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Advocating for Women Living With HIV in Prisons or Jails in the US

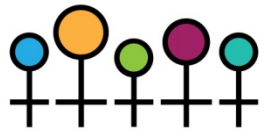
Last updated: October 5, 2023

Together, we can change the course of the HIV epidemic...one woman at a time.

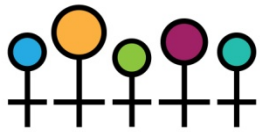
#onewomanatatime

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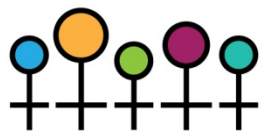
- Presentation is focused on US
 - Some issues are similar across countries
 - *But*: legal systems and correctional institutions differ around the world
- Coronavirus pandemic
 - Lockdowns prevent contact within facility and with people outside
 - Some people released early to relieve overcrowding
 - Advocacy: 14% drop in incarcerated population
 - *But*: progress has stalled since



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Introduction

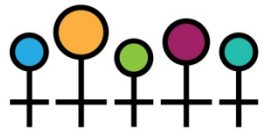
- US: highest number of people incarcerated in world
 - 2018: 639 people/100,000 inhabitants in prison or jail
 - Higher rate of women incarcerated than rest of world
 - Especially high among transgender people
- Higher HIV rate than in general population
 - 2015: women in prisons 9x more likely to live with HIV
- Inequities drive both incarceration and HIV rates
 - Racist policies and practices in legal system
 - Tendency to punish people who are poor
 - Harsh sentencing laws
 - Weak social net



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Introduction

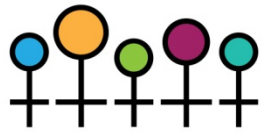
- Listen to people you are trying to help
 - Communications will be read by prison staff
 - Connect with organizations and people with experience
- 2018 national prison strike
 - Led by people in prison, supported by advocates outside
- People living with HIV have long fought for their rights in prison
- People in prison take great risk when self-advocating
 - Outside advocates can take on some of that work
 - Need signed release to get people's medical information



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US Correctional System

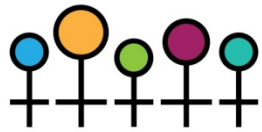
- Types of facilities
 - Federal prison
 - Controlled by US Bureau of Prisons
 - State prison
 - Controlled by state's Department of Corrections
 - County jail
 - Controlled by county's Department of Corrections
 - Subject to laws in state where county is located
 - Immigration detention
 - Controlled by Immigration and Customs Enforcement (ICE)
- Facilities may be run by private for-profit companies



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Jail vs. Prison vs. ICE

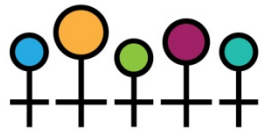
- Jail
 - People awaiting trial or with shorter sentences
 - May be geographically closer to family, friends
- Prison
 - Longer sentences
 - May be far away from family, friends
 - Longer time to set up HIV treatment
- Immigration detention (ICE)
 - Even fewer rights because not US citizen
 - UN Human Rights Law applies in principle



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Arrest While on HIV Treatment

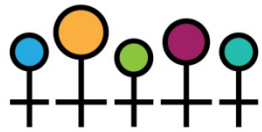
- Belongings taken when arrested
 - Includes medications
 - Treatment adherence is important
- HIV criminalization
 - Harsher sentences if person lives with HIV
 - Activists trying to change such laws
 - HIV is not transmitted by spitting, etc.
- U=U
 - HIV cannot be transmitted when on treatment and undetectable viral load



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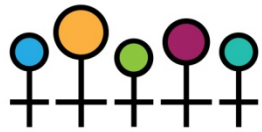
HIV Testing

- HIV testing options
 - Mandatory
 - Everyone is tested
 - Opposed by organizations a human rights violation
 - Opt-out
 - Everyone is tested unless they explicitly decline
 - Opt-in
 - Everyone is offered a test but must explicitly consent
 - On request
 - No test is offered unless requested



HIV Testing

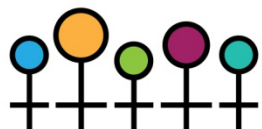
- Considerations whether to get tested:
 - Potential discrimination inside prison
 - Lack of counseling if test is positive
 - Need to prove HIV status to get medications
 - Access to healthcare that may not be available outside
- HIV testing can be important step for someone to care for their health
 - Step toward getting treatment if living with HIV



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Acquiring HIV While in Prison or Jail

