



HIV Criminalization and Creation of a Viral Subclass: A Multi-Pronged Response

Sean Strub, Senior Consultant,
CHLP HIV Criminalization Project
Founder/Advisory Editor, POZ Magazine

CHAMP Strategy Lab Call
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- Three year multidisciplinary strategic plan
- Reposition HIV criminalization first as a public health issue, then as human/civil rights issue
- Objective is broader community and government engagement to reduce stigma, specifically through repeal (not “reform”) of HIV criminalization statutes reversal of trend to prosecute/demonize PWHA
- Many opportunities for partnership with global, national, state and local organizations



Project Components

- Research
- Centralized multi-disciplinary collection of resources to inform, and inform advocacy (CHLP Resource Bank)
- Broad Education Campaign
- Multi-front Advocacy



Research

- Qualitative (focus groups) and Quantitative Research (survey research) to explore relationship between HIV criminalization and testing or disclosure behaviors (both currently and prospectively, as awareness of criminalization prosecutions increases)



Research Segments

- African-American women in highest HIV incidence census tracts
- Multi-partner African-American MSM
- Transgendered persons
- Currently or formerly incarcerated African-American men



CHLP Resource Bank

- <http://www.hivlawandpolicy.org/resourceCategories/view/2>
 - Vetted collection of criminalization resources reviewed for quality, organized by type and summarized for advocates
 - Quality memoranda, research, reports, legal guides, court and agency decisions, pleadings and briefs, policy analyses, press clippings, recommendations and other materials



Sample Documents in Resource Bank

- Prosecutions for HIV Exposure in US 2008-2010
(*CHLP, March 2010*)
- State Criminal Statutes on HIV Criminalization
(*Lambda Legal, August 2009*)
- Policy Brief on Criminalization of HIV Transmission
(UNAIDS)
- [10 Reasons to Oppose the Criminalization of HIV Exposure or Transmission](#) (*Open Society, 2008*)



Education and Advocacy

- Dissemination of criminalization manual created with NAPWA to PWHA and advocates (legal, community, social service, medical)
- Increase engagement of medical/public health professionals to combat criminalization



- Create statement of principles for effective responses to potential HIV exposure and the appropriate use of criminal/civil law in those circumstances (CHLP and NAPWA, in consultation with other partners)
- Secure broad endorsement of principles from community, medical, advocacy organizations.



- Expand dialogue with CDC, ONAP, DOJ on need for federal leadership (in partnership with NAPWA, PJA and others)
- Educate state and local public health officials, prosecutors and judiciary
- Mobilize state and local advocates for repeal efforts with adaptable advocacy tool kits



What You Can Do

- Make personal and organizational pledge to end disparate justice system treatment of PWHA
- Help reach targeted communities for research component
- Participate in message development and public education campaign



- Sign up at CHLP Resource Center for criminalization updates
- Contribute documents to CHLP Resource Center
- Distribute CHLP/NAPWA manual, when finished, to agency staff and advocates



- Sign-on to and disseminate Statement of Principles
- Alert CHLP to new prosecutions in your area
- Sign up for ongoing involvement in HIV decriminalization project: email to FightCrim@hivlawandpolicy.org