

William C. Smith, Jr. ,Chair, Jeffrey D. Waldstreicher, Vice-Chair, and Esteemed Judiciary Proceedings Committee Members

My name is Melanie Reese, I am a member of the Maryland Coalition to Decriminalize HIV. I am here in support of House Bill 39 - Public Health-Prohibition on Transfer of Human Immunodeficiency Virus-Repeal. HIV is not a crime, but the law I am here to change says that it is.

In Maryland, HIV is the only virus specifically targeted for enhanced criminal penalties. Section 18-601.1 of the health article criminalizes people based on their knowledge of their own status!

This law was passed out of FEAR in 1989 and hasn't been updated to reflect medical science and treatment advances- it actually discourages people from getting tested and does NOTHING to change transmission rates. When you consider the data, 18-601.1 is used to disproportionately target Black, Indigenous and other persons of color in Maryland! HIV Criminalization is not justice...it is stigmatization!!

I became HIV+ during a date rape. However, I would not even think of prosecuting my attacker for giving me HIV because it would not change my status. It would not make me HIV-, but only put another HIV+ Black individual at risk for incarceration, doing further harm to individuals & communities that are already over-policed, over-prosecuted & criminalized.

As a sexual assault survivor, I know that a disease specific law puts women at risk for domestic & intimate partner violence.

Even in situations like these, I have empathy, navigating HIV is often difficult because of stigma & managing the disease itself. Criminal laws such as this one contribute to that stigma & prevent people from wanting to know their own status. An individual should never be prosecuted for being HIV+.

HIV Criminalization is particularly harmful to Black, Indigenous & LGBTQ communities who face higher rates of diagnoses. More practically, with treatment as prevention & U=U, HIV cannot be transmitted.

I didn't immediately accept my status but being HIV+ was the best thing that happened to me because I learned to love myself & that I was enough. I wouldn't have begun that journey without my diagnosis. Before my diagnosis, I believed I was powerless, but now I feel powerful & help others, especially women, empower themselves.

**HIV IS NOT A CRIME! Don't make me a criminal because I am HIV+! A criminal? Not Me!! Health Justice Now! Health Not Prison!**