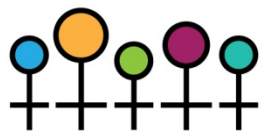
- HIV more common than in general population
- Seroconversions uncommon, but do happen
 - Sex forbidden but does happen
 - Informal tattooing
 - Drugs illegal but injections do happen
- Prevention methods illegal
 - Some US laws are slowly changing
 - Elsewhere: tattoo rooms, syringe exchanges in prisons
 - Does not increase drug use but gets people into substance use treatment



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HIV Treatment in Jail or Prison

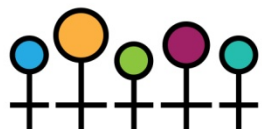
- US Constitution's 8th Amendment applies:
 - “Excessive bail shall not be required, nor excessive fines imposed, *nor cruel and unusual punishments inflicted.*”
- Includes right to medical care while in jail or prison
- Theory ≠ Practice
 - 2007 study: estimated 29% of HIV drugs needed to treat all people in jail or prison diagnosed with HIV actually purchased by correctional institutions
 - Human Rights Watch report
 - Advocates report requests for help getting HIV medications, e.g., when facility runs out of medications



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Health Issues Facing Women in Jail or Prison

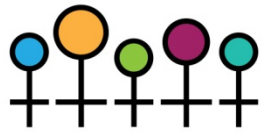
- Access to menstrual supplies
 - First Step Act: federal prisons must supply sanitary products
 - Does not apply to state, county facilities
- Pregnancy
 - Lack of HIV medications also increases risk for baby
 - Infants may not be allowed to remain with parent in jail
 - Shackling while giving birth
- Aging
 - Earlier age-related issues in people living with HIV
 - Advocacy for compassionate release of elderly or ill people



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Re-Entry Planning for HIV Treatment

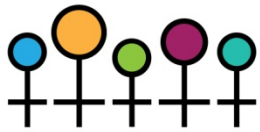
- HIV treatment interruption when leaving jail/prison
 - Prompt care upon release = better chance at staying virally suppressed
- Uninterrupted treatment important for communities
 - Short stays = no treatment or discharge planning
 - U=U
 - Not virally suppressed in community = greater risk of transmission
- Re-entry planning reduces re-arrests
 - Includes help with getting ID, housing, Medicaid, etc.
 - Volunteers can help with such planning
 - E.g., Project Start+



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Conclusion

- People in jail or prison lead fight for changes
 - Can use support from outside advocates
- Medical care is only one need
 - Advocate for other needs as well
- Intersection of prisoner's rights and HIV
 - Work with organizations who support incarcerated people's rights *and* with HIV organizations



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Relevant Organizations and Articles

Organizations - General

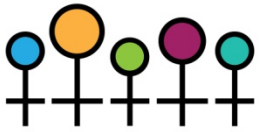
- [HIV Policy Resource Bank: Prisons and Jails](#)
- [Decarceration Project](#)
- [National Resource Center on Justice Involved Women](#)
- [Prisoner Reentry Network](#)
- [Movement for Family Power](#)

Incarceration - General

- [States of Incarceration: The Global Context 2021](#)
- [Yes, U.S. Locks People Up at a Higher Rate Than Any Other Country](#)

Advocacy Campaigns and Interventions

- [First Step Act](#)
- [Release Aging People in Prison \(RAPP\) Campaign](#)
- [Safe and Sound Return Partnership](#)
- [Prison Strike 2018](#)



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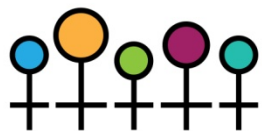
Relevant Organizations and Articles

Specific Issues - Resources

- [Caring for Women Impacted by Incarceration](#)
- [Basic Principles for the Treatment of Prisoners](#)
- [Women's Issues - Prison and Corrections](#)
- [Resources \(Prison Activist Resource Center\)](#)

Re-Entry

- [Discharge Planning for People Living With HIV in Correctional Institutions](#)
- [Models for Improving Linkage to Care for People Living with HIV Released From Jail or Prison](#)
- [Release Planning for Successful Reentry](#)
- [What Second Chance?](#)



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Learn More!

- To learn more about this topic, please read the full fact sheet:
 - [Advocating for Women Living With HIV in Prisons or Jails in the US](#)
- For more fact sheets and to connect to our community of women living with HIV, visit:
 - [www.thewellproject.org](#)
 - [www.facebook.com/thewellproject](#)
 - [www.twitter.com/thewellproject](#)
 - [www.instagram.com/thewellprojecthiv](#)