

Image descriptions for

Legalize Positivity

by Inés Ixierda and Clio Reese Sady

COVER

Black, white and grayscale coloration. Running from the top left corner to the bottom right corner of the page is a pair of handcuffs. The links of the handcuffs are disintegrating, breaking apart. One of the manacles is open and beginning to crack. Five virus molecules with protruding nodules are presented, as well as a few faint blood cells. Centered and close to the top of the page sits the title in a jaunty hand-written font: *LEGALIZE POSITIVITY*.

PAGE ONE

Depicted from a rear view, two corrections officers escort a handcuffed prisoner through a corridor toward a dark doorway. Toward the top of the page is crosshatched security fencing with spiral fencing indicating barbed wiring.

First text block: *The United States incarcerates more of its population than any other country in the world: 2.3 million people.*

Second text block: *The 13th Amendment abolished slavery except as punishment for a crime, setting up mass incarceration as a tool of white supremacy and the ruling class.*

Written within a ribbon wrapping over the three figures: *As of 2001 the Bureau of Justice reported 1-in-3 Black men are expected to go to jail or prison in their lifetime. For Latinos the rates are 1-in-6. For white men 1-in-17.*

PAGE TWO

On four benches are eight incarcerated men huddled close together on benches. Some of the men have bald heads, some of the men have cornrows, some of the men have close-cropped haircuts. They are all wearing plain white t-shirts and facing a small black television that shows the face of a white politician in a black suit. On both sides of the television are two fans.

First text block: *During the 1980s, the incarcerated population doubled in size.*

Second text block: *The Reagan administration gutted public funding for social services and launched a racist “War on Drugs.”*

Third text block: *HIV and AIDS emerged in a political climate so hostile to those who were getting sick that Reagan refused to even say the word AIDS, even when thousands had died.*

Fourth text block: *Within this rise of a “New Right”, homophobia saturated representations and understandings of the virus in media from daily news to state public service announcements.*

PAGE THREE

Reiterating the imagery of the cover, we are presented with handcuffs, four virus molecules and blood cells of varying visibility, suggesting that they are in a liquid. Mixed in with the organic matter are; a billowing United States flag on a staff, a bible with a black cover and white cross, and a page of a newspaper or still of a television program that pictures four light skinned people (two adults and two children), all wearing facemasks, representing a heteronormative nuclear family, and the text: **MORAL MAJORITY: AIDS THREATENS THE FAMILY!**

Text block: *The first laws that made HIV related activities crimes were created in that conservative homophobic panic. These laws criminalized consensual sexual activities even regardless of intent or transmission. Charges can include aggravated assault, attempted murder, and bioterrorism and can only be responded to with nearly impossible proof of previous disclosure. Criminalizing HIV and AIDS also creates social stigma, impacting people’s access to treatment and social resources and*

like so many inequalities, disproportionately impact people of color, queer people, and poor people.

PAGE FOUR

An old-fashioned television shows a PSA reading *PEOPLE LIKE YOU* next to a grim reaper and a tombstone. Concentric circles radiate out from the television antennas. Below the television are three overlapping newspapers. The central paper is ripped and is dated 1981, reading *RARE "GAY CANCER" FOUND IN 41 HOMOSEXUALS*. To the left is a newspaper titled *The New Times*, dated 1986, with two headlines that say *HOMOSEXUAL PLAGUE SPEADS* and *WRATH OF GOD SAYS VICAR*. To the right is *The Sun* newspaper from 2019. It has headlines that read *TRUMP END ASYLUM* and *HIV POSITIVE WOMAN BITES OFFICER*.

Text block: The disease was blamed on drug users, sex workers, and queers; deviants. The mounting death toll, headlines like "GAY PLAGUE," and shame based education campaigns spread misinformation and fear. HIV itself became evidence of something unsavory.

PAGE FIVE

First text block: Thirty years later the legacy of these bigotries still shape public understanding. Media representation of people accused in HIV criminalization cases are animated by racism and homophobia.

Second text block: Newspaper headlines like "HIV MAN SPIT ON OFFICER" sensationalize cases involving people who are positive and continue to contribute to misrepresentations.

Third text block: A study on media exaggeration of the threat posed by non-sexual related assaults found:

"Although such assaults are widely perceived as serious threats, the likelihood of HIV being transmitted through biting, spitting, or needle-stick incident is quite small.

Based on news accounts culled from 17 of the largest newspapers in the US, the findings illustrate how headlines rely upon sensational language, negative stereotyping of offenders, and the cloak of 'neutral and objective' court decisions to articulate a sense of order and morality while simultaneously exaggerating the threat people with HIV pose to the general public."

from (mis)Representing Risk: Headline Accounts of HIV-related Assaults in American Journal of Criminal Justice

PAGE SIX

An armed white, male police officer with a bald head violently grabs a delirious and barefoot hospital patient holding on to an IV pole. The patient's eyes are tired and spit escapes from their mouth. There are stars around the patient's head and the words: *LET ME GO* in small black text.

