America’s Most Unwanted

POZ coducts the first-ever national survey of new HIV-transmission crimes.

August 1, 2000 By Laura Whitehorn

SEX AND HIV

If you have the first without disclosing the second, you can be locked up in Alabama, Arkansas, California, Connecticut, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Maryland, Michigan, Minnesota, Missouri, Montana, Nevada, New Jersey, North Dakota, Ohio, Oklahoma, South Carolina, Tennessee, Texas and Washington. In some states, sex crimes—even sex work—can get ratcheted up to attempted murder if HIV is involved, as can spitting or biting. Disclosing your HIV status to a partner may exempt you from prosecution. But kissing and not telling can get you in trouble—even if you do protect and don’t infect.

If your state isn’t on the list, don’t feel left out—its legislature is likely to pass a similar law soon. The trend has moved attorney Nan Feyler of the AIDS Law Project of Pennsylvania to say, “A guy awaiting trial isn’t getting medical care. His lawyer asks me what to do. I say, ‘Don’t ask for HIV care—you’ll get him charged with murder.’”

Here, *POZ* presents the first-ever comprehensive list of these crimes. We found 101 cases of individuals prosecuted for spitting, biting and having consensual sex or for rape or assault while HIV positive. Some were tried under non-HIV-related laws, with sentences enhanced due to HIV. While the rape cases get the headlines, our list contains only five, plus 14 of sex with a minor (statutory rape). We found 45 consensual sex cases and 22 for spitting or biting. Eleven of the 101 cases were reported to have resulted in HIV transmission. (The facts are hard to come by, so information about disclosure, condom use and infection is often missing. The list itself is incomplete.)

Frank Baran, of AIDS Policy & Law, reports, “In 1997, a survey showed that 80 percent of the U.S. population wanted criminal penalties for transmission. People are saying, ‘Prevention methods aren’t working, so it’s time to punish people for infecting others.’” Prevention is expensive—and asks society to address issues like teen sex and drug use. But HIV-crime laws, says Catherine Hanssens of Lambda Legal Defense, allow “legislators to appear to be responding to AIDS and be tough on crime without spending a dime on prevention.”

Many public health experts predict the new laws will discourage testing rather than stem HIV’s spread—if you don’t know you have the virus, you’re less likely to be charged with intentionally

transmitting it. As Willi McFarland, MD, of San Francisco's Department of Public Health, puts it, "Now you're not just doing partner notification, you're documenting felonies."

So read the cases, and then be the judge: Does the punishment fit the crime?

AMERICA'S MOST WANTED

NAOMI MORRISON—Florida
Morrison, 26 (profiled in POZ, June 1998), drew a sentence of 10 years for robbery and aggravated battery in 1996 after she bit Elmer Hutto, 88. He seroconverted and later died of PCP.

I was on the street selling my body for crack. I told everyone I was with that I was HIV positive. My victim didn't want to use protection. We dated regularly and often had unprotected sex. On this day he only wanted oral sex. He gave me the money up front and I did my job, but then he reached in my bra and tried to take it back. We struggled; I bit him. I feared for my life and it was evident in my bites: the one on his arm was to the bone. It's possible that's how he got the disease, but considering that we had sex on many occasions unprotected, I think it's also highly possible he got it when he performed oral sex on me when I had my period a few days before.

The judge gave me 10 years' prison time followed by 10 years' probation—14 years over my sentencing guidelines.

I'm a model inmate. Now, how's that for a lost cause?

ERIC RIVERA PEREZ—Pennsylvania
Perez, 41, is serving up to 27 years in Lehigh County, Pennsylvania, for theft (an $89 coat) and aggravated assault (he allegedly bit a WalMart security guard who tried to apprehend him). The maximum sentence without HIV? Two and a half years. The security guard remains HIV negative.

