Man With HIV Convicted of Solicitation Will Not Be Deported

June 7, 2013

A ruling by an immigration judge to deport an HIV-positive immigrant has been vacated, according to a statement by Lambda Legal, which had filed a friend-of-the-court brief with the HIV Law Project on behalf of the man. The Department of Homeland Security (DHS) had previously retracted its argument that HIV made his conviction a "particularly serious crime." Jose Luis Ramirez, a gay immigrant from Mexico, was charged with solicitation after agreeing to perform oral sex on an undercover police officer in exchange for money. DHS sought to terminate his withholding of removal, which he received in 2006 because of repeated abuse by police officers in his native country. The judge terminated the withholding of removal despite an admission by the police officer that Ramirez had agreed to use condoms and an assertion by Ramirez he was going to disclose his HIV-positive status before sex.

To read the statement, click here.

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