Iowa Court Rules Nick Rhoades Can’t Sue for False Imprisonment in HIV Case

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Defendants in Iowa who plead guilty to a crime cannot later claim they were wrongfully imprisoned and sue for compensation, according to an Iowa Supreme Court ruling reported about in The Des Moines Register.

This ruling applies to people who are later proved innocent by DNA or other evidence, as well as to people who admitted their guilt as part of an ill-advised plea bargain or one that was coerced or agreed to in order to get a lesser sentence.

The specific case before the court was that of Nick Rhoades, who spent nearly a year in jail and prison after pleading guilty in 2009 to criminal HIV transmission. In that case, he did not disclose his status, but he and the partner used protection and Rhoades’s viral load was undetectable. His sex partner did not contract the virus.

The state Supreme Court later vacated Rhoades’s conviction, the newspaper reports, and he filed suit for wrongful imprisonment.

For more about efforts to reform HIV laws, read the POZ 2014 feature “HIV Is Not a Crime.”

And for more about Rhoades, read the POZ 2012 feature “Criminal Injustice,” which profiles him and two other people who survived HIV criminalization.

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