



Ending the HIV Epidemic Requires States to Modernize Outdated HIV Crime Laws

Six tips on using the CDC's HIV Criminalization Legal and Policy Assessment Tool

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“HIV Is Not a Crime Awareness Day” was created in 2022 by [The Sero Project](https://www.theseroproject.org) in collaboration with [The Elizabeth Taylor AIDS Foundation](https://www.elizabeth-taylor-aids-foundation.org) and other grassroots organizers, bringing together communities, people with HIV, governments and other partners to stand in unity against the harm caused by laws that use a person's HIV status in criminal prosecution. February 28, was chosen to bridge Black History Month, Women's History Month, and several other HIV awareness days.

Modernizing these laws is an essential element in ending the HIV epidemic. [The National HIV/AIDS Strategy \(2022-2025\)](https://www.hiv.gov/national-hiv-aids-strategy) recommends policies and priorities that can help end the HIV epidemic in the United States. Achieving the goals of this national strategy requires addressing stigma as well as structural barriers to HIV prevention and care. A key part of this effort is examining how laws and policies can inhibit positive change and exacerbate harm and the national strategy encourages reform of state HIV criminalization laws.

CDC's HIV Criminalization Legal and Policy Assessment Tool Courtesy of HIV.gov

All state laws and practices should be informed by science, and in the case of HIV criminalization laws, most are not. In addition, the implementation of HIV criminalization laws was not associated with reduced HIV incidence. Modernizing outdated state laws and practices is necessary.

To help meet the National HIV/AIDS Strategy goals, the Centers for Disease Control and Prevention (CDC) released the [HIV Criminalization Legal and Policy Assessment Tool](#) in 2022. This tool can help decision-makers identify opportunities to strengthen legal and policy protections for people with HIV by aligning laws and policies with evidence-based best practices.

As a follow-up to the release of the assessment tool, ChangeLab Solutions, with [Minority HIV/AIDS Fund](#) funding from CDC, partnered with the Association of State and Territorial Health Officials and the Network for Public Health Law to deliver in-depth training on operationalizing the tool. The trainings covered four topics that are detailed in the tool: (1) legal research and analysis, (2) HIV data privacy, (3) HIV testing and surveillance, and (4) HIV criminalization. The goal of these trainings is to facilitate discussion and support participating states in identifying action steps to address stigma and structural barriers to HIV prevention and care.

Here are some tips to help other states interested in using [the assessment tool](#) to analyze their laws and take action on this important issue:

- Identify and engage key partners in your state, such as community members living with HIV, public health organizations, community-based organizations, health care professionals and physicians, law enforcement professionals, and state prosecutors.
- Convene a team to lead the development of a state strategy and action plan.
- Raise awareness in meetings and convenings with key partners about the harmful effects of stigmatizing language and about the science of HIV transmission to address common misconceptions about HIV that may hinder the implementation of evidence-based laws and policies.
- Have multiple organizations jointly host meetings with key partners and audiences to demonstrate the importance of HIV decriminalization.
- Involve people with legal expertise to analyze a state interpretation and application of laws affecting people living with HIV and develop a strategy to ensure these laws are informed by science and promote health equity.
- Conduct a comparative analysis to learn from other states that have recently reformed their laws to better reflect science.

By taking these approaches, states can improve the well-being of people with HIV and ensure laws are equitable and just. [Check out the assessment tool today!](#)

[This blog post](#) was published February 28, 2024, on HIV.gov. For related news, see the POZ article [“HIV Is Not a Crime Awareness Day 2024.”](#)