

1 [Urging the California State Assembly to Pass Assembly Bill 336]

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3 **Resolution urging the California State Legislature to pass Assembly Bill 336, which**  
4 **states that possession of one or more condoms shall not be used as evidence of**  
5 **soliciting or engaging in prostitution in the State of California.**

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7 WHEREAS, It is established that condoms are one of the most effective tools in  
8 preventing the transmission of HIV, sexually transmitted infections and unwanted  
9 pregnancies; and

10 WHEREAS, All individuals have the right to protect themselves through accessing,  
11 possessing and utilizing safer sex strategies including condoms; and

12 WHEREAS, It is harmful to public health efforts to in any way deter persons from  
13 possessing and utilizing condoms; and

14 WHEREAS, The practice of confiscating, photographing or otherwise using the  
15 possession of condoms as evidence of a person's intent to engage in prostitution effectively  
16 deters the possession and use of condoms thereby increasing their risk of HIV transmission;  
17 and

18 WHEREAS, The public health cost of criminalizing condoms and thereby deterring their  
19 use is found to be greater than the cost of finding alternative evidence in prostitution arrests;  
20 now, therefore, be it

21 RESOLVED, That the Board of Supervisors supports the prohibition of using condoms  
22 as evidence of prostitution; and, be it

23 FURTHER RESOLVED, That the Board of Supervisors supports and encourages the  
24 passage of Assembly Bill 336.

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