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Date: February 2, 2023

To: Delegate Luke Clippinger, & House Judiciary Committee

From: Tami Haught, Co-Managing Director, Sero Project

Re: Support for HB 287

Sero centers PLHIV leadership to end HIV criminalization, mass incarceration, racism and social injustice by supporting inclusive PLHIV networks to improve policy outcomes, advance human rights and promote healing justice.

Sero Project supports state coalitions like the Maryland Decriminalization Coalition to pass legislation similar to HB 287 that would repeal Maryland's outdated HIV criminalization statute. Sero supports the passage of HB 287 as we believe repealing Maryland's code regarding provisions of the Prohibition on Transfer of Human Immunodeficiency Virus will make for a good public health policy.

HIV criminalization is the unwarranted use of the criminal law to address a public health issue. HIV criminalization laws target people living with HIV for prosecution and excessive punishment in an effort to make them solely responsible for the sexual risk behaviors of others. HIV criminalization laws do not work as intended. Not a single study or peer-reviewed paper—nor any credentialed public health expert—asserts HIV criminalization has actually reduced HIV transmission in any jurisdiction where it exists.

HIV criminalization laws work against public health. These laws punish those who learn their status and privileges those who remain ignorant. They create mistrust of health professionals, making people who test HIV positive less likely to cooperate with partner notification, treatment adherence and other prevention programs.

HIV criminalization laws do not align with current science. It is harder to transmit HIV sexually than most people believe, with a less than 2% per-act risk of transmission arising from even the riskiest of sexual activities. A person on effective treatment with a suppressed viral load is incapable of transmitting HIV. An HIV-negative person who engages in risk behaviors can take

medications to dramatically reduce their chances of acquiring HIV. A person newly-diagnosed and provided with treatment can expect to live a near-normal lifespan

For all of these reasons, We respectfully ask that you vote "Do Pass" on HB 287.

Sincerely,

A handwritten signature in black ink that reads "Tami Haught". The signature is written in a cursive, flowing style.

Tami Haught  
Co-Managing Director  
Sero Project