

CONSERVATIVE PARTY of NEW YORK STATE
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2019 Legislative Memo...

In Opposition to...

A. 654 – Paulin Calendar # 99

S. 2253 Hoylman - Codes Comm.

Purpose: This bill will repeal a section of the Penal Law that has led to arbitrary and discriminatory enforcement by targeting women from the marginalized groups that are at high risk for sex trafficking and other exploitation and abuse.

Party Position: This bill seeks to eliminate Penal Law Section 240.37 which prohibits loitering for the purpose of prostitution which the sponsors claim contains vague language that has led to arbitrary and discriminatory enforcement. According to the legislature’s sponsor memo “Section 240.37 targets marginalized women in the commercial sex industry, a group at high risk for trafficking and other exploitation and abuse. It is duplicative and unnecessary when considered against other statutes that criminalize the behavior at issue.”

The legislature’s support memo states that Section 240.37 is duplicative of other penal law offenses...that do not have the pitfalls of Section 240.37 which they claim targets marginalized women and that its repeal will not affect public safety or the ability of the police to respond to community complaints.

The NYS Conservative Party strongly disagrees with the sponsor’s memo. Section 240.37, enacted in 1976 to “curtail the proliferation of prostitution” remains necessary as an anti-loitering statute. The statute is on the books to prevent attempts and repeated attempts that beckons or stops passers-by in conversation, or repeatedly stops, or attempts to stop motor vehicles and or repeatedly interferes with the free passage of other persons for the purpose of prostitution as defined in Penal Law Section 230.00.

If this section of Penal Law is eliminated, a valuable tool that helps prevent the continued harassment of New Yorkers to partake in prostitution, will be the slippery slope that begins the decriminalizing of all aspects of prostitution and result in a further increase of sex trafficking, exploitation and abuse of the very women the sponsors are seeking to protect.

The Conservative Party strongly urges a NO vote on this bill that encourages the loss of our moral compass.