

HB 1217

Good morning, Chair Lee and esteemed members of the Senate Human Services committee,

My name is Jason Grueneich, Executive Director and Founder of North Dakota's first HIV nonprofit, Shine Bright & Live. I also am the current chair of the ND HIV Advisory Board, and helped develop the HIV Peer Navigation Program for the state of ND. Not only do I give of my time to the HIV community in North Dakota, but I am a person living with HIV in this great state. Today I speak and submit testimony in support of HB 1217. Not only is it harmful in helping to end the HIV epidemic, but it is also an outdated bill that needs to be modernized.

As a supporter of President Trump's declaration, *Ending the HIV Epidemic*, spoken in his state of the union in 2019, I was galvanized to start preparing for what became ND's first HIV nonprofit to help stop transmission in our state, and provide care for those living with it. Part of this process was finding out why people weren't in service and what barriers are to testing and prevention. Over and over, we have found, not only in North Dakota, but in many other states, that HIV criminalization laws do nothing to protect an already protected public, but cause stigma and fear that increase transmission by stopping people from being tested.

HIV criminalization laws and prosecutions persist in many parts of the United States perpetuating stigma, discrimination, and human rights violations against people living with HIV. These laws reinforce misconceptions, fuel fear and prejudice instead of fostering empathy and understanding. They undermine public health efforts by deterring people living with HIV from seeking testing, treatment, and support, ultimately hindering progress in HIV prevention and care and reaching targets set to end HIV by 2030.

The impact of HIV criminalization extends beyond legal consequences, affecting the social, economic, and emotional well-being of those affected. It breeds shame and secrecy, hindering open communication about HIV and perpetuating a cycle of silence and isolation. Imagine having to deal with an angry ex-partner who wants revenge and makes false allegations of non-disclosure, now you no longer have equal protection under the law but are suddenly having to prove a private conversation occurred. Under our current law, even if you are on medication and unable to transmit HIV, there is no transmission that occurs, and there is no intent, you can be charged with a Class A felony, up to 20 years in prison and up to \$10,000 based on one person's false accusations.

I believe that everyone has a role to play in ending HIV criminalization, "You care about ending HIV criminalization, you just don't know it yet,"

Help us continue President Trump's plan to end HIV by 2030 by modernizing our laws in ND. Let us move forward together, modernizing our laws that unduly harm our citizens.

Today I call on the Senate Human Services Committee to recommend a **DO PASS on HB 1217**.

Jason Grueneich



THE
ELIZABETH TAYLOR
AIDS FOUNDATION

... and an overwhelming majority of Americans agree!

ABOUT HIV CRIMINALIZATION

Since HIV first became a concern in the 80's, **scientific advancements** have been made and many early **assumptions about transmission** have proven **false**. Despite this, many states have **laws** that impose **harsh penalties**, including imposing felonies and **imprisonment** of individuals living with HIV. These laws do not reflect current science, and should be **modernized**.

In collaboration with Susquehanna Polling and Research, we asked Americans about HIV laws. Here's what they said:

71% believe current HIV laws should be modernized and updated to take into account current scientific knowledge about transmission.
(72% of Republicans, 71% of Democrats)

83% believe current HIV laws should be modernized and updated to incentivize testing and treatment.
(83% of Republicans, 83% of Democrats)

78% believe people living with HIV should receive the health and treatment they need, rather than face criminal charges that discriminate and discourage proper testing, treatment, and disclosure.
(77% of Republicans, 80% of Democrats)

HIV Modernization is Bipartisan

Since 2021, states like Missouri, Georgia, Indiana, Kentucky, and Tennessee have passed bills that modernize HIV criminalization laws.

In these states, between 87% - 97% of Republican lawmakers supported the bill.

Additionally, without support from Republicans in Illinois, Nevada, New Jersey, and Virginia, HIV modernization bills would not have passed.

REPEAL Act

Previous Congresses have introduced the bipartisan **REPEAL Act**, which would study federal and state laws that target and punish Americans who test positive for HIV and to develop recommendations for updating these outdated laws.

68% of Americans support this bill, while only 9% oppose.