



NEW YORK STATE SENATOR

Anna M. Kaplan

Senator Kaplan Helps Pass Legislation Protecting Transgender New Yorkers

ANNA M. KAPLAN February 2, 2021

| ISSUE: **WALKING WHILE TRANS, CRIMINAL JUSTICE REFORM, LGBTQ EQUALITY, TRANSGENDER COMMUNITY, WOMEN'S RIGHTS**

CARLE PLACE, NY (February 2, 2021) – Today, the **New York State Senate and Assembly** passed legislation co-sponsored by **State Senator Anna M. Kaplan** (D-Great Neck) that would repeal the outdated 1970's era law known as the "Walking While Trans Ban." The underlying law was originally intended to be used to combat prostitution in New York City, but in recent years had become nothing more than a tool used to target and harass transgender women of color.

Senator Anna M. Kaplan said, "When it becomes clear that a section of the law is being abused to unjustly target vulnerable individuals in our community, it falls to lawmakers to correct the problem and prevent further injustice from taking place. With the repeal of the 'Walking While Trans Ban,' we're removing a broken law that didn't make anyone safer, and caused transgender New Yorkers undue hardship and suffering for far too long. I congratulate Senator Brad Hoylman for this achievement, I applaud the hard-working activists who fought for this day, and I thank our Majority Leader Andrea Stewart-Cousins for prioritizing measures that protect justice for New Yorkers."

The bill, [S.1351](#), repeals section 240.37 of the Penal Law, relating to Loitering for the Purposes of Engaging in Prostitution, and includes a provision that would seal past convictions for this offense. *Contrary to misinformation that has circulated on the internet, the bill does not legalize prostitution, it doesn't affect any other prostitution-related offenses, and it leaves law enforcement with the tools they need to combat prostitution and sex trafficking related crimes.*

The bill passes with the support of the District Attorneys Association of New York, and local District Attorney Madeline Singas.

Nassau County District Attorney Madeline Singas said, “As we work to promote confidence and trust in law enforcement and our criminal justice system it’s important that we be clearheaded about the laws and policies that protect our communities, and those that can be abused to cause harm. No one should be profiled for their clothing, gender identity or expression, but data make clear that marginalized individuals—especially trans women of color—have been harassed, exploited, and unjustly charged with ‘loitering for the purpose of engaging in prostitution,’ and I strongly encourage the State Legislature to repeal this law. Violence and abuse victimizing our trans neighbors occurs at an alarming rate, and we must do more to protect them. The repeal of the ‘walking while trans’ law is an important step and I commend the leaders who have championed this issue so tirelessly.”

The bill was signed into law by **Governor Andrew M. Cuomo** and takes effect immediately.

RELATED LEGISLATION

2021-S1351

-
- Introduced

- ◦ In Committee Assembly
 - In Committee Senate
- ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate
- ◦ Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
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Repeals section 240.37 of the penal law, relating to loitering for the purpose of engaging in a prostitution offense; repealer

January 11, 2021

Signed by Governor

Sponsored by Brad Hoylman-Sigal

Do you support this bill?