HIV-Positive Iowa Man Sentenced to 25 Years in Prison

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An HIV-positive Iowa man was sentenced May 8 for failing to disclose his status to a male sexual partner to 25 years in prison, the *Waterloo-Cedar Falls Courier* reports.

The sentence is the maximum penalty for the class B felony. It was not reported whether a condom was used during the one-time encounter.

According to the article, Nick Clayton Rhoades, 34, pleaded guilty for having consensual sex with a man on June 26. The two met in an Internet chat room, with Rhoades's partner claiming that he denied having any sexually transmitted infections. Rhoades's partner has since tested negative for the virus.

"I should have had the right to choose whether to be intimate with someone who is HIV positive," the unnamed partner said in a statement. "Instead, Nick was manipulative and denied me that right. He lied online, and he also lied to me in person when I asked him directly if he was 'clean.'"

Rhoades, who was diagnosed with HIV in 1998, says that he does not remember discussing his HIV status with his partner, claiming that a combination of alcohol and prescription pills prior to having sex may have clouded his judgment. Rhoades also was being treated for herpes and genital human papillomavirus (HPV) at the time of the incident, said assistant county attorney Linda Fangman.

The *Courier* reports that Rhoades was arrested in September. In court, he likened living with HIV to "carrying a concealed weapon."

"I always wanted to be part of the solution, and not part of the problem," Rhoades added, having previously participated in HIV/AIDS education efforts. "Clearly, I've fallen short in this case."

In addition to his sentence, Rhoades will register as a sex offender, undergo a sex offender treatment program, will have lifetime parole after his release and must uphold a five-year no-contact order with the partner in addition to other court costs and restitution.

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