

Newly Obtained Street Vending Arrest Data Reveal the Racist Impact of Biased Enforcement of Street Vending Laws and Regulations

On October 31st, Beloved Community Incubator obtained data from the DC Sentencing Commission (DCSC) regarding arrests for “vending offenses” that occurred between January 1, 2018 and September 30, 2022. Here, we summarize the key findings.

There were 463 arrests made for vending offenses during this period. 269 (58%) of these arrests occurred in 2018. Only 28 arrests were made in 2022.

Who is being arrested?

95.4% of the vendors arrested during this period were BIPOC; 413 out of 433 arrests they had data for. The majority were Black, 79.7% of the total number of people arrested, followed by Latine (13.9%). 4.6% of the arrested vendors were white, however since their ethnicity was not listed it is possible that many of these vendors are Latine because MPD and DCSC frequently record the race of Latine people as white.

84% of the vendors arrested were male and the average and median age of arrested vendors was 44, though ages ranged from 18 to 88.

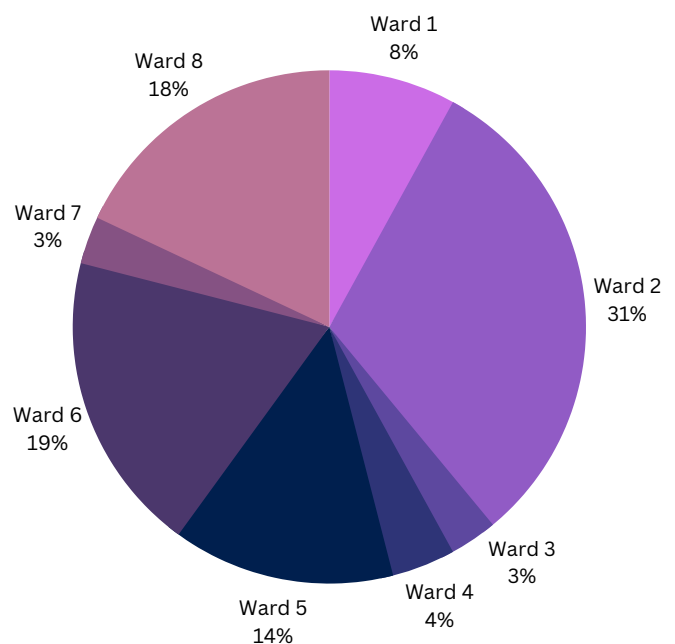
“Enforcement of DC’s current street vending regime has a massive disproportionate racial impact,” Beloved Community Incubator writes in *Where the Sidewalk Ends Part II*, the organization's second report on DC street vending laws and regulations. “In 1985, over 10,000 street vendors sold in DC, about seventy percent of whom were Black. [...] Today, it’s estimated that only a couple hundred vendors remain active in DC – between 2013 and 2022, the DCRA only granted on average 146 street vending licenses and 35 street vending site permits per year.”

Where are vendors being arrested?

The majority of all vending arrests were made in Ward 2 during this period, accounting for 132 (31%) of the 425 arrests they had ward data for, followed by Ward 6 (19%) and Ward 8 (18%).

Arrests are likely high in Ward 2 and 6 because they encompass or are in close proximity to downtown, the most popular vending area in the district. Going as far back as the 1800s, poor and working class district residents have made a living by vending downtown. In fact, to this date it remains one of the only ways through which many district residents can benefit from DC’s tourism industry.

Disproportionately high arrests in Ward 8 are likely due to MPD’s continuous and unrelenting over-policing of communities East of the River.



What happens after arrest?

365 (79%) of the arrests were “no papered” and 98 (21%) were sent to court for prosecution, with 9 resulting in a conviction.

It is important to note that no papered arrests are still harmful, as they result in lost wages and often involve intimidation, harassment, and assault by the police. Furthermore, these arrests can lead to collateral consequences that impact vendor’s immigration status, access to public housing support, and open them up to job discrimination in the future.

The total number of papered arrests has been decreasing over the past 5 years. However, the proportion of papered arrests increased between 2018 and 2021, from 12% to 56%.

What are vendors being arrested for?

Vendors who were arrested were charged with 498 distinct vending charges during this period.

The most frequent charge was Vending without a License, accounting for 388 (78%) of all vending charges. Post and forfeitures were issued for 67 arrests with an average forfeiture amount of \$240.

46 (66%) of the 70 distinct vending charges from these arrests were for Vending without a License.

Ni Un Año Más. Not Another Year.

While the Revised Criminal Code Act of 2021 currently includes the exact text of the Street Vending Decriminalization Act of 2021 (B24-49), the provisions of the Act, including the decriminalization of street vending without a license, will not go into effect until October 2025. Vendedores Unidos/ Vendors United’s demands are clear – street vendors cannot wait any longer for vending without a license to be decriminalized. Ni un año más.

Decriminalizing vending without a license by passing B24-49 and beginning to reform the District’s street vending laws and regulations by passing the Sidewalk Vending Zones Amendment Act of 2021 (B24-50) is a racial, gender and economic justice issue. It must be done now.

Despite her suffering and struggles, Gloria, remembering her mothers teachings of respecting others and being hard working, continues to vend on 14th Street to support her family. Gloria hopes to leave a legacy of two women, herself and Reyna, who fought for 14th street to be available for all vendors to use and sell at. “When it’s my time,” she says, “I’d like my daughters to pass by my spot on 14th and Irving and say, “Here my mom sold, here my mom fought for her little piece of land.”

Gloria sees a vision of 14th street belonging to street vendors without the fear of being ticketed, arrested, or harassed. “If they give us that block, it will be for all the people. If we fight for it, we can all remain vending there.” – *Where the Sidewalk Ends Part II*

Rasul, who is formerly incarcerated, appreciates the economic lifeline that street vending can provide for people returning to society. “It’s almost like a miracle for people,” Rasul explains. “Opportunity to earn money legally and the opportunity to be creative in what you’re doing and be themselves. It’s a beautiful thing to have that avenue open for people who are just coming home. I’ve seen it turn people’s lives around.” – *Where the Sidewalk Ends Part II*

