New York, May 15, 2012—Columbia Law School’s Sexuality and Gender Law Clinic today sent letters to all New York State Senators and Assembly Members urging support for a bill that would prohibit the use of condoms as evidence in prostitution cases. The letters say the bill addresses a growing public health crisis in the State: Prosecutors’ use of condoms as evidence leads many New Yorkers – especially those at heightened risk for prostitution arrests – not to carry condoms at all.

“Sex workers and LGBT individuals, especially young people of color, are afraid to – and frequently do not – carry condoms due to the risk that condoms will be used as evidence against them,” said Gillian Dingle ’12 LL.M., a student at Columbia Law School who worked on this project. She said the Clinic’s own investigation and its work with community-based advocacy organizations in New York City led to this conclusion.

The Clinic argues that the bill – S.323/A.1008, sponsored in the Senate by Velmanette Montgomery and in the Assembly by Barbara Clark – will remove a significant obstacle to New York’s public health.

The Clinic’s statement notes that prosecutors’ use of condoms as evidence conflicts directly with the State’s public health policy, which encourages condom use to prevent the spread of HIV/AIDS and other sexually transmitted infections. New York City has distributed more than 36 million free condoms per year throughout the five boroughs since launching its NYC Condom campaign in 2007, the Clinic says, and passing this bill will ensure that New York’s important public health policy can continue to benefit citizens of the State, and will not be impeded by contrary, ineffective legislation.

The bill is currently in the Rules Committee. It has not yet been set for a vote in either the Senate or the Assembly.

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