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The Center for HIV Law and Policy is a national resource and advocacy organization working to advance the rights of people affected by HIV. We combine an online HIV Policy Resource Bank, a creative national advocacy agenda, and case assistance focused on systems and institutions with significant impact on marginalized communities.

This is a CHLP original publication with the National Organization of Black Law Enforcement Executives and the Association of Prosecuting Attorneys.



Association of Prosecuting Attorneys

FACT SHEET: TRANSMISSION

Spit Does Not Transmit

Fact Sheet for Law Enforcement Professionals on the Risk of HIV Transmission in the Line of Duty

A substantial percentage of HIV-specific criminal charges arise from incidents involving spitting and biting, and the majority of these incidents involve law enforcement personnel. There are no known cases of a law enforcement officer getting infected with HIV in the line of duty through these kinds of events. That is because this type of contact with an HIV positive person poses little or no risk of HIV transmission. Nonetheless, spit and bite incidents have resulted in new or enhanced criminal charges that alleged HIV exposure or transmission risks. This fact sheet provides current, scientifically sound information about the actual transmission risks that law enforcement professionals may face in the line of duty.

TRANSMISSION OF HIV

1. Contact with saliva, tears, or sweat has never been shown to result in HIV transmission.ⁱ
2. Biting is not an established route of HIV transmission. There are numerous reports of bites that did not result in HIV infection. Bites that do not involve broken skin have no risk for HIV transmission, as intact skin acts as a barrier to HIV transmission.ⁱⁱ
3. Being spit on cannot transmit HIV. Contact with saliva alone has never been shown to result in HIV transmission, and there is no documented case of transmission from an HIV-infected person spitting on another person.ⁱⁱⁱ
4. HIV is not transmitted through casual contact or through the food supply. As an expert in a recent federal case stated, a person would have to drink a 55-gallon drum of saliva in order to have a theoretically possible risk of transmission.^{iv}
5. Getting scratched by a person with HIV will not cause transmission.^v There has never been a case of HIV transmission following a fight, boxing, karate, or similar form of contact.
6. There are no documented cases of HIV transmission caused by contact with vomit, urine, or feces.^{vi}

ENDNOTES

- ¹ *HIV and Its Transmission*, Ctrs. for Disease Control & Prevention (1999). Available at: <http://www.hivlawandpolicy.org/resources/hiv-and-its-transmission-centers-disease-control-and-prevention-1999>; *HIV, STIs and Relative Risks in the United States* Chart, The Ctr. for HIV Law & Policy (2011). Available at: <http://www.hivlawandpolicy.org/resources/chart-hiv-stis-and-relative-risks-united-states-center-hiv-law-and-policy-2011>.
- ² *Lack of Transmission of HIV Through Human Bites and Scratches*, Chris M. Tsoukus et al., 1 J.A.I.D.S. 505 (1988). Available at: <http://www.hivlawandpolicy.org/resources/lack-transmission-hiv-through-human-bites-and-scratches-chris-m-tsoukus-et-al-1-jajids-505>; CTR. FOR DISEASE CONTROL & PREVENTION, Estimated Per-Act Probability of Acquiring HIV from an Infected Source, by Exposure Act, (May 1, 2014) available at <http://www.cdc.gov/hiv/policies/law/risk.html>
- ³ *HIV Transmission: Can HIV be transmitted by being spit on by an HIV infected person?*, Ctrs. for Disease Control & Prevention (Feb. 12, 2014). Available at: <http://www.cdc.gov/hiv/basics/transmission.html>.
- ⁴ *Henderson et al. v. Thomas et al.*, Case No. 2:11-cv-00224-MHT, at 6-7 (M.D. Ala. Dec. 21, 2012).
- ⁵ *HIV Transmission: Can HIV be transmitted by being scratched?*, Ctrs. for Disease Control & Prevention (Feb. 12, 2014). Available at: <http://www.cdc.gov/hiv/basics/transmission.html>; see also *Lack of Transmission of HIV Through Human Bites and Scratches*, Chris M. Tsoukus et al., 1 J.A.I.D.S. 505 (1988). Available at: <http://www.hivlawandpolicy.org/resources/lack-transmission-hiv-through-human-bites-and-scratches-chris-m-tsoukus-et-al-1-jajids-505>.
- ⁶ *AIDS Center FAQs: How is HIV transmitted?*, University of Rochester Medical Center (Mar. 11, 2013). Available at: <http://www.urmc.rochester.edu/medicine/infectious-disease/patientcare/aids-center/faqs.cfm>.