

# City of Philadelphia



## Council of the City of Philadelphia Office of the Chief Clerk Room 402, City Hall Philadelphia

(Resolution No. 250158)

### RESOLUTION

Recognizing February 28th, 2025, as HIV is Not a Crime Awareness Day in the City of Philadelphia.

WHEREAS, Human Immunodeficiency Virus (HIV) is a chronic illness that can be effectively managed with anti-retroviral therapy; and since the early days of the HIV epidemic, science, treatment, and prevention have progressed significantly. Individuals now possess effective mechanisms to prevent the spread of HIV. However, misconceptions about HIV transmission, treatment, and prevention continue to guide our outdated laws, and prevent people who are living with, or at risk for, HIV from receiving the health care, services, and respect they need and deserve; and

WHEREAS, We now possess effective mechanisms to prevent the transmission of HIV, including barrier protection, such as condoms, pre-exposure prophylaxis and post-exposure prophylaxis; and

WHEREAS, It has been recognized by national and international public health authorities that HIV treatment is also HIV prevention, since individuals living with HIV who are receiving antiretroviral therapy and have an undetectable viral load, which is less than 200 copies of HIV per milliliter of blood, cannot transmit HIV through sexual contact; and

WHEREAS, Pennsylvanians living with HIV have been charged with crimes for conduct that would not be criminal or would be less severe but for their HIV status, a phenomenon known as HIV criminalization; and

WHEREAS, Pennsylvanians living with HIV may fear prosecution or be threatened with prosecution, especially in cases of intimate partner abuse; and

WHEREAS, HIV criminalization increases stigma against individuals living with HIV and, according to the United States Department of Health and Human Services 2019 Plan for Ending the HIV Epidemic, stigma "can be a debilitating barrier preventing people living with, or at risk for, HIV from receiving the health care, services and respect they need and deserve"; and

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*RESOLUTION NO. 250158 continued*

WHEREAS, HIV criminalization laws have been disproportionately used to prosecute people of color, women, sex workers, the LGBTQ+ community and other marginalized groups; and

WHEREAS, Misperceptions about HIV transmission, treatment and prevention, as well as HIV criminalization and its impact on individuals living with HIV are common; and

WHEREAS, The theme of 2025's HIV is Not a Crime Day is "you care about ending HIV criminalization, you just don't know it yet." Over 30 states still prosecute people based on their HIV status, leading to unjust imprisonment and increased sentences. This awareness day amplifies the voices of those affected and pushes for legal reforms to decriminalize HIV status; and

WHEREAS, It is vitally important for all elected officials in the Commonwealth of Pennsylvania and the City of Philadelphia to consider upgrades to laws and practices regarding HIV criminalization and to encourage every Philadelphian to educate themselves about HIV and HIV criminalization; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, Hereby recognizes February 28th, 2025 as HIV is Not a Crime Awareness Day in the City of Philadelphia.

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*RESOLUTION NO. 250158 continued*

CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the twenty-seventh day of February, 2025.

Kenyatta Johnson  
PRESIDENT OF THE COUNCIL

Elizabeth McCollum  
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmember Landau

Sponsored by: Councilmembers, Landau, Phillips, Gilmore Richardson,  
Gauthier, Lozada, O'Rourke, Driscoll, Squilla and Ahmad