

HIV/AIDS Resource Center for African-Americans

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New Top HIV Law Advocate Leads With a Black Feminist, Abolitionist Framework



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S. Mandisa Moore-O'Neal

Nathan Paul; Nathan Paul Photography

S. Mandisa Moore-O’Neal is the newly appointed executive director of the Center for HIV Law and Policy (CHLP), an HIV research and think tank that is also one of the country’s few organizations to focus on HIV criminalization through the lens of decriminalization and science-based harm reduction.

Moore-O’Neal proudly describes herself as a Black feminist and abolitionist. Her decades-long commitment to empowering historically marginalized communities has included grassroots organizing around reproductive justice, founding her own legal group, preventing employment discrimination, tackling HIV criminalization, serving as the litigation and policy director of Frontline Legal Services — a community-based nonprofit in Louisiana that provides legal and policy support to cases involving public health and human rights— and bringing five federal cases against law enforcement for the treatment of protesters in the wake of the 2016 Alton Sterling police killing in Baton Rouge, Louisiana.

As she told *Gambit* after being honored by the New Orleans–based publication’s “40 Under 40” honoree list for 2022 , she is guided by “imagining and visioning a world without punitive responses to violence and harm.” With that personal credo, she is well equipped to continue CHLP’s mission of supporting and assisting various coalitions that combat HIV criminalization with legal research, drafting bills, and developing policy.

Some of the organizations that CHLP prioritizes include people living with HIV (PLWH), health care providers, organizers, attorneys, and activist collectives that intentionally work as standalone groups without attachment to AIDS service organizations or academic institutions. CHLP also works with formalized institutions such as the Georgia HIV Justice Coalition, the Louisiana Coalition on Criminalization and Health, and the Tennessee HIV Modernization Coalition.

Moore-O’Neal explained to TheBody that CHLP’s assistance is essential to legal teams that are defending clients involved in cases that revolve around sexual health. Not only because of their resources and support, but because they also educate prosecutors by

asking, “Do you really want to prosecute health conditions?” CHLP has found that promoting sexual health literacy among lawmakers is a key component to reforming how the justice system legislates and eliminates HIV criminalization and other laws that govern sexual health.

This work is especially important because the field of HIV care frequently deploys punitive responses when administering care, without considering whether those measures serve the needs of PLWH. That is why Moore-O’Neal says it is time for HIV leadership to shift toward a Black feminist and abolitionist framework, which would deracialize care, eliminate provider-to-patient power imbalances, and construct guidelines that include meaningful involvement of people with HIV/AIDS (MIPA).

“The systems are set up for people to fall out of care and then blame and punish them when they do,” she explains. “It’s like, I didn’t turn in an arbitrary piece of paper, so now I don’t get the housing that you and I both know is keeping me in care.”

With an eye on continuing to support PLWH, Moore-O’Neal spoke to TheBody about what brought her to this mission and what it will take to transform leadership in HIV care so that it follows a Black feminist, abolitionist framework.

From Reproductive Justice Organizer to Executive Director

Michael Chancley: Many people step into HIV work with backgrounds in medicine, social work, public health—what led you from the path of being an attorney to doing HIV advocacy work?

S. Mandisa Moore-O’Neal: Well, prior to law school, I had a background in reproductive justice work in New Orleans, post–Hurricane Katrina. I got into HIV work [after] doing local and regional work, and then moving into national reproductive justice work.

It was through reproductive justice work that I learned about harm reduction and HIV justice, though, at the time, I didn’t know HIV law was a thing. And so when I was in law school, I was applying for an internship with an organization called AIDS Law and I thought, “Oh, this is interesting. I know a lot about HIV, and I’m curious about how this intersects with lawyering.”

Through learning about the legal aspect, I saw the many barriers PLWH face—including criminalization. I saw how many PLWH had this almost scarlet letter from the way they were being criminalized for something that they can't control.

In HIV legal aid practices, there are so many limitations [based on funding regulations]. We had so many clients who were being criminalized under our state statute, but we couldn't defend them. And many of the defense lawyers didn't know about HIV. So I was like, "I want to go into private practice and just do that on my own," as well as expanding into areas of policy advocacy.

Chanclley: What professional advice would you give someone entering the HIV field who wanted to focus on litigation and policy?

