

Racial and Gender Disparities in Florida News Coverage of HIV-related Arrests: Considerations for HIV Decriminalization

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Background

- 115,000+ people live with HIV (PLHIV) in Florida (Florida Dept of Health)
- Six statutes criminalize HIV by sex work, nonconsensual sexual contact, blood and organ donation, and consensual sex without prior HIV status disclosure. Transmission of HIV is **NOT** required to elicit arrest and/or criminal penalties. (Hasenbush, HIV Criminalization in Florida, 2018)
- Although White women are more likely to be arrested for an HIV-criminal offense in Florida, Black men are more likely to be convicted of an HIV-related offense than White men and women. (Hasenbush, HIV Criminalization in Florida, 2018)
- News coverage of HIV-related arrests and prosecutions may enhance the risk environment for PLHIV by reinforcing local HIV stigma and increasing uninformed support for HIV criminalization.

Methods

- Systematic review and qualitative content analysis of Florida news articles on HIV-related arrests published between Jan 2009 and Oct 2019. 55 alleged perpetrators' cases were documented in 113 articles.

Results

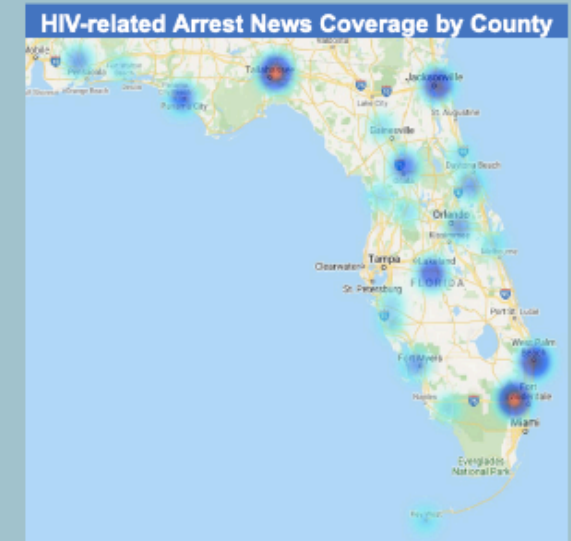
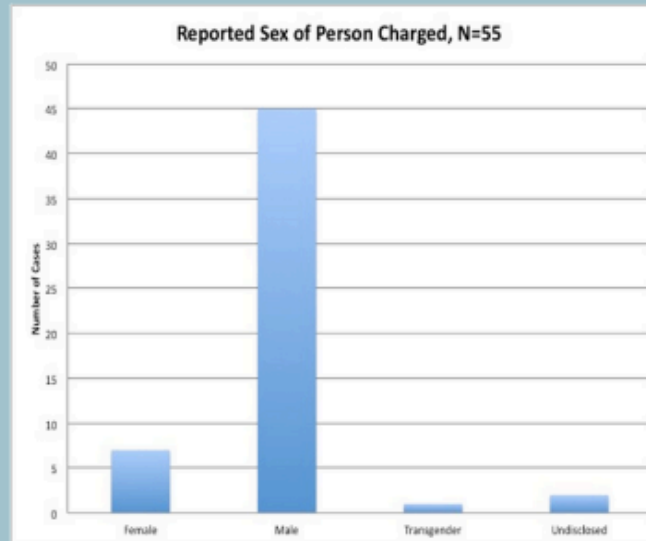
- Four counties (Broward, Leon, Palm Beach, and Duval) accounted for 49% of HIV-related arrest news coverage, but these counties comprise only four of the top 15 counties with HIV cases (Florida Dept of Health).
- 63% of articles described charges for HIV non-disclosure through consensual sexual intercourse. When the alleged perpetrator knew their HIV status, this detail became the article title and lead.
- HIV appeared in articles about biting and spitting, even though risk of transmission is very low.
- Only two articles explicitly stated the race of an alleged perpetrator, but 76 articles contained mugshots, leaving the reader to assume race by skin tone.
- Despite Latinx people being 26% of Florida's population (US Census) and 34% of people receiving an HIV diagnosis in 2018 (Florida Dept of Health), zero articles identified involved parties as Latinx. Ethnicity is not recorded in police reports.
- Some journalists described HIV stereotypically and included potentially stigmatizing quotes from alleged victims, legal representatives, and public health professionals.

Conclusion

- News articles on arrests by HIV-related laws do not match counties with the most HIV cases, suggesting disproportionate news coverage.
- Journalists' treatment of the cases' details as salacious risks lumping consensual sexual relationships with non-consensual sex, sometimes with minors; the only common denominator appears to be HIV status, which is not always confirmed by an HIV test by the time each article is published.
- Mugshots allow readers to assume what PLHIV look like. If Black men's cases progress ultimately to conviction, additional opportunities arise to write about these cases, which further stigmatizes Black communities and Black PLHIV.
- Sex-based reporting disparities further stigmatize men living with HIV.

Florida news coverage on HIV-related arrests exhibit **harmful** journalistic tones and **disparities** on the basis of race/ethnicity, sex, and geography compared to known mechanisms of HIV transmission in the state.

News articles on arrests by HIV criminalization laws may further **stigmatize** HIV, **prevent** individuals from seeking testing to know their status, and **thwart** efforts for HIV decriminalization in Florida.



Examples of Journalistic Tone

"It's kind of hard to fathom what could be any more dangerous to the public,' said Assistant State Attorney Gary Beatty." -WFTV 9 ABC

"The victim, the nurse, said she had no knowledge of [name redacted] being HIV positive but considered the threat real" -ABC 27 WTXL

"Action News Jax law and safety expert Dale Carson said the charge is also a form of assault. 'It's the same as assaulting someone, in this particular case with a virus, instead of your fists,' Carson said." -Action News Jax

