

A CRIME TO BE SICK

An epidemic spreads regardless of blameworthiness or culpability.

"We can't stop epidemics with handcuffs and prison sentences – that's not how they work," says Assistant Professor of Sociology Trevor Hoppe. "Blame is not an effective solution to disease."

In his new book, "Punishing Disease: HIV and the Criminalization of Sickness," Dr. Hoppe analyzes how and why more than two dozen states adopted laws targeting people with HIV. These laws made a wide range of behaviors crimes, regardless of whether there was any real risk of disease transmission.

No other disease in modern U.S. history, he says, has been criminalized so systematically.

SEXUALITY, MEDICINE & THE LAW

Awards in the areas of sociology, sexuality studies, criminology, and public health – including the Centers for Disease Control and Prevention's Young Innovator Award – attest to Hoppe's expertise in multiple fields and cross-disciplinary impact.

"I'm sort of an odd duck," he says. Hoppe's research sits at the intersection of sexuality, criminology, and medical sociology, with a focus on how the state controls and manages aspects of our lives. "I'm interested in how punishment has become an institution of social control, and how sexuality has been the subject and target of this control."

His previous book, "The War on Sex," co-edited with Dr. David M. Halperin, explores methods used by governments and society to prevent stigmatized sex, and makes a case for why sexual liberation is indispensable to social justice and human rights.

For "Punishing Disease," Hoppe reviewed 500 criminal cases, looking at outcomes based on demographics and how relevant laws were constructed. He says lawmakers often passed HIV-specific criminal laws based on societal fear of gay people. However, heterosexual men and white heterosexual women are disproportionately convicted under those laws. "If you are in a community where HIV is highly prevalent and you find out you had sex with someone with HIV, you're not as likely to call the police," he notes. The idea of being exposed to HIV is less shocking. "But if you are a white woman living in rural Ohio in the same situation, phoning the police might be a more ready-made response."

FIXING PROBLEMS WITH PRISON

In his work, Hoppe invites fellow sociologists – and advocates working to reform legal and public health institutions – to consider the dangers of using punishment to stop the spread of disease.

"America's failed war on drugs is a telling case study. The billions of dollars we spent on incarceration haven't put a dent in average drug usage rates. Why keep trying? Because addiction and HIV disproportionately impact highly stigmatized minorities: African Americans, gay men, the poor. Where stigma lurks, blame is easy to assign."

He warns, "It's important for today's and tomorrow's epidemics that we resist the impulse to imprison people to contain disease. There will be another epidemic."

By Susan Poulos • Learn more at soc.uncg.edu/people/trevor-hoppe-trevorhoppe.com

"Punishment is not an effective or appropriate solution to a medical problem like HIV," says Hoppe. His latest book, "Punishing Disease," has received awards from the American Sociological Association, the Law and Society Division of the Society for the Study of Social Problems, and POZ, a magazine for people affected by HIV.

