



Maryland State's Attorneys' Association

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January 24, 2025

The Honorable Luke Clippinger & Members of the House Judiciary Committee
Taylor House Office Building, Room 101
6 Bladen St., Annapolis, MD 21401

Dear Chairperson Clippinger and Judiciary Committee,

The Frederick County State's Attorney's Office and the Maryland State's Attorney's Association support **House Bill 39 – Public Health - Prohibition on Transfer of Human Immunodeficiency Virus - Repeal**. The MSAA Special Victims Committee discussed this bill and agreed that our offices have proceeded and can continue to prosecute the intentional infection of HIV through legal theories such as Second-Degree Assault and Reckless Endangerment which carry higher penalties than Health General §18-601.1.

Our prosecutor offices have conferred with the Attorney General's Office and our local Health Departments. We agree there is no legal reason to single out HIV in this statute and it stands against public and health policy recommendations. We agree the existing statute increases stigma, exacerbate disparities, and may discourage HIV testing.

This law is based on long outdated beliefs about the routes and risks of HIV transmission and about HIV as a "death sentence" when it is in fact a chronic, manageable disease. Our laws should not be inconsistent with evidence-based initiatives and are at direct odds with U.S. public health goals and HIV prevention strategies and programs.

We ask for a favorable report of HB 39.

Sincerely,

A handwritten signature in black ink, appearing to read "Joyce King".

Joyce King
Chief Counsel
Co-Chair MSAA Special Victims Committee