Why Virginia Is for Lovers—and Activists Fighting HIV Crime Laws

The 2023 HIV is Not a Crime V National Training Academy will be held at Emory & Henry College in Virginia.

March 11, 2022 By Trent Straube

Virginia is for lovers, as the state slogan proclaims, but it's also for HIV activists. The 2023 HIV is Not a Crime V National Training Academy will be held in person June 4 through 7 at Emory & Henry College in Emory, Virginia.

Held every other year, the HIV is Not a Crime (HINAC) training academy is led by the Sero Project, a nonprofit that fights HIV crime laws, in partnership with Positive Women's Network–USA, Positively Trans, THRIVE SS and the U.S. People Living With HIV Caucus.

HIV criminalization refers to the use of unfair laws to target people who have HIV—notably, African-Americans, Latino, LGBTQ people and women—and punish them because of their HIV status, not because of their actions. Under outdated laws, people with HIV can be sentenced to prison in cases where HIV was not transmitted and their only crime was allegedly not disclosing their status.

> The SERO Project, in partnership with Positive Women's Network - USA, Positively Trans, THRIVE SS, and US PLHIV Caucus, announces the HIV Is Not a Crime V National Training Academy (HINAC V) will be held in person June 4 through June 7, 2023, at Emory & Henry College in Emory, VA pic.twitter.com/PCw1EaqUcg
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> — The Sero Project (@TheSeroProject) March 1, 2022

“Emory & Henry College is invested in social justice issues,” Andrew Spieldenner, PhD, of the academy’s venue and logistics committee, explained in an HINAC V press release. “They were clear they could provide a safe space for our training academy folks—one that was supportive of LGBTQ issues and valued racial diversity. With the movements in Virginia on HIV criminalization—and nearby Tennessee’s coalition—south Virginia seemed like an ideal place [for HINAC V].”

“HINAC III is where the Ending Criminalization and Overincarceration in Virginia (ECHO VA) Coalition formally started,” added advocate Deirdre Johnson. “HINAC III provided ECHO VA with the space to organize, the tools to strategically plan and supportive guidance to successfully execute modernizing Virginia’s HIV specific criminalization laws.”

She continued: “I am excited to celebrate with the other states that have either reformed or modernized their HIV criminalization laws and provide encouragement to those that are in the midst of coalition building, drafting bills and creating change. What I am honestly looking forward to is the HIV criminalization community having the opportunity to experience the beauty of Virginia for HINAC V at Emory & Henry College! I am always screaming our state tourism motto, ‘Virginia is for Lovers,’ and now the HIV criminalization community will get to witness firsthand our passion for setting the standard of creating change, our Southern hospitality and Virginia LOVE.”

It should be noted that repealing HIV laws does not mean that people can’t be held accountable for intentionally transmitting HIV. Other laws may apply to the situation.

Many HIV laws were passed during the early days of the epidemic, when fear and lack of scientific knowledge about the virus reigned. Fast-forward four decades, and today we know, for instance, that people with HIV who take their meds and maintain an undetectable viral load do not transmit the virus sexually, a fact referred to as Undetectable Equals Untransmittable, or U=U.

Details of the 2023 HINAC training academy were announced after the February 28 debut of the first annual HIV Criminalization Awareness Day (HCAD).

Earlier this year, New Jersey modernized its HIV crime laws. And in 2021, Illinois became the second state to completely repeal its discriminatory HIV crime laws (California did so in 2017). Lawmakers in Missouri, Nevada and Virginia have also updated similar laws. For more, see “Breaking HIV Laws: A Roundup of Efforts to Decriminalize HIV.”

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