I'm a naïve Puerto Rican who got AIDS through a dirty needle, taking drugs. I've never committed a serious crime, just drugs and shoplifting. When the prosecutor learned that I have AIDS, he saw an opportunity to make a national issue out of my case: I got a life sentence. I don't think I bit the security guard—I think she scraped her knuckle on the ground during our struggle. When she had the blood test, she didn't say she was bitten, just that she "might have been exposed to AIDS." The doctor said there was no sign of blood in or near my mouth.

Prison staff tells me I should accept responsibility for my crime, and I do, for my original charge of simple assault—not the aberration they raised it to.

BRIAN LEPLEY—Nevada
Lepley, 34, is serving five years to life for drug counts, sexual assault and attempted transmission of HIV. His case was big news in Pahrump, Nevada, where he was a substitute teacher and rural PWA representative for the Ryan White CARE Act. The two young men he had sex with remain HIV

negative.

My sentence is for having consensual oral sex—I blew the son of Art Bell, a popular radio talk-show host. The boy was 16-and-a-half then—now he's 18 and still negative. Under oath he stated he knew I had HIV when he consented to oral sex. We never had anal sex. I did give him alcohol and marijuana.

In his deposition, here's how Arthur Bell Jr. described the "sexual assault" that led to my life sentence: "We parked on the side of the road, relaxed, kicked back for a little while. Then he put his hand in my pants by my belt and stopped right there and asked for consent and then I gave it and he continued to unbutton my pants and unzip my pants and then gave me a blowjob."

Later, an 18-year-old high school senior said I had anal sex with him twice. We were in a relationship and he, too, knew I had HIV and that I was the director of our town's AIDS agency. He denied that I used condoms and that I disclosed my serostatus, so I got another intentional transmission conviction.

In this country, some diseases it's OK to have and to die from, but not AIDS. And if you're HIV positive and choose to have sex with someone—get their consent in writing that they have been notified of your serostatus.

PIERRE WEAVER—Arkansas
Weaver, 35, was featured on America's Most Wanted in 1995, a fugitive from felony counts of knowingly exposing two Arkansas women to HIV. Three more women accused Weaver, according to a local newspaper. He's serving two concurrent 30-year sentences.

In August 1993, I tested positive. I was put on notice of being aware of my infection. My sex partner didn't discover she had HIV until late 1994, when she donated blood. The health department investigator advised her that she could have me arrested for exposing her to HIV.

The next morning I was awakened by neighbors advising me to come outside. I broke down in tears when I saw large fluorescent letters on the walls throughout the complex: Pierre Weaver gave me HIV; Pierre Weaver has AIDS. My car and clothing store were vandalized, and by the end of that day I'd had to forfeit my apartment to cover the damages. I took a Greyhound to my brother's in Atlanta.

My sex partner filed her exposure charge in Arkansas, and flyers were posted all over informing everyone I had HIV. Another old lover then accused me of exposing her to HIV—though she could have been the one to infect me during our 10-year relationship.

In February 1995, I was featured on America's Most Wanted as "The Casanova Killer." I was arrested in Atlanta. At trial, the state only had to prove I exposed my sex partner to HIV, but I had

to try to prove I'd told her of my HIV. Even though it came out that she'd tested positive four months before we had sex, I lost.

ANGEL CABRERA—New Hampshire
Cabrera's wife died in 1997, a year after she, her husband and infant daughter all found out they had HIV. In 1998, Cabrera, 28, was charged in New Hampshire's first criminal case of being HIV positive and having unprotected sex—three counts of reckless conduct plus statutory rape, for sex with a 14-year-old girl. The judge imposed the maximum: two consecutive sentences of three-and-a-half to seven years. At trial, Cabrera's penis was defined as a deadly weapon.

When my wife died, I learned to take care of my daughter. I also got involved with a minor. I have to say, I was wrong from the beginning. Over a few months I had sex three times with the victim; two times I used protection because I cared about her. First I didn't tell her I was HIV positive, but I was using protection, so I knew everything was fine.

