

# HR 130 Task Force to Study HIV Criminalization

February 1, 2024  
2:00-4:00pm  
State Capitol-Committee Room 6

## MEETING MINUTES

<b>I. Welcome and Call to Order (2:00 PM)</b>	<b>Dr. Samuel Burgess, Chair</b>
Meeting called to order at: 2:10 PM	
<b>II. Roll Call</b>	<b>Aisha McKenzie, Staff</b>
A. Dr. Sam Burgess, Chair (present) B. Dietz (present) C. Zachary Daniels (LDAA replacement for Roya Boustany) (present) D. Representative Aimee Adatto Freeman (absent) E. Representative Vanessa LaFleur (present) F. Representative Wayne McMahan (present) G. Dr. Joyce Turner Keller (present) H. Dr. George Nawas (present) Quorum met (7 members present)	
<b>III. Proxy Introductions</b>	<b>Proxies</b>
A. Representative Bagley reintroduced himself as a former proxy joining the Task Force again today as a guest. B. Zachary Daniels introduced himself as the executive director of the Louisiana District Attorney's Association (LDAA), replacing Roya Boustany in the LDAA seat on the Task Force.	
<b>IV. Vote to Approve Meeting Minutes from 11/17/23</b>	<b>Dr. Samuel Burgess, Chair</b>
A. Representative LaFleur motioned to approve meeting minutes from 11/17/23; Dr. Joyce Turner Keller seconded. B. No additions or changes requested C. Consensus vote: unanimous	
<b>V. "Community Research for HR 130" Presentation</b>	<b>Dietz, Statewide Coordinator, LCCH</b>
A. Introduction of LCCH B. LCCH conducted a study consisting of community round tables and one focus group comprised of People Living with HIV (PLWH) in each of Louisiana's public health regions, partnering with local HIV service organizations to gather the focus groups. C. Key data points presented include size and demographics of focus group participants, areas in which significant percentages of participants reported moderate or severe impacts due to HIV criminalization, specific stigma impacts, and a pervasive concern about the potential for an unfair trial. D. Focus group participants provided multiple instances of reliance on physical documentation to prove disclosure against people who had threatened to weaponize the HIV criminalization statute against them and of individuals who declared a lack of willingness to get tested if prosecution could occur for knowing their HIV status. E. Questions from the Task Force. F. Presentation slide deck attached.	
<b>VI. Task Force Discussion Proposed Legislative Language and Drafted Report</b>	
A. Zachary Daniels (LDAA) noted that the members of the District Attorney's Association would benefit a lot from updated presentations/education concerning HIV. Stated that while he didn't have a consensus on the matter, he	

believed the LDAA would oppose an outright repeal of RS 14:43.5 as well as the repeal of first responder provisions until they were able to hear feedback on the matter from first responders.

- B. Representative LaFleur requested that “included, but not limited to” language be added to the Task Force’s recommendations and a change to the language in recommendation number one.
- C. Zachary Daniels motioned that the draft report be re-circulated with amendment to include comments and changes made at this meeting; Representative LaFleur seconded.
- D. Representative LaFleur requests Staff consults staff attorney about approving the final report virtually rather than in an in-person meeting.
- E. Consensus vote on Mr. Daniels’ motion unanimously passes.

## **VII. General Public Comment**

- A. Sonya Milliman of Baton Rouge introduced herself as a Harm Reduction Coordinator and Chair of multiple HIV committees in Louisiana. She stated RS 14.43.5 forces her to choose between being in a relationship and seeing her grandson; that the thought of someone being able to maliciously threaten her with prosecution regardless of her disclosure stops her from having romantic relationships. She mentioned that even though her face is on billboards as an HIV advocate, she could still end up in jail should someone merely claim that she didn’t disclose her status. She ended noting that HIV is controllable just like any other illness and PLWH should not be criminalized for it.
- B. Payton Rose Michelle introduced herself as the Executive Director of Louisiana Trans Advocates and read public comment from Positive Women’ Network advocate Baile Martin. Baile’s comment introduced Baile as part of the Health Not Prisons Collective and the steering committee for LCCH. Baile’s letter informed the Task Force that while, as a young black MSM, HIV is often presumed, their acquisition of HIV came not from consensual sex, but from rape. Baile expressed that HIV criminalization laws are not meant to protect the public, but rather to oppress minorities. Baile ended by sharing an experience of being trapped in an abusive relationship under threat that the abusive partner would accuse Baile of intention to expose him to HIV if Baile left said relationship.
- C. Ms. Sarah Jackson (Co-chair of PWN Louisiana) commented that as a woman living with HIV, she is in favor of the revised statute language and definitions, as they would make the statute easier to understand. She noted that given the current law and surrounding stigma, disclosure puts people in fear of violence and imprisonment.
- D. Jennifer Holl introduced herself as the Ending the HIV Epidemic Program Manager at Women With a Vision and noted that in 2020, the statewide EHE committee released a plan which outlined modernizing this law and eliminating stigma as vital to ending the epidemic in Louisiana, in line with President Trump’s EHE initiative for the nation. She went on to state that everyone was in agreement about wanting to protect people from those actually intending to cause harm, and that the statutory language needs to be tightened up to prevent abuse of the law in charging and prosecution. She reminded the Task Force that HIV is difficult to transmit, based upon science, and that while we all want to protect people in the line of duty (first responders), there isn’t any risk to them while performing their jobs, and if there were a risk of exposure, PEP would be available.

