



California Law Reduces to a Misdemeanor Intentional Transmission of HIV

On Friday, California Governor Jerry Brown revealed that California treats [misuse of transgender pronouns](#) more seriously than intentionally inflicting an individual with HIV by signing into law a bill that reduces the penalty of knowingly exposing partners to HIV from a felony to a misdemeanor.

“Today California took a major step toward treating HIV as a public health issue, instead of treating people living with HIV as criminals,” Senator Scott Wiener (D- San Francisco) [told the Los Angeles Times](#). “HIV should be treated like all other serious infectious diseases, and that’s what SB 239 does.”

SB 239 has reduced from felonies to misdemeanors the intentional transmission of the HIV virus and intentional donation of AIDS-infected blood. The law now imposes a possible punishment of up to six months imprisonment in a county jail for intentionally infecting someone with HIV.

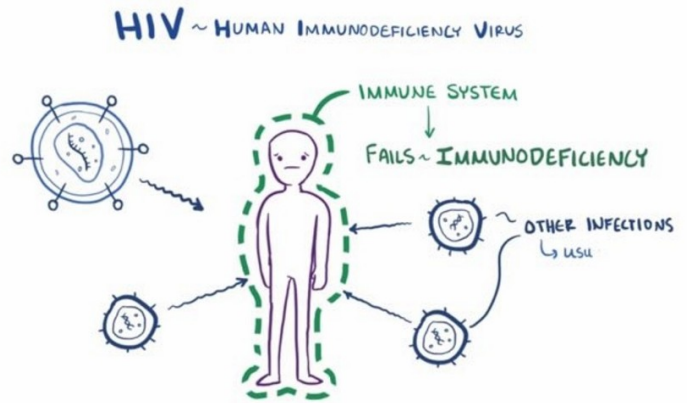
Lawmakers behind the bill seem to believe it is acceptable to expose people to HIV without their knowledge or consent because “modern medicine allows those with HIV to live longer lives and nearly eliminates the possibility of transmission,” per Wiener and Democratic Assemblyman Todd Gloria, both open homosexuals, according to LifeSiteNews.

Lawmakers state that under the old law, HIV was treated more seriously than other communicable diseases as a result of the decades-old AIDS scare. Individuals who knowingly infected a sexual partner with the virus could have been convicted of a felony and faced jail time, while intentional transmission of other communicable diseases, including potentially deadly ones such as hepatitis, qualify as misdemeanors.

“These laws were passed at the height of the HIV/AIDS epidemic when there was enormous fear and ignorance and misinformation around HIV,” Wiener said. “It’s time for California to lead and to repeal these laws to send a clear signal that we are going to take a science-based approach to HIV not a fear-based approach.”

But Republican lawmaker Senator Joel Anderson, who reportedly voted against the bill, contends that California lawmakers took the wrong steps to remedy the discrepancy. “I’m of the mind that if you purposefully inflict another with a disease that alters their lifestyle the rest of their life, puts them on a regimen of medications to maintain any kind of normalcy, it should be a felony,” Anderson said, according to the *Los Angeles Times*.

“How is this different than if I took a baseball bat, beat you with it ... ,” he continued, “and you had the healthcare costs going forth, you had brain injury. You’re never the same. You’ll never live your life to





Written by [Raven Clabough](#) on October 11, 2017

the same extent that you did prior to that confrontation.”

An alternative solution would have been to make the intentional transmission of all communicable diseases a felony.

Critics of the new law contend that the new law is an attempt to cater to a leftist notion of right to privacy.

Kimberly Ells of The Federalist exposed Planned Parenthood’s booklet directed toward the HIV-positive youth in America, called “Healthy, Happy and Hot”:

It says, “Young people living with HIV have the right to decide if, when, and how to disclose their HIV status.” It continues: “Sharing your HIV status is called disclosure. Your decision about whether to disclose may change with different people and situations. You have the right to decide if, when, and how to disclose your HIV status.”

In a defense of the new law, Naina Khanna, who served on President Obama’s Advisory Council on HIV/AIDS, claimed the law made the public more safe. “Laws designed to target people with HIV have been shown to increase stigma, thus reducing testing and engagement in care. You cannot be prosecuted if you don’t know your HIV status and recent studies have found that many people do not get tested out of fear of prosecution. The message these laws send? Take the test and risk arrest,” Khanna wrote in a Huffington Post op-ed.

Of course, it’s likely that most people get tested for AIDS when they become sick and want treatment or they schedule some type of surgical procedure, whether they want to know or not.

LifeSiteNews contends that the HIV law is “one of a host of pro-LGBT bills that have been enacted in California’s Democrat-dominated legislature in recent years.” The Centers for Disease Control and Prevention (CDC) note that the spread of HIV is linked to male homosexual sex in particular, with 9 in 10 new HIV cases among young men between the ages of 13 and 24 occurring among homosexuals and bisexuals.

Meanwhile, Governor Brown also signed into law last week a bill that threatens long-term care workers with fines and jail time for refusing to call a transgender patient by the individual’s preferred pronoun. Violators could be fined up to \$1,000 and face up to one year of jail time.

California may need to reset its priorities.

Image: Screenshot of a [video by HIV_ & AIDS.webm](#)



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