LGBT Report Looks at HIV Crime Laws Across the Nation

Four out of five LGBT people live in states with HIV criminalization laws.

December 7, 2016

A majority of LGBT Americans—about 81 percent—live in states with HIV criminalization laws, according to a new report from the Movement Advancement Project (MAP), a group that provides research and data related to LGBT equality.

Titled LGBT Policy Spotlight: HIV Criminalization Laws, the free report explores why these laws are problematic and how they harm public health and the justice system, according to MAP press release.

“Over the past 35 years, 38 states have passed laws that have not kept up with modern medical research and facts about the risks, likelihood, and modes of transmission of HIV,” states the press release. “These HIV criminalization laws therefore often criminalize a range of behaviors that are now known to carry no or a negligible risk of transmission. Most of these laws also not only criminalize the intentional transmission of HIV, but also criminalize behaviors that unintentionally or accidentally exposed others to the virus. Together, these laws perpetuate dangerous stigmas and misinformation about the disease and people living with HIV, create a strong disincentive for individuals to find out their HIV status, and disproportionately target—and add to higher rates of incarceration for—LGBT people.”

While offering a national look at HIV criminalization, the report also looks at the degree of punishment for these laws—for example, whether a violation is considered a felony and whether offenses will result in registration as a sex offender. The report also examines how HIV laws disproportionately affect the LGBT population and people of color.

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