## **VIII. Adjournment**

**Dr. Samuel Burgess, Chair**

- A. Representative McMahan motioned to adjourn; Dietz seconded.
- B. No objections.
- C. Meeting adjourned at 3:19 PM.

**HOUSE WITNESS CARD - AFFIRMATION - INFORMATION ONLY**

Committee: Task force to Study HIV Criminalization Date: 2-1-24

Regarding: HB No. \_\_\_\_\_ SB No. \_\_\_\_\_  
 HCR No. \_\_\_\_\_ SCR No. \_\_\_\_\_  
 HR No. 130 other: \_\_\_\_\_

CHECK ONE:  I am present and would like to speak  
 I am present and will provide information, if requested

PLEASE PRINT:  
 Name: Sonyia Milliman  
 Representing: myself a PLU2H  
 Address: 2818 Hundred Oaks Ave  
Boston Rouge LA 70808  
 Phone: 116 238 3555 E-mail: smilliman.puh@gmail.com

*I hereby affirm that the written or oral testimony I give before this committee will be true and correct. By ascribing my signature below, I acknowledge that I will be giving sworn testimony, under oath, and that any intentional false statement material to the matter or issue before this committee is a violation of that oath.*

Signature of Witness: Sonyia J. Milliman

*This is a public record. Information contained on this card is subject to disclosure.*

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 HR No. \_\_\_\_\_ other: \_\_\_\_\_

CHECK ONE:  I am present and would like to speak  
 I am present and will provide information, if requested

PLEASE PRINT:  
 Name: Peyton Rose Michelle for Baile Martin  
 Representing: Louisiana Trans Advocates  
 Address: Lafayette, LA 70501  
 Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

*I hereby affirm that the written or oral testimony I give before this committee will be true and correct. By ascribing my signature below, I acknowledge that I will be giving sworn testimony, under oath, and that any intentional false statement material to the matter or issue before this committee is a violation of that oath.*

Signature of Witness: Peyton Miller

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HCR No. \_\_\_\_\_ SCR No. \_\_\_\_\_  
HR No. 130 other: \_\_\_\_\_

CHECK ONE:  I am present and would like to speak  
 I am present and will provide information, if requested

PLEASE PRINT:  
Name: Ms. Sarah Y. Jackson  
Representing: MYSELF  
Address: 150 Belvue St. Apt 2-4  
Baton Rouge, La 70807  
Phone: 504 475 7613 E-mail: hotyonna2@gmail.com

I hereby affirm that the written or oral testimony I give before this committee will be true and correct. By ascribing my signature below, I acknowledge that I will be giving sworn testimony, under oath, and that any intentional false statement material to the matter or issue before this committee is a violation of that oath.

Signature of Witness: Ms. Sarah Y. Jackson

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HR No. 130 other: \_\_\_\_\_

CHECK ONE:  I am present and would like to speak  
 I am present and will provide information, if requested

PLEASE PRINT:  
Name: Jennifer Holl  
Representing: NWAV  
Address: 2900A Banks St  
New Orleans LA 70119  
Phone: (504) 470 2450 E-mail: Holl.jenny@gmail.com

I hereby affirm that the written or oral testimony I give before this committee will be true and correct. By ascribing my signature below, I acknowledge that I will be giving sworn testimony, under oath, and that any intentional false statement material to the matter or issue before this committee is a violation of that oath.

Signature of Witness: Jenny

This is a public record. Information contained on this card is subject to disclosure.

**For additions, questions/concerns, contact:**  
Aisha McKenzie  
Staff to the HR 130 Task Force  
[Aisha.McKenzie@la.gov](mailto:Aisha.McKenzie@la.gov)