HIV CRIMINALIZATION IN THE UNITED STATES

AN OVERVIEW OF THE VARIETY AND PREVALENCE OF LAWS USED TO PROSECUTE AND PUNISH PEOPLE LIVING WITH HIV (PLHIV) IN THE US.

6 STATES MAY REQUIRE REGISTRATION AS A SEX OFFENDER as part of the punishment under HIV-specific laws

8 STATES HAVE REFORMED OR REPEALED one or more parts of their HIV-specific criminal laws

32 STATES HAVE HIV-SPECIFIC CRIMINAL LAWS AND/OR SENTENCE ENHANCEMENTS applicable to PLHIV

28 STATES WITH HIV-SPECIFIC CRIMINAL LAWS including laws targeting sex/non-disclosure, exposure to bodily fluids, needle-sharing, sex work, and blood/organ/semen donation

8 STATES WITH SENTENCING ENHANCEMENTS applicable to PLHIV who commit an underlying sexual assault crime.

25 STATES THAT HAVE PROSECUTED PLHIV UNDER NON-HIV-SPECIFIC, GENERAL CRIMINAL LAWS

This number represents states with reported charges and/or convictions for non-HIV-specific offenses, where positive HIV status was relevant in establishing a (non-HIV-specific) element of the offense.

Learn more at hivlawandpolicy.org

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Updated: July 28, 2020. Laws change frequently and this map is only accurate to the best of our knowledge. It is not a substitute for legal advice.