



# THE CENTER FOR HIV LAW AND POLICY YEAR IN REVIEW 2018

CHLP's accomplishments in 2018 reflect the creative hard work of our staff and partners, and the value of broad collaborations that reach across movements. With so many members on the outer margins of our communities under attack, our movements can and must always do better. Finding ways to win that are inclusive of all communities has been a driving force behind our work. If there is one theme that emerges from the past 12 months, it is the insistence on truly intersectional advocacy models that engage new partners, and promote new leaders, in the pursuit of justice in the criminal legal system. Our movement for HIV equity demands leaders who prioritize racial, gender and economic justice and the needs of all people living with disabilities as well as HIV. In short, exciting and effective partnerships and principles that leave no one behind. Here are some highlights from a challenging but productive year.

## INITIATIVES

### Punishment is Not a Public Health Strategy: The Criminalization of Viral Hepatitis



CHLP enlisted the Harm Reduction Coalition and National Viral Hepatitis Roundtable in launching a unique campaign to raise awareness about and generate action against laws that criminalize viral hepatitis. To support this collaboration, CHLP created a [fact sheet](#) and [map](#) on viral hepatitis and its criminalization in the U.S. Two hundred people joined our [webinar](#) demonstrating the natural connections among harm reduction principles, current trends in syringe service programs and treatment access for viral hepatitis, and efforts to reform laws criminalizing HIV and viral hepatitis.



#### Punishment is Not a Public Health Strategy: A Convening

CHLP planned and hosted a national strategy convening with support from new partners the Harm Reduction Coalition and National Viral Hepatitis Roundtable. The strategy session brought together 20 leaders in viral hepatitis, treatment access, harm reduction, HIV, and criminal law reform to develop plans for collaboration and advocacy in 2019.

### A Call to Action for Racial Justice in HIV Criminal Law Reform

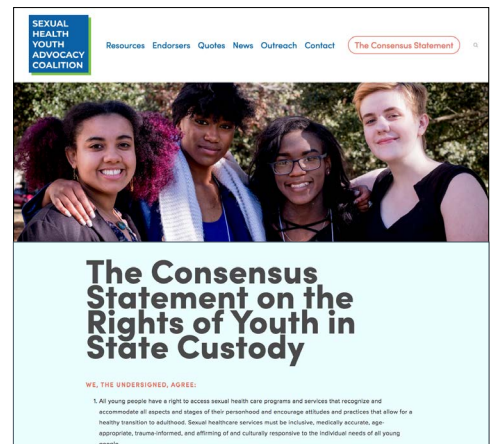


CHLP partnered with racial justice, HIV, and criminal justice organizations in issuing a [Call to Action](#) in support of an HIV criminal law reform movement that is grounded in racial justice and leaves no one behind. The statement marked one year since the release of the [Consensus Statement on HIV "Treatment as Prevention" in Criminal Law Reform](#), which provides guidance on how advancements in HIV treatment affect the movement to reform HIV criminal laws. The milestone of the 100th signatory to the consensus statement was marked with an email and [social media campaign](#).

### Sexual Health Youth Advocacy Coalition Consensus Statement on the Rights of Youth in State Custody



CHLP and the [Sexual Health Youth Advocacy Coalition](#) (SHYAC), released a consensus statement highlighting the need for laws and policies that guarantee the right to comprehensive, medically accurate, and affirming sexual health care for all youth under the care and custody of the state. SHYAC debuted the [Consensus Statement on the Rights of Youth in State Custody](#) on a new website launched during Youth Justice Action Month in October. SHYAC member organizations engaged in a Twitter chat and a [social media campaign](#).



# STATE CRIMINAL LAW REFORM ADVOCACY

CHLP's Positive Justice Project supported advocates in **Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Michigan, Missouri, Ohio, Tennessee, Texas, and Washington** through activities including legislative analysis and advocacy, panel discussions on best practices and information sharing between states, development of state-specific resources in response to local advocates' needs, requests and sudden developments.



We worked with state organizers on presentations and in-person meetings in **Florida** (pictured), **Louisiana**, and **Ohio**.

PJP has been deeply involved in the legislative/reform process in multiple states throughout 2018, including **Florida, Kentucky, Louisiana, Missouri, and Washington**. This engagement included behind-the-

scenes legislative analysis and bill drafting as well as supporting advocates as they attended committee hearings and spoke in favor or opposition of bills on the floor that would affect HIV criminal law reform advocacy. Advocates held in-person meetings with legislators and key stakeholders throughout the year, and CHLP was by their side as a trusted partner and supportive ally. Our nationally-recognized [HIV Criminalization in the United States: A Sourcebook on State and Federal HIV Criminal Law and Practice](#) has been the primary tool on which advocates across the country rely to understand the current letter and application of relevant laws in their states.

**YOU CARE ABOUT HIV  
CRIMINALIZATION**



**(YOU JUST DON'T KNOW IT YET)**

## ART & ADVOCACY

Among the many events in which CHLP was involved in 2018, the most colorful may have been with Visual AIDS. The arts group held a summer art exhibition entitled Cell Count linked with the ongoing movement against HIV criminalization. CHLP participated in a corresponding Visual AIDS panel at NYC's LaMaMa Galleria entitled, Dismantling HIV Criminalization, and CHLP staff marched with the group at the 2018 NYC Pride March as part of You Care About HIV Criminalization (You Just Don't Know It Yet), a site-specific project by Avram Finkelstein.

## CRIMINAL CASE WORK

In 2018, CHLP worked on 21 cases in 11 states, including **Arkansas, California, Florida, Indiana, Missouri, New Hampshire, New York, North Carolina, Ohio, South Carolina, and Wisconsin**. CHLP assisted criminal defense attorneys and individuals facing HIV-related criminal prosecution by providing legal and trial strategy support, and identifying and assisting with preparation of medical and scientific experts for trial.

Among these cases is our work in New York to free Nushawn Williams. He served a 12-year sentence on a guilty plea for having sex with young women after he was diagnosed with HIV when he was 19 years old. Days before his scheduled release, New York State took steps to have him indefinitely civilly committed—based largely on the fact that he was living with HIV when he had sex. Williams has since served an additional 8 years in a high-



security psychiatric facility, often without basic HIV care. This year we teamed up with activists Davina Conner from Colorado and Bryan C. Jones from Ohio (pictured), who have created a vibrant coalition of PLHIV organizing in support of Williams. We are working with

lawyers from WilmerHale to represent Williams at his next hearing, and with Housing Works for housing, health care and employment when he is finally released.

## LEGAL EDUCATION SPOTLIGHT

Our partnerships with state advocates directly support efforts in criminal law reform and our legal literacy campaign. In Ohio, for a September event for criminal defense attorneys at the University of Toledo Law School, CHLP developed an Ohio-specific fact sheet on HIV criminal laws and helped coordinate a panel, HIV Criminalization in Ohio: Understanding the Law and Efforts toward Reform, featuring presenters (pictured) Dr. Barbara Gripshover, Case Western Reserve University; Elizabeth Bonham, ACLU of Ohio; Jill Beeler, Office of the Ohio Public Defender; Susan Carr, Ohio Association of Criminal Defense Lawyers.



We also developed trainings on HIV transmission routes, risks, treatment realities, privacy rights, and antidiscrimination laws in response to the ongoing problem of discrimination in health care settings. In New York, for example, CHLP did a webinar reaching health and social service providers in all state correctional facilities, and a training of dentists and dental students at Columbia University.