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

13 STATES HAVE REFORMED OR REPEALED one or more parts of their HIV-specific criminal laws

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

(Nota: Total reflects overlap among the 25 states with HIV-specific laws and the 9 with sentence enhancements.)

25 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

9 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.

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