S.O.S.—February 1998

HIV predator stories have become a media staple

February 1, 1998 By Sean Strub

The pieces are rapidly falling into place for the further criminalization of people with HIV.

The name-reporting campaign has come to fruition, with some of the traditionally strongest allies of people with HIV essentially giving up the fight. They assume that mandatory name reporting to governmental authorities is going ahead anyway, and are reluctant to risk scarce resources fighting what might be a losing battle.

HIV-predator stories have recently become a media staple, from Nushawn Williams in Chautauqua County, New York, to East St. Louis' Darnell "Boss Man" McGee to Andrew Cunanan (who didn't even have HIV). Tellingly, these predator stories involve crack-addicted African-American men or serial killers.

Public hysteria has always been a rich fuel to drive the engine of repression; HIV has proved to be a particularly effective example. In the public hand-wringing over the Nushawn Williams case, I've yet to hear a single voice hold parents and educators even the slightest bit accountable for failing to educate and instill a sense of self-respect—one that would translate into responsible sexual behavior—into the young women Williams presumably exposed.

In his October 29 syndicated column, William F. Buckley Jr., a leading prevention theorist of the "tattoo you" school, advocated that the names of all HIV positive people be made public. This is likely to appeal to those who believe punitive measures against the HIV positive will mitigate the responsibility—not to mention the motivation—everyone has to protect themselves. Criminalizing unprotected sex and undisclosed exposure won't reduce anyone's risk, but it will feed society's brutal thirst for revenge—and increase infections by scaring people away from getting tested.

As you read this, people who know they have HIV are being prosecuted and imprisoned as a result of their failure to inform sex partners of their serostatus, regardless of the circumstances, including whether or not the partner was infected. Meantime, HIV negative people, those who don't know as well as those who don't want to know their HIV status are all legally free to have whatever kind of sex they want.

U.S. Army SSG Donnell Stockley *did* use a condom and *did not* infect his partner, but a military court convicted him (in his absence—he was too sick to attend his own trial) of aggravated assault

for not disclosing his HIV status and of adultery (his partner was not his wife). He was sentenced to 20 years, but recently released due to his poor health.

As HIV-exposure prosecutions increase, imagine the impact on HIV testing. *Knowledge* that you have HIV is now the basis for criminal prosecution. Ignorance of the same is protection against this legal assault, but it is also a major contributor to further infections and deaths.

Prisoners, prostitutes, soldiers, black men who have sex with white girls…who is next? Women who have HIV and bear children? If transmission is a punishable crime, shouldn't these women be charged with attempted murder? And what about drug users with HIV who share needles? And gay men who bareback?

Consider this: I've got HIV. If I have sex with someone who has certain types of hepatitis, I could contract the disease and be put at far greater risk of dying than they would be from me exposing them to HIV. Should they be prosecuted for failing to tell me they have hepatitis? How about people who were born with HIV and are now reaching their sexual maturity? Are they going to be at risk of imprisonment when they begin to date? Or how about people with other communicable diseases (especially the coming onslaught of newly discovered viruses)?

Governments have always used race, religion, ethnicity, age and affluence to divide and control large groups of people. Now, forces in the United States seek to add the potential for disease transmission to the list. This is hardly a new tune: Persecution of the Jews in 1930s Germany was justified, in part, by claiming they were carriers of disease.

Let's be clear: This campaign isn't about HIV. It isn't about public health. It's about dividing society into desirables and undesirables. About creating a new class of "untouchables" and a hierarchy of privilege for those who are virus-free and have money, power and votes.

The bottom line is that when the state tries to regulate moral issues—whether around reproductive rights, sexual practices or religious beliefs—it leads to a breakdown in our democratic structure and an erosion of everyone's freedoms.

© 2026 Smart + Strong All Rights Reserved.

http://beta.docker.poz.com/article/S-O-S-1593-2893