Guilty of “Being Positive” While Being Raped?

May 23, 2011 By Shawn Decker

Everyone has heard about the white-collared, white-haired sexual assault case that occurred in NYC. The season finale of Saturday Night Live began with a parody starring the comical likeness of the assailant. If you’re not familiar, basically a rich, high-standing white guy allegedly forced himself sexually upon a maid.

Since the alleged sex crime is oral sex, it’s considered sexual assault and not rape. I’m not sure why the mouth doesn’t get the same respect in terms of the severity of the crime as the, say, anus or vagina would. To me, having old, wrinkly sweaty white man flesh thrusting at my eyeline would be more traumatic than down below. I think we should all agree that a penis inserting another person against their will, no matter where it lands, should more than qualify for the term “rape”.

I’m not investigating the crime personally, but I do read my fellow Poz blogger, Regan Hofmann, which is where I learned about the New York Post’s egregious coverage of the story.

There seems to be an attempt to “out” the maid as being HIV positive due to where she lives, which is in housing that is allegedly used for people who are living with HIV. In the New York Post article, it discusses that there is a likelihood of transmitting HIV via oral sex. Educators know this risk is lower than intercourse, but in this particular story HIV shouldn’t even be mentioned. The story is that someone is suspected of rape, not suspected of being HIV positive.

The problem with introducing HIV and the risk of transmission sexually is that an issue could be made that the victim did not disclose her status. In turn, *the victim* could be presented as *the perpetrator* in a crime due to disclosure laws. It would be a Twilight Zone spin, one that should be reserved for science fiction and not applied to real life. Can you imagine being put in the position to say, "*Oh, I’m sorry, disclosing my status wasn’t my top priority that day when I was being mouth raped*"?

Positively Yours,
Shawn

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