

## MEMO OF SUPPORT

### A.1008 (Clark)/S.323 (Montgomery)

Safe Horizon supports A.1008/S.323 sponsored by Assembly Member Clark and State Senator Montgomery.

Safe Horizon provides support, prevents violence and promotes justice for victims of crime and abuse, their families and their communities. We are the nation's leading victim assistance organization and serve over 350,000 people each year whose lives have been touched by violence. Whether we are responding to child abuse, domestic violence, or other crimes, we help victims and their families heal and rebuild their lives.

Safe Horizon operates outreach programs, drop-in centers, and shelters for homeless young adults in New York City. We regularly encourage the use of condoms and encourage youth to carry enough condoms to ensure that they have the materials to engage in safer sex. This practice is supported by every responsible public health agency including most health departments in our country. Becoming familiar with condoms is an important first step to engaging in safer sex for young adults and easy availability of condoms opens dialogues between sex partners about the need to prevent STI's. Condom distribution is an invaluable intervention that creates opportunities for sexually active youth to learn about sex, disease prevention, and ethical interpersonal behavior from peers, mentoring adults, outreach workers, and social workers.

Allowing condoms to be used as evidence in criminal prosecution for prostitution flies in the face of common-sense public health and will deter youth from acting in a sexually responsible way. If young people are afraid to carry condoms for fear of prosecution, they will likely engage in unsafe sex. Additionally, our outreach workers carry condoms with them to distribute to youth on the street; criminalizing the possession of condoms puts our outreach workers at risk of arrest as well.

Finally, there are concerns that passage of this bill would negatively impact the prosecution of human trafficking. As one of the country's leading providers of services to survivors of human trafficking, Safe Horizon does not believe that this bill would have any negative impact on the lives of our current or future clients or the prosecutions of their traffickers. However, passing this bill may allow people who are currently being sex-trafficked to negotiate for their own sexual safety and the right to use condoms while they are in their trafficking situations. We are concerned that if sex traffickers are aware that condoms are being used as evidence of sex trafficking, that they will merely prevent their victims from using condoms.

Please note our agency's support for this bill. Thank you.