

MO HIV JUSTICE COALITION

Change the *law*. End the *Stigma*.



HIV IS NOT A CRIME

Modernize Missouri's HIV-specific criminal statutes with HBs 166 & 167.

OVERVIEW & PURPOSE

Medical professionals know that **much has changed** in our understanding and treatment of HIV and AIDS since the **1980s when Missouri's HIV laws were first written**. An HIV diagnosis is **not a death sentence**. We need to update our laws to reflect advances in medical science and to approach public health concerns with healthcare and harm reduction approaches, not incarceration.

WHAT HAS CHANGED?



- With the right treatment, a young person diagnosed with HIV today can expect a near normal life expectancy. **So punishment for transmission shouldn't be the same as for a murderer.**
- The original intention of the law was to reduce transmission of HIV, but not a single study or peer-reviewed paper—nor any credentialed public health expert—asserts HIV criminalization has actually reduced HIV transmission in any jurisdiction where it exists. **States with HIV criminalization do not have lower transmission rates, so the law isn't working.**
- Federal funds granted through the Ryan White Comprehensive AIDS Resources Emergency (CARE) Act once required that states have laws prohibiting intentional transmission. **That requirement was removed. The Department of Justice & Centers for Disease Control and Prevention both recommend updating such laws.**
- People living with HIV are doing just that—living, longer. Yet the stigma associated with HIV still lingers. There are multiple ways to prevent the transmission of HIV. **We don't have to act out of fear, we can be better informed.**



OBJECTIVES OF MODERNIZATION



- Current statutes say nothing about intent; revisions should **require purposeful** transmission/ or attempt to transmit.
- **Reduce stigma** by eliminating HIV-specific language in criminal codes.
- Recalibrate penalties, including sentence enhancements, to be more **proportional** to the harm done.
- Remove criminalization of actions that pose **no risk** of transmission.