), that is considered a “stop” under the Fourth Amendment.
- If police ask to search your body or belongings, you do not have to consent. You should say, “I don't consent to this search.”
- Metropolitan Police Department officers cannot force you to show ID. However, federal immigration officers can force you to show immigration documents and disclose your immigration status.

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### If police frisk you in a drug-free zone:

- A frisk is when the police pat or sweep the outside of someone's clothes to check if they have weapons.
- Police can lawfully "frisk" you if you consent, or even without your consent if they have "reasonable suspicion" (that is, a specific, fact-based reason for believing) that you have a weapon.
- Police can't reach into your pockets and clothes or squeeze your body or pocket contents while frisking, unless they feel something like a weapon, or something else that is obviously illegal, based solely on their touch. Without your consent or "probable cause" that you have committed a crime, police can't go beyond a frisk to search your bags, pockets, or underclothes.
- You should repeat, "I don't consent to this search," but to stay safe and avoid escalating the situation, you should physically cooperate with the officers.

### If police arrest you in a drug-free zone:

- You should not answer questions, except your name and address.
- You should ask to speak with a lawyer.

### If you think rights have been violated:

- Write down the officer's name and badge number and details about what happened.
- You can complain to the D.C. Office of Police Complaints at (866) 588- 0569. The complaint is due within 90 days of the incident. In person at OPC's office located at 1400 I Street, NW, Suite 700.
- You can file a complaint with the ACLU-D.C. by emailing [intake@acludc.org](mailto:intake@acludc.org).

### Remember:

- You shouldn't lie to an officer, physically resist, run away, or threaten to file a complaint.
- It can be dangerous for individual people to argue about police misconduct in the street, especially for Black and brown people. Keep yourself safe and complain later.