The last time we had sex, I was drunk—I was depressed because it was the first Christmas I'd spent without my wife. Sadness conquered my heart. I was in my bed, and I felt someone sucking my lips and groping my pipi. I woke up and saw the victim naked, asking me to make love to her. Pressure and irresponsibility took charge of me.

Yes, I should have said, "Get out of here," or "You're too young." Instead I took advantage of her, we had sex, and I didn't use protection. I never ejaculated inside her—I pulled out and lay on her stomach. I regret that I didn't use protection. I put this teenage girl in great danger. I didn't care about her future.

I pled guilty to all counts—but deep inside my heart I know that I never intended to infect the victim.

KERRY THOMAS—Idaho
Thomas, 35, is serving 15 years for criminal transmission of HIV. What Thomas doesn't say in this interview is that police reports show he didn't ejaculate during the single, consensual sex act with a woman (who didn't get HIV) for which he was convicted in 1997.

The law says a person should inform their partner that they have HIV. I agree. It was my responsibility. I got 15 years for this, which isn't appropriate, but I don't want to be bashing the legal system. If my wife or son were in the same situation, I'd want them informed. But I wouldn't want to punish the person who didn't inform them by putting them in prison for 15 years.

The HIV criminalization law is not necessarily bad, but I think it has to ask more questions: Was the person really malicious? Was he doing it on purpose, or was he just reckless? I think there's a difference. I didn't feel malicious. I felt reckless, and I was reckless. I was wrong on a few counts. I was married and I had a relationship with someone outside my marriage. And I was using recreational drugs, being stupid. But the law's definition of malicious is knowing your HIV status

and not telling—and I agree I didn't take into account the other person's situation.

The woman, who is 24 or 25, has never tested positive. But the statute doesn't care if you transmit it.

I don't know who I got HIV from. But if I ran into the person, and they said "I gave it to you," what would it change in my life? I don't feel vindictive. I have to take responsibility for myself and how I live now.

JUSTIN KEENE—Iowa
Keene, 23, got a suspended 25-year sentence for criminal transmission of HIV—being positive and having unprotected sex with a 22-year-old woman, who knew he had HIV.

Not to make excuses, but my IQ is kind of low. I just wasn't thinking.

Jail gave me time to figure out how I picked up HIV. It was a one-night stand.

If someone tries to hurt someone, they should be held accountable. But the law now is too vague.

JEROME MURPHY—Illinois
Murphy, 36, got five years in prison for aggravated battery and attempted transmission after his blood splattered two cops who tried to restrain him from slashing his wrists. The cops weren't infected.

I attempted suicide. My blood alcohol level was .328. I guess when the police arrived, I got hostile. Blood squirted from my arms and struck an officer. I don't remember any of it. When I regained consciousness three days later at the hospital, I was arrested.

GREG SMITH—New Jersey
Smith is the poster boy for the biting or spitting charges that often befall prisoners. He drew national attention (and ACT UP/Philadelphia's support) in 1989 when he fought his case, but was convicted of attempted murder for biting a corrections officer. He was sentenced to 25 years; the guard remains HIV negative.

POZ: As an expert of sorts, what do you think of biting and spitting laws?

Smith: How can you charge a person with a crime when no crime has been committed? HIV has never been shown to be transmitted through spit or a bite.

But the fact that it's virtually impossible to transmit HIV through biting or spitting can't be used as a defense. Was this brought up in your case?

Yes. In New Jersey, the law states that if a person feels they are going to be killed, the person threatening them can be charged with attempted murder— whether the threat is HIV or a toy gun.

Do you think it should be a crime to have sex and not disclose HIV status?

This is a hard question. Of course, if you love someone, you should tell them of your HIV status so they can decide for themselves where they want to go with the relationship. But don't take a person's word for it: All sexually active people should use safer-sex precautions.

What do you think about making transmission of HIV a crime?

I can't judge anyone—I didn't like being judged myself. Making HIV transmission a crime is the first time that having a disease has ever been criminalized. What's next? Criminalizing syphilis transmission or herpes simplex?