Moore-O'Neal: Have people who will ground you. It doesn't have to be lawyers or people doing the work. Look into support outside of your local area. The field can be very isolating. Sometimes you can be one attorney going to court against a large legal firm with 10 to 20 lawyers and three paralegals. Also develop ways of coping with stigma. We don't always have popular sentiment because the discrimination propaganda is so strong. People get upset when you're defending PLWH.

Why HIV Work Needs a Black Feminist, Abolitionist Framework

Chanclley: Using a Black feminist framework has been important to your approach to litigation, strategy, and advocacy. I've had the pleasure of seeing you speak on multiple panels, and you're very vocal about leading your work in litigation, strategy, and advocacy with a Black feminist framework by working to not just win cases, but to actually shift power and systemic oppression. Could you explain what it means to use a Black feminist framework in the context of HIV work?

Moore-O'Neal: An inherent part of Black feminism is that you must [feel safe to] bring all of you into a space. There are no people who are Black on Monday, woman on Tuesday, queer on Thursday, whatever, whatever—I am whole, all of the time, and I am inherently valuable.

Our strategies for keeping people in care and for keeping people well, is to acknowledge we are whole, and sometimes, it could be things that we may think could contradict,

like, I think people still have a lot of thoughts about people who are actively in drug use, folks who actively engage in sex work, so how do we make spaces where all of that is OK?

It's also a means of dealing with conflict in terms of it doesn't have to be punitive. Black feminism and abolitionism are deeply intertwined. Historically, it was Black feminists who [found that] the state was a major agent of violence in our lives that we could not rely on for safety, and that we must think of other ways to keep ourselves safe.

I learned a term called conflict transformation, as opposed to conflict resolution. And it was super helpful because not everything is going to be resolved. But things can be transformed and moved through. So I feel like that's something Black feminism offers us—ways of acknowledging it's not about not being this thing that you are; it's about being who you are in ways that grow all of our liberation.

Checking Your Misogynoir and Supporting Black Women in HIV Leadership

Chancley: Let's talk about Black women in leadership. During and after the 2016 and 2020 election cycles, a lot of people were saying things like, "Let Black women lead," or "Black women will save us." What can we do to support Black women in leadership roles in HIV advocacy, professionally and in terms of their care and well-being?

Moore-O'Neal: Check your misogynoir; check your expectations that Black women have to do anything other than fucking live. It's 21st-century "Mammy-ism." This is something that I am thinking about: Have the people I'll be working with, internally and externally, ever taken leadership from a Black woman? Dark skin and fat as I am? How are things going to shift suddenly when a real, real dark, real, real fat Black woman is telling you, "No"?

So the question I have is what do you expect of this Black woman or Black femme? Is what you're asking uplifting? Or does it undermine this idea that we are inherently valuable? Would you ask or expect this of anyone else?

Barbara Smith once said in a public conversation with Charlene Carruthers at a Movement 4 Black Lives convening, "They have the identity but dropped the politics."

So at the same time, how can we have the identity and be clear that the politic is what gets us free? Me being a Black woman is not what gets you free. Me having a continued, principled commitment to freedom is what gets me free; it's what gets us free.

Chancley: What can we do to support Black women just entering this field and forging a path towards leadership roles?

Moore-O'Neal: One of the things that can be supportive is—don't just say "support"; back it up in actions over time. And by actions, I mean how many times have we been in spaces, being tokenized, and someone's proposing something that is not in alignment with values with what the group has said? But because of their identity, no one wants to say, "This is a bad idea"?

Then when it fails, we say, "This is why we can't have XYZ leadership. Because they do ..." No, no, no. Y'all did that shit. Because there were so many opportunities to say, "Actually, let's intervene." But you didn't want to because you didn't want to be racist; you didn't want to be transphobic; you didn't want to be sexist. It seemed you let this person fail without any kind of resources or support. But to me, accountability, at its core, is support.

Yes, sometimes it's uncomfortable to challenge the only Black person in the room. And the reason why it's uncomfortable is because there was only one of us to begin with. So the fact that you have constructed a room where there was only one Black person, and that person is now saying some off-the-wall shit, and you're uncomfortable—that's ultimately on you. Because why did this space only have one of us to begin with?



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