We Stand With Michael Johnson: HIV Is Not a Crime

May 19, 2015 By Visual AIDS

Michael Johnson

As organizations committed to human rights, social justice, and dignity for people living with and vulnerable to HIV, we release this statement in solidarity with Black gay men who have been organizing a response to the criminalization of Michael L. Johnson.

After only two hours of deliberation by a jury in a trial that was fraught with misinformation about HIV transmission, misunderstanding about gay hookup culture and inadequate legal counsel, a nearly all-white jury quickly convicted Michael Johnson, a 23-year-old Black gay man in St. Charles, Missouri, finding him guilty on five felony counts and sentencing him to at least 30 years in prison.

HIV criminalization is yet another tool used to police and incarcerate bodies that are too often poor, Black or brown, or queer-identified. In this case, Michael will be incarcerated for the next 30 years for allegedly exposing sexual partners to HIV, a condition that is chronic and manageable with proper care and treatment. This is atrocious. As a point of comparison, killing someone while driving under the influence of alcohol carries a sentence of seven years in Missouri.

St. Charles is less than a half-hour's drive from Ferguson, Missouri, a city that has made international headlines due to racist police brutality and a record of racial bias in law enforcement.

HIV criminalization laws are widely understood to be based on hysteria, misinformation, and outdated science as it relates to HIV transmission. Expert-led professional associations including the HIV Medicine Association, the Association of Nurses in AIDS Care and the American Medical Association have taken positions supporting the repeal or modernization of these laws, and President Obama's Advisory Council on HIV/AIDS passed a resolution in 2013 calling for HIV criminalization laws to be reviewed and repealed.

This particular prosecution and the media hysteria around it were fueled by homophobia, HIV stigma, and anti-Black racism embedded in portrayals of Black male hypersexuality. Michael Johnson is not the first Black gay man to be incarcerated under these laws, and it is unlikely he will

be the last.

Black lives and Black leadership matter. We stand in support of the agenda released today by Black gay men:

- Support Michael Johnson while he's in prison, continue to raise awareness about his case, work to support any potential appeals or strategies to reduce his sentence or overturn this ruling altogether.

- Continue to dialog with Black gay men around the country in person and through social media about the importance of opposing such laws.

- Repeal the laws that criminalize HIV exposure, nondisclosure, and transmission, in Missouri and nationwide.

- Challenge our allies in Black progressive organizations, criminal justice reform, HIV prevention and treatment, and the LGBT movement to take more of an active role in challenging HIV criminalization.

- Develop more capacity for Black gay men's grassroots organizing.

When people with HIV are prosecuted under HIV criminalization laws, no justice is achieved. Stigma, fear, and, in many cases, racism, win. And independently of HIV, criminalization, incarceration, and police brutality disproportionately impact Black and brown communities, LGBT folks, and people living in poverty.

Black gay men cannot and must not be removed. With the recognition that anti-Black racism, homophobia and HIV stigma are at the heart of the epidemic and the verdict in the Michael L. Johnson case, we as an HIV community must commit to centering Black leadership and to ensuring that the police state does not factor into addressing the HIV epidemic. Incarceration and prisons are never the solution.

We echo and amplify the love from the open letter to Michael L. Johnson to all Black gay men; we will continue to stand with all of you in this fight for Michael's freedom.

To Michael: we love and will continue to support you.

To Black gay men across the nation: we commit to fight by your side in service of justice, love, and liberation.

In solidarity,

Advocacy Without Borders
The Afiya Center
AIDS Action Committee of Massachusetts
AIDS Alabama
AIDS Alabama South
AIDS Foundation of Chicago
AIDS United
Alabama HIV/AIDS Policy Partnership
Amida Care
#BlackLivesMatter
The Body Is Not an Apology
The CHANGE (Coalition of HIV/AIDS NonProfits & Governmental Entities) Coalition
Desiree Alliance
Harm Reduction Coalition
HIV Prevention Justice Alliance
Houston HIV Cross-Network Community Advisory Board
Legacy Community Health
Louisiana AIDS Advocacy Network
National Center for Lesbian Rights
One Struggle KC
Positive Iowans Taking Charge
Positive Women's Network - USA (PWN-USA)
PWN-USA Bay Area

PWN-USA Louisiana
PWN-USA San Diego Region
Project Inform
SERO Project
SisterLove, Inc.
Southern AIDS Coalition
Southern HIV/AIDS Strategy Initiative
US People Living with HIV Caucus
Visual AIDS
The Well Project
Women with a Vision

Sign your organization onto this statement.

Resources:

"Stop Locking Up Black Men for HIV," by Keith Boykin

"On Uplifting Voices, Social Justice and Listening to HIV Criminalization Accusers," by Mathew Rodriguez

"'Tiger Mandingo' is guilty because Missouri law ignores three decades of science," by Jorge Rivas

Guiding Principles for Eliminating Disease-Specific Criminal Laws, Positive Justice Project

HIV Criminalization: What You Need to Know, Sero Project

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