THE CENTER FOR HIV LAW & POLICY

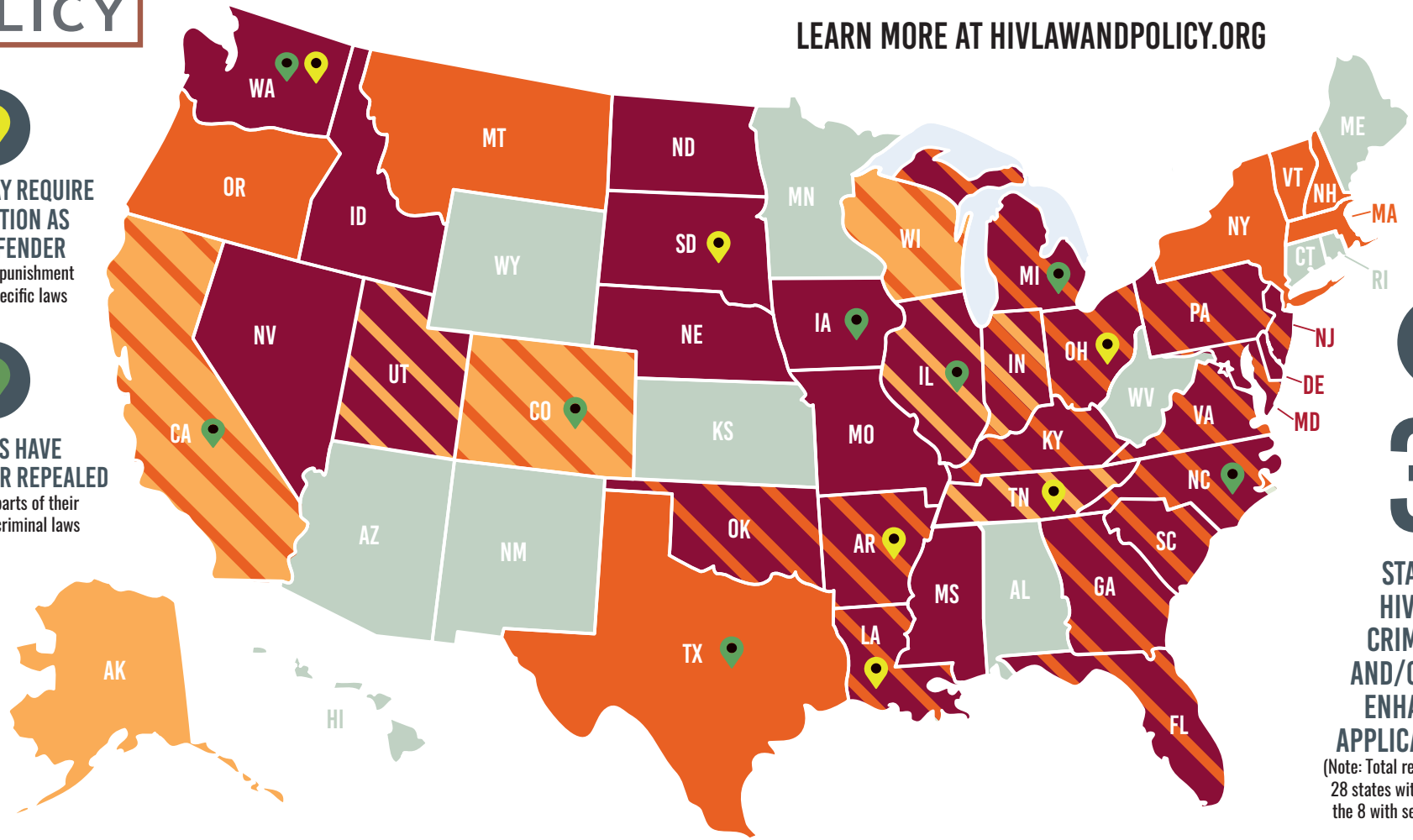
HIV CRIMINALIZATION IN THE UNITED STATES

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

LEARN MORE AT HIVLAWANDPOLICY.ORG

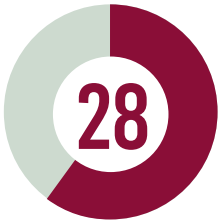
6 STATES MAY REQUIRE REGISTRATION AS A SEX OFFENDER
as part of the punishment under HIV-specific laws

8 STATES HAVE REFORMED OR REPEALED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



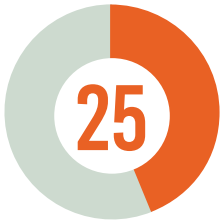
32

STATES HAVE HIV-SPECIFIC CRIMINAL LAWS AND/OR SENTENCE ENHANCEMENTS APPLICABLE TO PLHIV
(Note: Total reflects overlap among the 28 states with HIV-specific laws and the 8 with sentence enhancements.)



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

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



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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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.