—Interview by Kiyoshi Kuromiya

HIV CRIMELINE

1987

1. Rochester, Minnesota HIV positive federal prisoner gets five years for assault with a dangerous weapon—his mouth—for biting guards.

1988

1. Fort Drum, New York HIV positive soldier is charged with assault after allegedly having unprotected sex with a female soldier without first notifying her of his condition.
2. Suffolk County, New York HIV positive man is charged with reckless endangerment and sodomy for sex with boy.
3. U.S. Military Six-year sentence for aggravated assault is upheld for soldier with HIV who had consensual sex with 17-year-old male.
4. Texas Curtis Weeks gets life sentence for attempted murder for spitting at a prison guard. At trial, "expert witnesses" testify that HIV can be transmitted through air. In 1995, an appeals court upholds the conviction, and Weeks dies in prison.
5. Alabama Prisoner with HIV is convicted of attempted murder (reduced to assault on appeal) for biting guard.

1989

1. New Jersey Prisoner is convicted of attempted murder and sentenced to 25 years in prison for biting guard.
2. Indiana Attempted murder conviction is upheld for woman who bit and scratched a police officer.
3. Florida Gay man's conviction for sexual battery is upheld: He "should have known, due to his lifestyle," that he could expose his partner to HIV.
4. U.S. Military Appeals court upholds airman's conviction for performing nonconsensual fellatio after

finding out he had HIV.

1990

1. Georgia Appeals court upholds man's conviction of aggravated assault and intent to murder for biting a police officer while HIV positive.
2. Hollywood, California 29-year-old sex worker is charged with felony for failing to stop soliciting after learning he had HIV.
3. U.S. Military Serviceman's conviction for consensual sex with a woman is upheld—she knew he had HIV, but he didn't always use a condom.

1991

1. San Francisco, California Man is charged with attempted murder after police are splashed with his blood during a suicide attempt. Charges later reduced to misdemeanor assault.
2. Cincinnati, Ohio 40-year-old man with HIV is charged with attempted murder for spitting blood at a jail guard after jaywalking arrest. Murder charges later dismissed.
3. King County, Washington Man gets more than seven years in prison for soliciting juvenile prostitutes; "exceptional sentence" given because he has HIV. The prostitutes aren't HIV tested.
4. Oakland, California Man is tried on two counts of assault with a deadly weapon for exposing two women to HIV.
5. Michigan Man is jailed, faces four-year sentence for failing to disclose HIV to partner.

1992

1. Oregon Man with HIV is convicted of attempted murder for sex with 17-year-old girl.
2. Pennsylvania Sentence of 10 to 20 years is upheld for HIV positive prisoner for throwing his urine and feces on guards.
3. Clallam County, Washington Man is convicted of intentionally exposing others to HIV through unprotected sex.
4. Sacramento, California Man, 45, is sentenced for 15 counts of assault with a deadly weapon for hetero-sex while HIV positive.
5. Houston, Texas Man with HIV is charged with attempted murder after cop claims he was bitten during a protest.

1993

1. Houston, Texas 46-year-old man charged with deliberately exposing a woman to HIV faces 10 years in prison.
2. Portland, Oregon Man serves 11 months for exposing three women to HIV.
3. Chatham, New York Man with AIDS is charged with attempted murder and reckless endangerment for biting emergency services worker.
4. Philadelphia, Pennsylvania 50-year-old man who was arrested in 1992 for sex with underage boys dies in jail before trial. His bail was raised to $20 million after it came out that he had AIDS.
5. Illinois Young man with HIV is convicted of sexual assault and criminal transmission for ejaculating into his 9-year-old brother's mouth.

