

Mission Statement

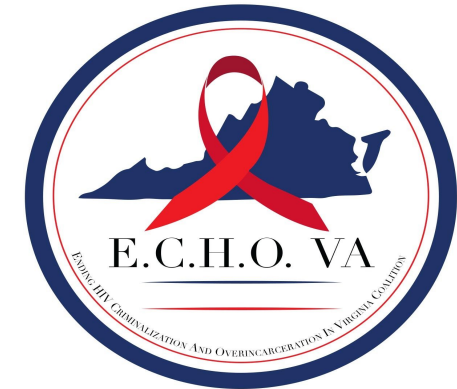
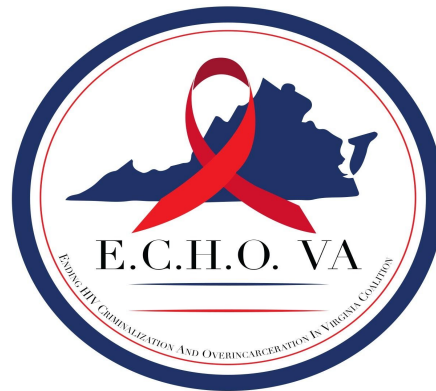
Ending Criminalization of HIV and Overincarceration in Virginia (ECHO VA)

Ending Criminalization of HIV and Overincarceration in Virginia Coalition or ECHO VA is a vast network of multiracial and gender inclusive Virginians led by people living with HIV and their allies, fighting for freedom from stigma and injustice for all. We actively desire to eradicate HIV criminalization and overincarceration in Virginia and promote a human rights-based approach to end both epidemics. Although the ECHO VA mission is particularly focused on ending inappropriate criminal prosecutions of people living with HIV, including for non-disclosure of their HIV status, potential or perceived HIV exposure or HIV transmission. Our other mission is to be inclusive of all Virginians no matter their race, religious belief, nationality, sexual orientation or gender identification.

We do this by speaking with a collective voice that is anchored in science and informed by the leadership of PLHIV working with public health and policy experts as well as advocates to educate our communities, our legislators, the judiciary, and law enforcement officials in order to pass meaningful reform measures.

Ending Criminalization of HIV and Overincarceration in Virginia (ECHO VA) contact information:

Justice4echova@gmail.com



What
is

HIV MODERNIZATION?

HIV Modernization is the modernization of the current unwarranted use of criminal law to address a public health issue.

HIV modernization seeks to update current laws that 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. Many of these laws are based on decades-old science and irrational fears of HIV. These outdated laws are often referred to as "HIV Criminalization".

WHY SHOULD YOU CARE ABOUT HIV CRIMINALIZATION?

HIV criminalization laws don't work as intended

- Not a single study or peer-reviewed paper or any credentialed public health expert asserts that HIV criminalization has actually reduced HIV transmission in any jurisdiction where it exists.

HIV criminalization laws do work against public health

- These laws punish those who learn their status and privilege those who remain ignorant.
- Criminalization creates mistrust of health professionals, making people who test HIV positive less likely to cooperate with partner notification, treatment adherence, and other prevention programs.
- Criminalization also places HIV-negative people in harm's way by making them believe they can engage in risky behaviors without the risk.

WHY SHOULD YOU CARE ABOUT HIV CRIMINALIZATION?

HIV criminalization laws don't align with current science

- These laws were written before we learned that a person on effective treatment with a suppressed viral load is incapable of transmitting HIV.
- We now have medications that, when taken by an HIV negative person, can dramatically reduce that person's chances of acquiring HIV even when engaging in otherwise risky behaviors.
- Most significantly, a person newly-diagnosed and provided with treatment can expect to live a near-normal lifespan.

HIV criminalization laws do increase stigma

- These laws exacerbate the already overwhelming social stigma that accompanies an HIV diagnosis, which experts agree is one of the biggest obstacles to ending the HIV epidemic.
- Forced disclosure of one's HIV- positive status carries significant risks, including potential intimate partner violence, loss of housing or custody of one's children, and other forms of discrimination.
- The effects of these laws most strongly affect people in disenfranchised groups, who already comprise a disproportionate number of people living with HIV.

WHY SHOULD YOU CARE ABOUT HIV CRIMINALIZATION?

HIV criminalization laws don't make sense for our justice system

- Sex work outside of the legally licensed houses in Nevada is illegal and increases a sex work offense from a misdemeanor to a category B felony for PLHIV. The current laws do not allow any defenses based on the risk/activity, use of risk reduction measures or otherwise. These statutes or - special laws for a particular group of people are unnecessary and counterproductive.
- Incarcerating individuals whose conduct is best addressed via a public health approach comes at a significant cost to the state.
- Virginia has five criminal statutes that criminalize PLHIV. The punishments for not complying with these statutes range from no less but no more than 12 months in jail for a Class 1 misdemeanor offense to a Class 6 felony with a range from less than 1 year to a maximum 5-year sentence with the addition of up to \$2,500 fine. This puts PLHIV subject to the same offense category and punishments as other Class 6 felonies such as human trafficking, battery with intent to kill, and child abuse with substantial mental or bodily harm
- One of these statutes gives the courts the authority to confine a PLHIV indefinitely for failure to comply with a health authority.

