



Family Planning Advocates **SUPPORTS**

Prohibiting the Practice of Introducing Condom Possession as Evidence of Prostitution S. 323 (Montgomery)/ A. 1008 (Clark)

2011

AN ACT to amend the civil practice laws and rules, the criminal procedure law and the executive law, in relation to the use in evidence of the fact of possession of a condom

This legislation would prohibit the introduction of the possession of condoms as evidence of prostitution and prostitution-related offenses.

The possession of condoms should be used as evidence of social responsibility, not potential criminal activity. New York has one of the highest rates of new HIV/AIDS infection. Condoms are one of the most effective ways for those who are sexually active to protect against the contraction of sexually transmitted infections and diseases such as: chlamydia, genital herpes, gonorrhea, hepatitis B, syphilis, and HIV/AIDS.

Studies have shown that with increased education and use of condoms, rates of infection can be reduced. In reaction to New York's high rate of STI infections, the New York City Public Health Department has aggressively campaigned for the widespread use of condoms to encourage safe practices and to protect the health of all New Yorkers. In fact, the Public Health Department distributes their own brand of condoms free of cost.

Allowing law officials and prosecutors to utilize condom possession as evidence of criminal behavior undermines the states vested interest in promoting safe sex and reducing rates of infection. As a result of this policy, those at greatest risk may abstain from carrying condoms placing their health and safety- as well that of their partners- in jeopardy out of fear of criminal suspicion. New York State must encourage safe sexual practices, not condemn them.

Family Planning Advocates strongly supports this legislation and efforts to promote safe sexual practices through education and resources.

Family Planning Advocates urges legislators to pass this legislation.



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