



Memo of Support

REPEAL STI Discrimination Act (S.9822 Salazar / A.733A Gonzalez-Rojas)

The Woodhull Freedom Foundation supports the REPEAL STI Discrimination Act, which repeals Public Health Law (PHL) §2307. This law makes it a misdemeanor for a person who knows they have a sexually transmitted infection (STI) to have sexual intercourse with another person. It does so regardless of risk of transmission, intent, or any other factors.

Woodhull Freedom Foundation is an organization dedicated to defending sexual freedom as a fundamental human right. Woodhull protects individuals' rights across the United States to enjoy sexual dignity, privacy, and consensual sexual expression without societal or governmental interference, coercion, or stigmatization. As part of this work, we seek to end the unjust criminalization of adults. We at Woodhull support any law that allows adults to exercise their sexual freedom without concern for criminalization.

Public health works when people feel safe accessing care, not when they fear arrest. PHL §2307 directly discourages testing and treatment, because knowledge of one's status can lead to criminal charges. The law is over 100 years old and out of step with modern science, which shows that viral suppression, treatment, and safer sex practices eliminate or drastically reduce risk. Ending criminalization reduces stigma, promotes testing, and helps prevent STI and HIV transmission.

PHL §2307 unfairly punishes communities of color and LGBTQ+ people. Black and Latine New Yorkers, transgender people, and women have disproportionately HIV rates. For example, Black and Latine New Yorkers make up 74 percent of individuals living with HIV in the state, and 60 percent of individuals of childbearing age with HIV are women.¹ Because PHL §2307 criminalizes health status, these communities are more likely to be targeted, charged, and convicted. A misdemeanor conviction creates barriers to housing, employment, education, childcare, and more - worsening inequality.

PHL §2307 especially harms women, particularly survivors of intimate partner abuse. Abusers frequently weaponize HIV criminal laws by threatening false 'exposure' claims to control or punish partners.² Criminalization traps survivors in cycles of abuse and deters them from seeking care or support. Ending HIV criminalization is essential to women's dignity, autonomy, and safety.

The federal government is aggressively dismantling HIV care infrastructure and rolling back HIV civil rights. It is weakening prevention and forcing providers to choose between politics and medical science. With national protections shrinking, New York must strengthen, not criminalize, public health systems. Moreover, ICE is escalating its detention and deportation practices, using even minor citations as justification. Nearly 2,000 people were deported in 2025 for traffic violations alone.³ Under intensified enforcement, a conviction under PHL §2307 - long considered a 'Crime of Moral Turpitude' - places immigrant New Yorkers at even greater risk. Fear of immigration consequences drives people away from

¹https://www.health.ny.gov/diseases/aids/general/statistics/annual/2024/2024_annual_surveillance_report.pdf; https://www.health.ny.gov/diseases/aids/general/statistics/docs/perinatal_infographic.pdf

²<https://www.kff.org/affordable-care-act/hiv-intimate-partner-violence-ipv-and-women-an-emerging-policy-landscape/>

³<https://www.themarshallproject.org/2025/08/15/ice-georgia-traffic-stop-arrest-immigration>



testing and care, increasing STI and HIV rates, and undermining public health.⁴ New York must ensure outdated laws are not weaponized against immigrant communities, who make up nearly one-quarter of the state.

New York must join the growing national movement to repeal HIV criminalization laws. Eighteen states - including Texas, Louisiana, Georgia, and North Dakota - have repealed or modernized their HIV criminalization laws. Maryland did so most recently in 2025 with bipartisan support.⁵ New York is falling behind. Repealing PHL §2307 is essential to aligning state law with modern science and best practices.

Thank you for your time and attention.

Sincerely,

A handwritten signature in black ink that reads "Ricci Joy Levy". The signature is written in a cursive, flowing style.

Ricci Joy Levy
President & CEO
Woodhull Freedom Foundation

⁴<https://phr.org/news/ice-tactics-and-deportation-fears-limit-access-to-health-care-for-children-of-immigrants-survey/>

⁵ <https://www.hivlawandpolicy.org/maps>