

City of Philadelphia



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

(Resolution No. 260140)

RESOLUTION

Recognizing February 28th, 2026, as HIV is Not a Crime Awareness Day in the City of Philadelphia.

WHEREAS, Human immunodeficiency virus (HIV) is a virus that attacks cells that help the body fight infection, weakening a person's immune system. HIV can be managed with anti-retroviral therapy; and since the early days of the epidemic, science, treatment, and prevention have progressed significantly; and

WHEREAS, We now possess effective mechanisms to prevent the spread and transmissions of HIV, including barrier protection, pre-exposure prophylaxis and post-exposure prophylaxis. However, misconceptions about HIV transmission, treatment, and prevention continue to guide our laws; and prevent people who are living with or at risk for HIV from receiving the healthcare, services, and respect they need and deserve; 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 anti-retroviral therapy and have an undetectable viral load, cannot transmit HIV through sexual contact; and

WHEREAS, The most recent HIV Surveillance Report in 2023 by the Philadelphia Department of Public Health reported a 25% decrease in new cases from 2017; and

WHEREAS, In the 1980s, states began passing HIV-specific criminal exposure laws out of fear and unfounded beliefs about HIV's transmission routes and risks. Currently, 29 states and two U.S. territories still have laws that criminalize specific acts by people living with HIV; and

WHEREAS, HIV criminalization laws increase stigma against individuals living with HIV and can be a debilitating barrier preventing them from receiving the proper healthcare, services, and respect they need and deserve, as well as disproportionately used to prosecute people of color, women, sex workers, the LGBTQ+ community and other marginalized groups; and

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WHEREAS, The Pennsylvania Crimes Code still contains provisions that have been used to prosecute people living with HIV for conduct that would not have otherwise been criminalized, leading many more Pennsylvanians living with HIV to fear prosecution.

WHEREAS, On this day, we reaffirm our commitment to center the voices of people living with HIV, support community-led advocacy and legal reform, and challenge stigma in all forms. It is also critically important for all elected officials in the Commonwealth of Pennsylvania and the City of Philadelphia to consider updating laws and practices regarding HIV criminalization and 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, 2026, as HIV is Not a Crime Awareness Day in the City of Philadelphia.

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CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the twenty-sixth day of February, 2026.

Kenyatta Johnson
PRESIDENT OF THE COUNCIL

Elizabeth McCollum
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmember Landau

Sponsored by: Council President Johnson, Councilmembers, Landua, Phillips, Gauthier, Jones, Lozada, Young, Brooks, Harrity, O'Rourke, Driscoll, Squilla, Bass and Ahmad