6. U.S. Military Appeals court upholds HIV positive soldier's conviction for having unprotected sex with a woman.

1994

1. Miami, Florida Man is convicted of attempted murder— he knew he had HIV when he raped an 11-year-old boy.
2. Illinois Woman is convicted of knowingly transmitting HIV: She had consensual sexual intercourse without disclosing her serostatus.
3. Louisiana HIV positive man's appeal denied for exposing a sex partner to HIV.
4. U.S. Military Soldier is convicted for unprotected sex with five women without informing them he had HIV. None seroconvert—he used withdrawal. Found guilty of consensual sodomy, indecent acts and aggravated assault.
5. Illinois HIV positive man is convicted of knowingly transmitting HIV by raping a woman.
6. Nevada Woman gets 15 years for continuing to engage in sex work after testing positive.

1995

1. Texas Appeals court upholds conviction of positive man for assault with a deadly weapon: He bit prison guards who tried to search him before he visited a prisoner. The guards test negative.
2. Chicago, Illinois Man gets three-and-a-half- to 15-year sentence for "assault with a deadly weapon" for spitting at a cop during arrest for disorderly conduct.
3. Louisiana Man with HIV is convicted of attempted second-degree murder for sticking a store owner with a syringe full of clear liquid during an attempted robbery. The victim tests negative, but the man is convicted anyway because he said, "I'll give you AIDS."
4. Evansville, Indiana Woman gets four years in prison for selling her HIV positive blood to a blood bank.
5. Fernando, California Woman is charged with engaging in prostitution while being HIV positive.
6. Fargo, North Dakota HIV positive woman, 40, faces 20 years for attempted murder for having sex with a man without disclosing her status. She ends up doing a year for probation violation.

1996

1. Gurney, Illinois Man, 45, is charged with criminal transmission of HIV for biting. The charge was lessened after activists protest and the man's lawyer convinces prosecutors that biting doesn't transmit HIV. He gets 10 years in prison.
2. Georgia Appeal is denied in man's conviction for reckless endangerment—trying to bite a cop.
3. Camas, Washington Man, 37, is convicted of assault for infecting a 28-year-old woman and is accused of infecting other women. His case spurs a change in the state law to treat "intentional exposure to HIV" as first-degree assault.

1997

1. Boise, Idaho 32-year-old man is sentenced to 15 years for unprotected oral and anal sex (without ejaculation) and not disclosing his HIV status.
2. Boston, Massachusetts 38-year-old man spits at two police officers after telling them he has AIDS.

Charged with assault with a dangerous weapon—his saliva—he faces 20 years in prison.
3. Lebanon County, Pennsylvania Woman gets three-and-a-half to seven years for having HIV and continuing sex work.
4. Chester, Pennsylvania Man gets 20 years to life for raping a 12-year-old girl and infecting her with HIV.
5. High Point, North Carolina 37-year-old man is charged with raping a 12-year-old girl while knowing that he has HIV. Attempted murder charges are dismissed by the judge; the man is charged with statutory rape and using HIV as a weapon.
6. Philadelphia, Pennsylvania Woman is charged with attempted homicide for plunging a syringe into a pharmacy manager's arm and saying, "You're going to die," claiming the needle is tainted with HIV.
7. Traverse City, Michigan Convicted sex offender, 33, may have exposed four women, including a 15-year-old, to HIV. He gets four years for each charge of failing to divulge his HIV status.
8. Bronx, New York Nushawn Williams is arrested on drug charges and later tried for transmitting HIV to several young women.
9. New London, Connecticut Military court hears appeal of HIV positive sailor convicted of aggravated assault for infecting two women, one of whom he marries.
10. Westminster, Maryland 47-year-old HIV positive man who sexually assaulted his 8-year-old stepgrandson gets sentence of 60 years in prison. The boy tests negative for HIV.

