



Written by [D. Michael DeRidder](#) on February 15, 2024

U.S. DOJ Sues Tennessee Over HIV Prostitution Law

The Civil Rights Division of the U.S. Department of Justice (DOJ) [filed a lawsuit today](#) against the State of Tennessee for allegedly discriminating against individuals infected with human immunodeficiency virus (HIV) who engage in prostitution.



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The state of Tennessee's aggravated prostitution statute elevates what would otherwise be a misdemeanor crime to a felony if an HIV-positive individual engages in prostitution. Individuals convicted under the aggravated prostitution statute [face three to 15 years in prison](#) due to the risk of transmitting HIV.

Noting that their announcement was being released on World AIDS Day, the [DOJ had notified Tennessee](#) on December 1, 2023, that the law allegedly violated the Americans with Disabilities Act (ADA).

Assistant Attorney General Kristen Clarke stated in December's press release, "Tennessee's aggravated prostitution law is outdated, has no basis in science, discourages testing and further marginalizes people living with HIV..... People living with HIV should not be treated as violent sex offenders for the rest of their lives solely because of their HIV status. The Justice Department is committed to ensuring that people with disabilities are protected from discrimination."



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