First text block: *These representations also contributed to codifying distortions into law. At an extreme, if someone is HIV positive and their spit gets on a cop or paramedic, they can get charged with assault. Even in no assault "crimes" like sex work, being HIV positive can mean getting extra charges or sentence enhancements.*

Second text block: *People with HIV have been charged with felonies for spitting in medical contexts, in prisons, and in mental health crises.*

PAGE SEVEN

Depicted is the waiting area of the police department, with two officers behind a desk with a US flag. One person, wearing a white shirt and jeans, speaks with an officer at the desk while three people sit uncomfortably in chairs. From left to right; the first person with long black hair has a grimace on their face and their arms crossed; the next person is bald, wearing a plain t-shirt and jeans, looking to their right toward the desk, and the third person is sitting with their eyes closed and their arms outstretched, wearing black pants, and a cable knit sweater.

Written above the image is the following: *“In California, for example, Black and Latino people compose one-half the population of people with HIV but two-thirds of defendants in HIV criminalization cases; Black women, in particular, account for only 4% of the state’s HIV positive population but 21% of these cases.*

*In the bottom left-hand corner of the page the text continues: “Moreover, among people arrested for HIV-related crimes, white men were released and not charged in 61% of incidents...”**

**As compared with 44% of incidents for Black women, 39% for white women, and 38% for Black men.”*

New England Journal of Medicine 2018.

PAGE EIGHT

View of a person of color in a prison cell. The walls are made of cinder blocks and the metal toilet is directly next to the cot bed. The imprisoned person is sitting on the edge of the cot with their left arm resting on their leg. There is one barred window. The quarters are narrow, constricting, negligent, inadequate and dreary.

First text block: *Racism permeates the entire justice system, from who has contact with the police to who and how people are prosecuted. Limited medical care and isolation carry additional tolls.*

Written in a ribbon that floats across the page: *With up to 23 hours a day of forced solitude and almost no human contact, solitary confinement is widely considered a form of torture.*

Second text block: *People with HIV are more likely to serve their sentences in solitary confinement “for their own safety,” compounding the punishment.*

PAGE NINE

A man sits opposite a woman, interviewing for a job. The room is dark, with black walls,, and is decorated with a few plants. The man is wearing

a collared shirt and beard; the woman is wearing glasses, a black shirt and has her dark hair pulled back. On the table between them are papers and the man's state ID card. A small circle provides an enlargement of the card, showing that it labels the man as a sex offender in the state of Tennessee.

First text block: *And the punishments continue after jail time ends. People who have been found guilty and served time on HIV charges are marked with sex offender status, which adds to a host of legal and social discriminations.*

Job Interviewer: *I see you checked the box that you've been convicted of a felony...*

Second text block: *People with felonies on their records face job discrimination and are disenfranchised from voting. The double-stigma of having a felony charge and being HIV positive limits life choices for people even outside of prison.*

PAGE TEN

At the top of the page there is a silhouetted city skyline, which blends into hills or a distant mountain range. In the bottom right corner of the page stands a person with their back facing the reader. The person is wearing a black sweater, dark pants and dark shoes. They are facing large, towering text that reads:

Why?

Even when there's consent

Even without transmission

What is the harm?

You can't punish a virus. How does this make us safer?

PAGE ELEVEN

At the bottom of the page, a light-skinned hand, presumably a judge's, holds a small ceremonial mallet known as a gavel. The handle of the gavel has the text *END HIV CRIMINALIZATION* inscribed. The text *FUNDAMENTALLY FCKD UP!* sits between the gavel and the table in a similar jaunty hand-written font to the cover text. There are lines emanating out from this text giving the suggestion of the loud sound of the gavel hitting the table. Above the image are the 4 following text boxes:

First text block: *HIV criminalization laws are active in 34 states and 72 countries.*

Second text block: *While the ethics of HIV non-disclosure are deeply complicated, the issue is inseparable from the structural homophobia that led to these laws and their functions within white supremacist mass incarceration.*

Third text block: *No other disease is criminalized in the same way. The punishments meted out are disproportionately inflicted on marginalized communities on every level from enforcement to sentencing to release.*

Fourth text block: *Even in the twisted (in)justice system, HIV criminalization laws stand out as widely reasonable and outdated.*

PAGE TWELVE

There are 4 text boxes at the top of the page, and the bottom half of the page is given to a group of approximately eighteen people, not all clearly depicted, of various ages and identity backgrounds, presumably protesting. They collectively hold a sign that reads:

*END HIV CRIMINALIZATION. HEALTHCARE JOBS EDUCATION
KEEP US SAFE*

First text block: *Punishment doesn't contribute to prevention of HIV transmission either. Studies show criminalization discourages people from getting tested, actually making us less safe.*

Second text block: *Now, there are also preventative drugs available, harm prevention practices that anyone could engage with and medical advances that mean getting HIV no longer means an early death.*

Third text block: *So why do we still have these laws?*

Fourth text block: *It's past time to abolish HIV criminalization and start talk about what would build real safety in our communities.*

END

CREDITS:

Image descriptions by Joselia Hughes.