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ACLU and Human Rights Watch Report Calls On South Carolina and Alabama to Stop Segregating Prisoners With HIV**Conditions in HIV Units Cruel, Inhuman and Degrading**

WASHINGTON - April 14 - Alabama and South Carolina should immediately end their policies of segregating prisoners with HIV from the rest of the population, the American Civil Liberties Union and Human Rights Watch concluded in a report released today. According to the report, prisoners in designated HIV units in both states face stigma, harassment and systemic discrimination that amount to inhuman and degrading treatment.

The 45-page report, "Sentenced to Stigma," reveals that prisoners in the HIV units are forced to wear armbands or other indicators of their HIV status, are forced to eat and even worship separately and are denied equal participation in prison jobs, programs and re-entry opportunities that facilitate their successful transition back into society.

"There is no medical or other justification for separating prisoners with HIV from the rest of the prison population," said Megan McLemore, health researcher at Human Rights Watch. "Like past policies of racial segregation, segregating prisoners with HIV is discriminatory, and the harm it causes extends well beyond the person's prison term."

Last month, after reviewing preliminary findings of the report, Mississippi ended its longstanding policy of segregating prisoners with HIV, leaving South Carolina and Alabama as the last states in the United States to maintain such policies. South Carolina is also the only state in the union to prohibit prisoners with HIV from participating in work release programs.

The report highlights the mental suffering of prisoners forced to disclose their HIV status. In many cases, other prisoners send the news back to these prisoners' home communities, resulting in anguished letters from family members who had been unaware of the prisoner's HIV status.

"Involuntary public disclosure of anyone's HIV status can be devastating," said Margaret Winter, Associate Director of the ACLU National Prison Project. "But the consequences in the closed environment of a prison can be particularly severe - especially if prison officials impose a segregation policy, which only enflames prejudices against people with HIV."

Alabama and South Carolina prison officials contend that segregation is necessary to provide medical care and to prevent HIV transmission. But there are other ways to accomplish these goals without denying prisoners their rights, according to the report. The other 48 states and the Federal Bureau of Prisons provide medical care for prisoners with HIV without resorting to segregation. "HIV prevention can and should be managed with information and risk-reduction programs - not with stigma and isolation," said Winter.

Prisoners with HIV segregated from the rest of the prison population are routinely denied opportunities other prisoners have to shorten their prison stays and assist their transition into society, the report finds. In Alabama, for example, prisoners with HIV are ineligible for faith-based or honor dorms and for residential drug treatment or pre-release programs that are linked to support groups in the community.

In South Carolina, prisoners with HIV are ineligible for elite jobs that are earned through good behavior and are looked upon favorably by the parole board. Solely because of their HIV status, prisoners in South Carolina with sentences as short as 90 days must serve their sentences at the maximum security facility at Broad River, a more violent, more expensive facility that also houses death row.

The World Health Organization, the National Commission on Correctional Health Care and other experts agree there is no medical basis for segregating prisoners with HIV within correctional facilities or for limiting access to jobs, education or vocational programs available to others.

Nevertheless, in Alabama and South Carolina, the report says, prisoners with HIV are barred from working in the kitchen, a job that assists prisoners with employment after they return to society and which, in South Carolina, earns extra "good time" credits toward early release. The U.S. Centers for Disease Control and Prevention says that there is no medical basis for precluding persons with HIV from kitchen- or food-service-employment.

"Segregating prisoners with HIV sends a message to other prisoners, to staff and even to the outside community that discrimination is okay," said McLemore. "Segregation is also bad public policy when prisoners are denied opportunities that will help them become productive citizens when they are released."

A copy of the report is available online at: www.aclu.org/prisoners-rights/sentenced-stigma-segregation-hiv-positive-prisoners-alabama-and-south-carolina

Additional information about the ACLU South Carolina Office is available online at: www.aclusouthcarolina.org

Additional information about the ACLU National Prison Project is available online at: www.aclu.org/prison