7 Principles for Reforming HIV Criminal Laws

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The Positive Justice Project (PJP), a nation coalition to challenge HIV laws, released a set of principles with the goal of helping states update their laws regarding HIV criminalization, according to a PJP statement.

Titled “Guiding Principles for Eliminating Disease-Specific Criminal Laws,” the one-page document notes that modernizing laws is a better approach than trying to repeal them outright.

The guide includes seven principles, including “No specific disease or condition should be the focus of a criminal law or sentence enhancement,” and “Prosecution must prove specific intent to harm coupled with conduct that is reasonably likely to accomplish the intended harm.”

“Ending criminal prosecutions based on HIV or other health conditions is a vitally important part of a sound, public health approach to ending the epidemic,” said Kim Miller of the HIV Medicine Association (HIVMA) in the release. “Treating a medical condition as evidence of a crime is at direct odds with public health campaigns to get as many people as possible tested and, if HIV positive, into treatment. That is the best way to protect everyone, since treatment keeps people healthy while reducing already low transmission risks to near-zero.”

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