Minnesota Appeals Court Reverses HIV Conviction

October 3, 2012

The conviction of an HIV-positive man accused oftransmitting the virus to another man through unprotected sex was reversed bythe Minnesota Court of Appeals, The Associated Press reports. In a splitdecision, the appeals court ruled that the statute used to convict him wasambiguous. Daniel James Rick was convicted in 2011 of attempted first-degreeassault. The first part of the statute used makes it a crime to knowinglytransfer a communicable disease through “sexual penetration with anotherperson” without disclosing you have such a disease. The second part makes itillegal to spread the disease by transferring blood, sperm, organs or tissue,unless it’s for medical procedures. A jury acquitted Rick under the first partof the statute because they found he had disclosed his status before havingsex. However, the jury convicted him under the second part of the statute. The courtdid not support the state’s position that the legislature “intended to preventthe spread of disease by criminalizing informed sexual penetration betweenconsenting adults.”

To read the article, click here.

© 2026 Smart + Strong All Rights Reserved.

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