HIV Is Not A Crime - Or IS IT?

December 22, 2011 By Eric Sawyer

I wanted to alert you to a piece I wrote that ran a few days ago in Huffington Post Gay Voices Blog. The Blog deals with HIV Criminalization Laws in the US. A summary and a link to the full article in Huffington Post appears below.

HIV Is Not a Crime, is a compelling, powerful, and tragic film about the criminalization of HIV in America, created by POZ Magazine founder Sean Strub. HIV Is Not a Crime is a shocking film that asks some basic questions we all need to think about.

Do you think people living with HIV should have to register as sex offenders? Do you believe people living with HIV should be sentenced to 25 years in prison for a sexual act that did not result in transmission of the HIV virus?

Would the fact that an individual did not disclose his or her HIV-positive status change your answer? Do you think someone living with HIV should be virally defined as a second-class citizen with fewer rights and more legal liabilities than someone who is either uninfected or is unaware of his or her status HIV status?

HIV is not a crime. Or is it?

Thirty-four states and two U.S. territories have laws on their books that state that if a person living with HIV has sexual relations without prior disclosure of his or her HIV-positive status, then that person is committing a crime. Some laws permit sentencing a person living with HIV to jail (for up to 25 years) for having consensual sex with someone who is HIV-negative (or does not know his or her HIV status) without prior HIV disclosure -- often even if a condom is used and no HIV is transmitted.

Prosecutions against HIV-positive individuals have occurred in at least 39 states (some states have used non-HIV-specific laws for sexual assault), invoking a spectrum of charges including attempted murder, sexual assault, and assault with a deadly weapon. Yes, ignorance has led to defining blood, semen, vaginal fluid, vomit, and saliva of people living with HIV as “deadly weapons” by the courts -- and has even led to claims of “bio-terrorism” -- even though HIV is now considered a chronic manageable disease. In five states alone more than 500 people have been charged under these laws.

Shocking right?

For the full article please go to:

www.huffingtonpost.com/eric-sawyer/hiv-criminalization_b_1158255.html

Thanks,
Eric

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