1998

1. Dauphin County, Pennsylvania Female sex worker gets seven years for reckless endangerment—being HIV positive and having sex.
2. Ohio Man with HIV is sentenced to three to five years for spitting during an arrest.
3. Tennessee A disc jockey is charged with criminally exposing two women to HIV. Following his arrest, other women also accuse him.
4. Arkansas 24-year-old man gets 30 years for transmission of HIV to a woman in unprotected sex.
5. Tennessee Woman who disclosed her HIV status to her consensual sex partners gets 26 years in prison for criminal exposure to HIV.
6. Orlando, Florida 20-year-old man receives nine-and-a-half months' probation and has to get a consent form signed by any sex partners. His offense: having sex with a girl, 16, who seroconverted.
7. Springfield, Missouri Man's five-year sentence, for not disclosing HIV status to another man before sex, is upheld.
8. Kansas City, Missouri 25-year-old man gets 10 years for having sex with a woman and a 16-year-old girl without disclosing his status. The woman tests positive; the girl remains negative.
9. U.S. Navy Petty officer is administratively discharged for having unprotected sex. He was under military order not to engage in unprotected sex and to inform any potential partner of his HIV.
10. Columbus, Mississippi Man, 45, is sentenced to five years for violating an order to reveal his HIV status to sex partners and use condoms. In the first case of this kind in Mississippi, the defendant denies having sex with the man who turned him in—and the "victim" never tests positive.
11. Ohio Rape and kidnapping charges are changed to corrupting a minor in a plea bargain for a man who had oral sex with a 13-year-old without disclosing his status.
12. Metairie, Louisiana 23-year-old woman faces 10 years in prison for having unprotected sex with a man without informing him she had HIV. She receives probation.
13. Louisiana Man is sentenced to perform one year of hard labor for exposing his girlfriend to HIV during an 18-month relationship.

14. St. Charles, Missouri 31-year-old man doing life for injecting his infant son with a syringe of HIV positive blood to avoid paying child support.
15. Muskegon, Michigan Mentally impaired woman receives up to four years for engaging in sexual penetration without informing her partner she has HIV.

1999

1. Harrisburg, Pennsylvania 32-year-old man is charged with assault for spitting in a police officer's face after being arrested for a moving violation. AP reports, "Health experts said there is little chance the officer was infected with the virus through such limited exposure, but authorities said charges are warranted."
2. Dubuque, Iowa 46-year-old man is sentenced to 25 years for engaging in oral and anal sex with an 11-year-old. The boy says he knew the man had HIV, but prosecutors say his consent isn't valid.
3. Washington, DC Man gets 40 months to 10 years for having unprotected sex with a woman without disclosing his HIV status.
4. Missouri 44-year-old man is sentenced to 42 years for statutory sodomy and exposing a 14-year-old boy to HIV. The boy testifies he had sex with the man for $3,000.
5. Willowbrook, Illinois 36-year-old man is serving five years for splattering two police officers with his blood as they tried to stop him from committing suicide. They also claim he said he'd give them AIDS.
6. Lafayette, Louisiana 50-year-old doctor is sentenced to 50 years of hard labor for injecting his ex-lover with infected blood, claiming it was a vitamin shot.
7. Cincinnati, Ohio Two sex workers, one male and one female, face five years for soliciting sex after testing positive for HIV.
8. Bethlehem, Pennsylvania 39-year-old man is sentenced to up to 27 years for biting a security guard who busted him for shoplifting. The guard tests negative.
9. Las Vegas, Nevada 34-year-old man's sentence of five years to life, for consensual oral sex with a 16-year-old boy (legal age in Nevada), is upheld. The boy remains negative. His father is a popular radio show host, and the defendant is a substitute teacher at the boy's school.
10. Baltimore, Maryland Man is sentenced to 18 months for assault and reckless endangerment for biting a security guard. The guard does not get HIV.
11. Kentucky Man who had a two-year sexual relationship with a woman gets 120-day suspended sentence and one- year probation. His assertion that the woman knew that he was HIV positive is "beside the point."
12. West Palm Beach, Florida 24-year-old woman gets 10 years in prison plus 10 years probation for biting and attempting to rob a 91-year-old john who seroconverts following the attack. She says she told him she was HIV positive, but "he said, 'I don't care. Everyone has to die of something.'"
13. Allentown, Pennsylvania 30-year-old man is charged with murder, attempted homicide and aggravated assault for failing to tell five female sex partners that he has HIV. All the women are infected and one dies in 1997.
14. Maryland 41-year-old HIV positive man is sentenced to 45 years for sexually abusing a 9-year-old girl.
15. Ohio HIV positive man must serve consecutive sentences of three-and-a-half to seven years for kidnap and rape of a developmentally disabled 17-year-old. An appeals court rules that the man's HIV status is relevant.
16. Las Vegas, Nevada 20-year-old university student is charged with intentional transmission of HIV in a consensual relationship.
17. Kalamazoo, Michigan Man gets four to six years in prison for failing to disclose his status to his sex

