



Settlement in HIV Prison Lawsuit Leads to Policy Changes in Solitary Confinement

Honesty Bishop, a transgender woman with HIV, spent six years in solitary confinement after she was allegedly attacked by a cellmate.

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A settlement has been reached in an HIV [discrimination](#) lawsuit against the Missouri Department of Corrections (MODOC) that will result in updates to the prison system's policy regarding solitary confinement. The case was brought on behalf of Honesty Bishop, a Black [transgender](#) women [living with HIV](#) who was held in solitary confinement for six years—more than 2,000 days from 2015 to 2021—after she was allegedly attacked by a cellmate.

[According to the lawsuit](#) and [reporting by The Marshall Project and The Midwest Newsroom](#), Bishop was sexually assaulted by a cellmate while at the Jefferson City Correctional Center, a men's prison. She took HIV medication regularly and therefore maintained an [undetectable viral load](#), making it impossible for her to transmit HIV (a fact referred to as Undetectable Equals Untransmittable, or U=U). Despite these facts, as a matter of policy, the Missouri prison system defined her as a sexually active person with HIV and required that she be kept in solitary confinement.

The lawsuit was filed in 2023 while Bishop was released on parole. Unfortunately, she took her own life in 2024. She was 34.

"My sister, Honesty, was a fighter who never gave up," Latasha Monroe, Bishop's sister and personal representative for the Estate of Honesty Jade Bishop, [said in a statement by Lambda Legal, the MacArthur Justice Center and law firm Shook, Hardy & Bacon](#), which filed the case on Bishop's behalf.

Monroe added that her sister "endured years of cruel treatment because of her HIV status, but she never stopped believing that things could change. This settlement honors her memory and ensures that others won't have to suffer what Honesty went through. Her courage in speaking out has created lasting changes."

According to the statement, the settlement includes substantive changes to MODOC's policy that:

- Removes discriminatory language that singles out people living with HIV for segregation, i.e. solitary confinement, which is severe disciplinary action;
- Adds language requiring an individualized assessment to be conducted in consultation with medical staff if segregation, i.e., solitary confinement, is being considered based on someone's communicable disease, including HIV; and
- Requires mandatory training for certain MODOC staff
- And monetary compensation to Ms. Bishop's estate.

"While we deeply mourn the loss of Ms. Bishop, this settlement ensures that her fight for justice was not in vain," added Richard Saenz, counsel for Lambda Legal, which advocates for HIV and LGBTQ communities. "The substantive policy changes and training achieved through this agreement will protect incarcerated people living with HIV from the kind of discriminatory treatment and prolonged isolation that no human being should ever endure."

In addition to highlighting the discrimination against Bishop because of her HIV status, the lawsuit explains the role solitary confinement plays in this case, especially when a policy requires that inmates be placed in solitary confinement if they're regarded as sexually active and HIV positive. The lawsuit states:

"Involuntary solitary confinement is the practice of punishing incarcerated people by removing them from general population and subjecting them to harsh isolation and severe deprivation.... The strict conditions often amount to torture and cause serious harm to incarcerated persons.

"The severe physical and psychological harms associated with solitary confinement are well-researched and documented. Solitary confinement greatly increases the risk of self-harm, and prolonged solitary confinement is associated with anxiety, panic paranoia, hallucinations, and suicidal ideation, in addition to physical harms including headaches, heart palpitations, digestive problems, cognitive dysfunction, injuries to oneself, and death by suicide.

"Studies have shown that solitary confinement can rapidly change the brain of an isolated

incarcerated person, causing devastating, permanent and traumatic damage. Exposure to solitary confinement can cause a portion of the human brain to physically shrink in size. The risk of substantial harm that incarcerated people in solitary confinement are subjected to is recognized in courts across the country.”

According to the Marshall Project, Missouri is one of three states that single out people with HIV for solitary confinement.

In 2020, over 10,000 incarcerated people were living with HIV in state and federal prisons, [according to federal data](#) from 2022.

Bishop’s incarceration stemmed from a 2011 incident when police showed up at her home with an arrest warrant alleging she stole an item worth less than \$750. Panicked, she fled and during an altercation with an officer, she bit him.

Bishop later pleaded guilty to resisting arrest, assaulting a law enforcement officer and recklessly risking HIV infection, reports the Marshall Project. The latter crime comes with a 15-year sentence. Although [HIV is not transmitted via biting](#), Missouri HIV criminalization laws were expanded in 2002 specifically to include biting. That provision was removed in 2021.

In March 2014, after Bishop violated her probation, she was sentenced to 22 years in prison.

In related news, are you familiar with HIV criminalization in your state? To learn more, see “[Explore Updated Maps and Data on HIV Crime Laws](#).” For a collection of similar articles, click [#HIV Criminalization](#).