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Controlling Sex in the Name of “Public Health”: Social Control and Michigan HIV Law

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Abstract

In the state of Michigan, people infected with HIV are required by law to disclose their HIV-positive status to their sexual partners. Michigan public

health laws enacted in the 1980s provide guidance for health officials tasked with investigating and managing what are termed “health threat to others” cases. Based on interviews with local health officials responsible for managing “health-threat” cases, I argue that the surveillance strategies employed by officials to identify these cases can be understood as an important site of social control. The first, “formal” technique for controlling HIV-positive residents involves health officials in a minority of participating jurisdictions actively cross-referencing epidemiological surveillance technologies such as HIV testing and contact tracing in order to identify potential health-threat cases. The second, “informal” technique is characterized by “third party” phone reports received by health officials from local residents who accuse others in their community, who they suspect are HIV positive, of not disclosing. Through an original analysis of the strategies employed by health officials to control HIV-positive residents, this article brings the theoretical insights of the sociological literature on social control to bear on the field of public health.

Keywords: [social control](#), [HIV/AIDS](#), [medical sociology](#), [public health](#), [law](#)

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