



# A Victory for Iowans Living With HIV/AIDS

The executive director of One Iowa on state legislation to reduce HIV criminalization.

May 14, 2014 By Donna Red Wing

---



Donna Red  
Wing

In the early hours of May 1, a historic bill passed the Iowa House that will modernize Iowa's discriminatory HIV law and forever change how people living with HIV will be treated. The current law was based on outdated science and beliefs that actually discouraged testing and disclosure because of the severe penalties associated with simply knowing one's status.

The new bill, Senate File 2297 (SF2297), will change the law so that it is no longer HIV specific, and it converts sentencing into a tiered system instead of the current "one size fits all" approach. The bill unanimously passed the Iowa Senate in February, and after a great deal of negotiation and so-called "horse-trading," earlier this month it passed the House in a unanimous vote.

This is clearly a victory for people in Iowa living with HIV. It also creates a much-needed template for other states with similar legislation to do the same. The bill now goes to Governor Terry Branstad's desk for his signature.

In an election year, both Democrats and Republicans came together on this issue. And, with a unanimous vote and voice, the Iowa Legislature passed what has been a divisive and controversial piece of legislation. After five years of conversations and perseverance, an extraordinary cohort of individuals and organizations came together to once again make their case—and we won.

The spokesperson for the effort was Tami Haught, a woman living with HIV. A community organizer with Community HIV/Hepatitis Advocates of Iowa Network (CHAIN), Tami fearlessly and passionately shared her story with legislators and community members alike. She has changed hearts and minds. Members of the medical community who understood the public health repercussions of Iowa's draconian law also joined CHAIN. Human and civil rights groups and community of faith added their voices. And One Iowa, the state's leading LGBT organization, committed its resources to changing a law that was designed to punish those living with HIV. Together, we convinced our policy makers that having HIV is not a crime, and prosecuting people with HIV does not make us safer.

In the early days, HIV was often seen as a disease that only affected people within the LGBT community.

It was not until 1990, when a young boy died who was infected with HIV through blood products used in treating his hemophilia, and Congress passed the Ryan White CARE Act, that finally, people began to consider HIV as a communicable disease that could affect anyone—not just LGBT people. Under this act, availability of care was made more accessible for low-income, uninsured and under-insured people living with AIDS and HIV.

A year after the Ryan White CARE Act, Magic Johnson announced he had tested positive for HIV. In his announcement, he said, "I think sometimes we think, well, only gay people can get it—it is not going to happen to me. And here I am saying that it [can] happen to anyone, even me, Magic Johnson." His statement was a wake-up call.

Then in 1992, an HIV-positive woman by the name of Mary Fisher spoke to her party—the Republican Party—about the government’s culpability: "We have killed each other with our ignorance, our prejudice, and our silence. We may take refuge in our stereotypes, but we cannot hide there long, because HIV asks only one thing of those it attacks. Are you human?"

It was the LGBT community that fought for research, testing, and clinical trials. It was the LGBT community that took our dying and held them and lovingly cared for them until death. It was the LGBT community—our community—that fought the government and fought the medical community and the funeral industries. We fought for the living and the dying and the dead. It was in the crucible of this terrible disease that we found our voice. And we continue to fight to this day.

Today in our celebration, we will remember the more than 30 million people who have died from AIDS/HIV—the more than 30 million women, men and children. We will remember that 7,000 people contract AIDS every single day. As recently as 2012, in fact, there were 35.3 million people living with HIV. In addition, we must acknowledge that of the approximately 1.1 million people in the United States living with HIV, nearly 16 percent of them don’t even know that they are infected.

Our celebration will be tempered by the reality of AIDS/HIV. This is exactly why legislation like what was recently passed in Iowa is so important—our laws must reflect the realities of those living with HIV and AIDS. By criminalizing those living with HIV, we push them into hiding. This bill, SF2297, will send an important message across the nation, most significantly to those states that still operate under the misinformation of the past.

And so, the struggle continues. We each have a part to play. We know what happens when we are silent.

---

Donna Red Wing is executive director of [One Iowa](#), the largest LGBT organization in the state. She was executive director of Grassroots Leadership and chief of staff at Interfaith Alliance. She has advised Barack Obama and Howard Dean on LGBT issues. She also has held leadership positions at the Gill Foundation, the Human Rights Campaign and the Gay & Lesbian Alliance Against Defamation. This article was originally published on [The Huffington Post](#).

---