

Headline **HIV-positive US airman gets eight years in prison**
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HIV-positive US airman gets eight years in prison

WICHITA (Kansas): An HIV-positive US Air Force sergeant who engaged in spouse-swapping swingers parties was sentenced on Wednesday to eight years in military prison for failing to tell those partners about his condition.

Sergeant David Gutierrez, 43, also will be dishonourably discharged after serving his prison term, which strips him of benefits he'll need to pay for medication when released.

Gutierrez, found guilty of a slew of charges earlier Wednesday, begged the presiding judge at the court-martial, Lt Col William Muldoon, for mercy, saying he would rather spend additional time behind bars than lose his medical benefits.

Sobbing into a tissue, Gutierrez apologized to his family, his victims and the Air Force.

"I hope they understand I never intended to hurt them," Gutierrez said of his victims, addressing the court before being sentenced. "I thank God every day that no one has contracted HIV" because of contact with him.

"All one has to do is Google my name and my life is before them," he said. "That, I know, is my fault."

He was convicted of seven counts each of aggravated assault and adultery, and one count each of committing an indecent act and disobeying

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a superior officer's order. Gutierrez could have been sentenced to more than 50 years in prison.

Military prosecutors asked that he receive no less than 18 years and lose his medical benefits, which Gutierrez said would mean a death sentence for him.

Gutierrez "repeatedly played Russian Roulette with the lives of the people of this community," prosecutor Captain Sam Kidd said.

Prosecutors said Gutierrez may have been in contact with as many as 500 people seeking casual sexual partners through swingers parties posted on adult websites.

None of the eight women who testified against Gutierrez contracted the HIV virus during their encounters. While charges have been brought against civilians accused of exposing people to the HIV virus, a public affairs officer at McConnell Air Force Base where the court martial took place said he was unaware of similar proceedings against military personnel.

Military officials said Gutierrez tested positive for the HIV virus while stationed in Italy in 2007 and received treatment after returning to McConnell Air Force Base. He was counselled and ordered to tell any potential sex partners about his condition.

A Wichita woman who had sex with Gutierrez testified that she started crying when she learned, through news reports, that Gutierrez had the HIV virus.

"I would have assumed that the military would have taken precautions for this not to happen," the woman said. "I really thought I knew who he was, as well as his wife."

Investigators started looking into Gutierrez's activities as the result of information provided by his wife, who numerous witnesses described as a willing participant in the swingers "lifestyle." -AFP