Possible HIV Outbreak in Miami Homeless Area Raises Ethical Concerns

People living below a highway overpass might be forced into treatment.

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Florida's only legalized syringe access program found 11 people who tested positive for HIV within a six-month period this year. In the city of Miami, where one out of every 85 adults has HIV, the new infections may or may not constitute an outbreak. This is the subject of a local, active public health investigation that utilizes the Center for Disease Control (CDC)'s molecular surveillance system.

Molecular surveillance of the HIV virus was introduced to state health departments by the CDC in the beginning of this year and helps epidemiologists determine how closely linked HIV infections are to one another (it has been utilized for tracking tuberculosis and food contagions in the past). The impact of molecular surveillance is the subject of HIV community dialogues taking place in small meetings and large conferences, where its benefits for addressing outbreaks butt up against the implications of HIV criminalization laws.

The Miami investigation is notable for its focus on a small area of a highway underpass where people experiencing houselessness, who often face intersecting forms of criminalization, reside. While people are living in encampments there, police barricades have closed off the area to traffic, and they have installed surveillance cameras. A local newspaper found the encampments' residents disoriented by the cameras and by the public health workers with clipboards.

Homeless rights advocates are concerned by the heightened presence of authorities in the encampment because the city of Miami recently asked the federal government to reconsider their historic consent decree: The 1988 Pottinger Agreement prevents police from arresting people who are homeless for loitering and other crimes associated with houselessness. Along the same lines, city officials have also proposed using a state law known as the Marchment Act to involuntarily commit homeless individuals with substance use disorders who do not want to enter treatment of their own volition. The city contends it has more resources to offer to people experiencing homelessness and should now be able to use police power over homeless communities. The American Civil Liberties Union is arguing against the City in the case this month.

The events surrounding this public health investigation are important for communities across the United States, whose loved ones are often sent to substance use treatment facilities in Southern

Florida. Shuffled from treatment to treatment, people from all over the country routinely find themselves in a failed system that deserts them. Miami's streets are often the place where they can survive.

Congress recently passed its anti-opioid legislation package that addresses the nation's opioid crisis as a public health issue. The legislation made great gestures toward increasing access to medication-assisted treatment, peer recovery, and other related services. It did not, however, fully address the need for harm reduction services among a nation with so many people currently using drugs, underserved by systems of behavioral and public health. AIDS United is committed to advocating for greater federal investments in non-coercive services for people affected by the intersecting epidemics of HIV, viral hepatitis, opioid overdose, and drug use.

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