



The REPEAL HIV Discrimination Act

Senator Chris Coons (D-Del) recently introduced legislation that works towards ending stigma and discrimination against people living with HIV/AIDS. The [Repeal Existing Policies that Encourage and Allow Legal \("REPEAL"\) HIV Discrimination Act](#) calls for review of state and federal laws that target people living with HIV/AIDS and mirrors legislation that was introduced in the House of Representatives in May of this year by Representatives Barbara Lee (D-CA) and Ilena Ros-Lehtinen (R-FL).

The *REPEAL HIV Discrimination Act* would have a strong impact in the 32 U.S. states that have laws making it illegal not to share one's positive HIV status to sexual partners, regardless of risk of transmission. It would also have a strong impact in the 13 of those states that criminalize non-sexual acts that cannot transmit HIV, such as spitting or biting.

The Women's Collective **STRONGLY** supports the REPEAL HIV Discrimination Act. Anachronistic and outdated laws perpetuate fear, misinformation, and stigma surrounding HIV/AIDS. It reinforces the idea that HIV is a death sentence or a weapon, rather than a treatable medical condition. In addition, they criminalize behavior that poses no danger or risk to others. A report by ProPublica found that in a review of records in 19 states, there were 541 cases over the last 10 years where people were convicted of, or pled guilty to, criminal charges for not disclosing that they were HIV-positive¹. Of those cases, in only four could [ProPublica](#) find documentation that the complainant became infected with HIV.

These types of laws are dangerous for women living with HIV/AIDS in several ways. They discourage HIV testing and subject women to persecution and criminal prosecution. Women are often more likely to know of their status, due to routine testing that they may encounter while seeking family planning or pre-natal services. Because people are only subject to prosecution if they know their status, they are at greater risk of prosecution. The laws also pose a danger to women who are experiencing domestic violence; in some cases, revealing one's HIV status can lead to psychological, emotional, and physical abuse by a partner or family member. The Women's Collective applauds Senator Coons and Representatives Lee and Ros-Lehtinen, as well as the 34 members of the House of Representatives who have signed on as co-sponsors.

We call upon Congress to enact these bills into law as a crucial step towards ending stigma and discrimination against people living with HIV/AIDS.

¹ Hernandez, Sergio (December 1, 2013). Sex, Lies and HIV: When What You Don't Tell Your Partner Is A Crime. ProPublica: Journalism in the Public Interest. Accessed December 13, 2013. <http://www.propublica.org/article/hiv-criminal-transmission>