



April 6, 2015

House Civil and Criminal Proceedings Committee
Missouri House of Representatives
201 West Capitol Avenue
Jefferson City, MO 65101

Re: Missouri HB 1181 proposed amendment to MO 191.677 adds as a crime “(d) By intentionally projecting saliva at another person.”

Dear Leadership and Membership of the House Civil and Criminal Proceedings Committee:

On behalf of the Steering Committee of the Positive Justice Project (PCP), we write in strong opposition to [House Bill 1181](#) because the proposed amendment to MO 191.677 makes a serious felony of spitting, an act that has no risk of transmitting HIV. Please note:

- The [Centers for Disease Control](#), has established that HIV is not spread by saliva.
- The Association of Prosecuting Attorneys and the National Association of Black Law Enforcement Executives also recognizes that [spitting carries no risk of transmitting HIV](#).
- The Department of Justice in its recently released [Best Practices Guide to Reform HIV Specific Criminal Laws to Align with Scientifically Supported Factors](#), which states “Most of these laws do not account for actual scientifically-supported level of risk by type of activities engaged in or risk reduction measures undertaken. As a result, many of these state laws criminalize behaviors that the CDC regards as posing either no or negligible risk for HIV transmission even in the absence of risk reduction measures”.

Enactment of this amendment is contrary to established scientific understanding of the transmission of HIV. Medical experts and public health officials agree that making felonies of the conduct of people living with HIV does nothing to decrease the rates of infection, and may actually deter conduct and decisions that reduce disease transmission. The [American Medical Association \(AMA\)](#), the HIV Medicine Association ([HIVMA](#)), the Association of Nurses in AIDS Care ([ANAC](#)), and the National Alliance of State and Territorial AIDS Directors ([NASTAD](#)) have issued statements urging an end to criminal laws based on HIV exposure and disclosure.

For the foregoing reasons, leading members of the Positive Justice Project strongly oppose this bill.

PJP’s membership includes the National Alliance of State and Territorial AIDS Directors (NASTAD), the HIV Medicine Association (HIVMA), AIDS United, the Association of Nurses in AIDS Care (ANAC), HIV Prevention Justice Alliance (HIV PJA), the National Black Leadership Commission on AIDS, Inc. (NBLCA), The Center for HIV Law and Policy (CHLP), and Lambda Legal.

Please contact Lauren Fanning, PJP Senior Community Outreach Specialist, at (253) 820-0463 for additional information or to discuss the problems associated with this bill in more detail.

Respectfully submitted,

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