



MEMORANDUM IN SUPPORT
A733 (Gonzalez-Rojas) / S4545 (Hoylman-Sigal)

Gay Men's Health Crisis, Inc. (GMHC), the world's first and leading provider of HIV and AIDS prevention, care, and advocacy, strongly supports the passage of A733 (Gonzalez-Rojas) / S4545 (Hoylman-Sigal); an act that relates to criminal liability for persons living with sexually transmitted infections (STIs) who engage in sexual activity by repealing provisions relating to persons knowing themselves to be infected with venereal disease.

To fight the spread of STIs, widespread testing and good communication between patients is critical and potentially lifesaving. Laws that punish individuals with STI diagnoses disincentivize them from obtaining their health status in the first place and from seeking treatment. As a result, STI criminalization directly conflicts with public health goals and weakens an effective response from public health entities by promoting stigma and shame that can delay or prevent treatment.¹

In addition, STI criminalization has a disproportionate effect on communities of color, especially LGBTQ+ communities of color. Not only do STIs often cause moral panic and stereotypes about the sexual practices of already-marginalized groups, but also these viewpoints can lead to further legislation that condemns certain communities. As an organization that serves HIV- and AIDS-affected communities, GMHC recognizes that using carceral solutions to respond to health care issues and criminalizing STIs, including HIV and AIDS, is a form of institutionalized discrimination.²

Under this bill, people living with sexually transmitted infections who engage in consensual sexual activity are decriminalized. GMHC hopes to offer reassurance for any person with an HIV or AIDS diagnosis and ensure that consensual sexual conduct cannot create criminal liability. As a result, GMHC strongly supports and recommends the passage of A733 (Gonzalez-Rojas) / S4545 (Hoylman-Sigal).

¹ Galletly, C. L., & Pinkerton, S. D. (2006). Conflicting messages: how criminal HIV disclosure laws undermine public health efforts to control the spread of HIV. *AIDS and Behavior*, 10(5), 451–461. <https://doi.org/10.1007/s10461-006-9117-3> [PMC+1Wikipedia+1](#)

² Movement Advancement Project. (2016). *How the Broken Criminal Justice System Fails LGBT People of Color*. <https://www.lgbtmap.org/policy-and-issue-analysis/criminal-justice-poc> [Williams Institute+4LGBT Map+4LGBT Map+4](#)