

# Minnesota Appeals Court Reverses HIV Conviction

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The conviction of an HIV-positive man accused of transmitting the virus to another man through unprotected sex was reversed by the Minnesota Court of Appeals, The Associated Press reports. In a split decision, the appeals court ruled that the statute used to convict him was ambiguous. Daniel James Rick was convicted in 2011 of attempted first-degree assault. The first part of the statute used makes it a crime to knowingly transfer a communicable disease through “sexual penetration with another person” without disclosing you have such a disease. The second part makes it illegal to spread the disease by transferring blood, sperm, organs or tissue, unless it’s for medical procedures. A jury acquitted Rick under the first part of the statute because they found he had disclosed his status before having sex. However, the jury convicted him under the second part of the statute. The court did not support the state’s position that the legislature “intended to prevent the spread of disease by criminalizing informed sexual penetration between consenting adults.”

To read the article, [click here](#).

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<http://beta.docker.realhealthmag.com/article/minnesota-hiv-criminalization-23014-5910>