partner. She discovered he was HIV positive while he was in jail for domestic violence.
18. Kenosha, Wisconsin HIV positive stepfather gets 125 years in prison for sexual assault on his stepdaughter. The girl does not test positive for HIV.
19. Ohio Man gets seven years for felonious assault and exposing a 13-year-old girl to HIV through consensual sex. The defendant testifies he didn't know her age, did tell her of his illness and wore a condom. The prosecution calls HIV a "deadly weapon." The girl may not have been infected by him.
20. Indianapolis, Indiana 39-year-old man with HIV gets six months in prison, one year in a work-release facility, one year's probation, 100 hours of community service and a $3,355 fine, for "failure to warn a person at risk" when engaging in unprotected sex with several women.
21. New Hampshire 28-year-old man gets two consecutive three-and-a-half-to-seven-year sentences for reckless conduct and statutory rape for sexual encounters with a 14-year-old girl. To meet the requirements of the statute, the man's penis is classified as a "deadly weapon" because he has HIV.
22. Milwaukee, Wisconsin Man, 21, gets three months in jail, three months' home detention, and five years' probation for reckless endangerment, for having unprotected sex with a woman.

2000

1. Reading, Pennsylvania 32-year-old woman is sentenced to one to three years for spitting on a corrections officer. "I didn't spit on her thinking I was trying to give her HIV. I was just mad."
2. Houston, Texas 36-year-old man is charged with aggravated assault with a deadly weapon for exposing a woman to HIV through sex.
3. Pennsylvania 53-year-old man is charged with sexual assault on a 13-year-old girl while being HIV positive.
4. Colorado Springs, Colorado HIV positive youth counselor, 32, is charged with sexual assault of 12-year-old boy.
5. Dubuque, Iowa 24-year-old man pleads guilty and gets a 25-year suspended sentence for exposing a 22-year-old woman to HIV.
6. Wenatchee, Washington Man, 23, is sentenced to five years for exposing his sexual partner to HIV.
7. Skagit County, Washington 40-year-old man is charged with two counts of first-degree assault for having unprotected sex with two women and exposing them to HIV. He faces more than 12 years in prison.
8. Jackson County, Missouri Man, 37, is charged with statutory rape, sexual abuse and exposing two girls (ages 9 and 14) to HIV. Both girls test negative for HIV.
9. Arkansas Lawyer gets 30 years in prison for intentionally exposing three women to HIV through sex.
10. Tulsa County, Oklahoma 41-year-old man gets 57 consecutive life sentences for 57 counts of sexual abuse—being HIV positive and having sex with an 18-year-old female relative.

RESOURCES

ACLU AIDS Project
125 Broad St., New York, NY 10004
212.549.2627
e-mail: lgbthiv@aclu.org

Lambda Legal Defense
120 Wall St., Suite 1500, New York, NY 10005
212.809.8585
e-mail: lambda@lambdalegal.org
web: www.lambdalegal.org
To review the laws in your state, go to www.lambdalegal.org or www.aidslaw.ca/Newsletter/FallWin99/criminal.html

If you don’t have access to the web, write to POZ for a copy of these documents.

—Additional research assistance by Illith Rosenblum

© 2026 Smart + Strong All Rights Reserved.
http://beta.docker.poz.com/article/America-s-Most-Unwanted-10206-4932