

RESEARCH THAT MATTERS

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# HIV CRIMINALIZATION IN PENNSYLVANIA

Enforcement of “Prostitution  
and Related Offenses” Crimes

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## EXECUTIVE SUMMARY

The Williams Institute analyzed data from the state of Pennsylvania about individuals with criminal cases alleging HIV-related Prostitution and Related Offenses: “prostitution,” “promoting prostitution,” and “patronizing prostitutes.” Our analysis reveals that

- Since 2015, there have been at least 78 HIV-related criminal cases for prostitution or patronizing prostitutes, averaging 7.8 cases per year over 10 years. Cases declined from 10 per year in 2015 to zero cases in 2022 but rose again in 2023 and 2024, averaging eight cases per year across those two years.
- Of the three offense types, prostitution (targeting the alleged person selling sex) constituted nearly all (94%) of the cases. The remainder (6%) was for patronizing prostitutes (targeting the alleged client).
  - Due to limitations with the available data, we were unable to determine if the HIV-specific promoting prostitution charge has been used.
- About one in seven (14%) cases with a final disposition (closed cases) resulted in a conviction of some kind.
  - All of the cases that ended in a conviction began with an HIV-related prostitution charge. None of the cases alleging patronizing prostitutes led to a conviction of any kind.
  - Among the nine cases that resulted in convictions, two-thirds had at least one HIV-related conviction; the remainder had non-HIV-related convictions.
- The average age at arrest for individuals convicted of HIV-related offenses was 46 years old, compared to 30 years old for those convicted solely of non-HIV-related offenses arising from HIV-related Prostitution and Related Offenses.
- Cases were roughly evenly divided between white and Black defendants, who together made up about 80% of all cases. An additional 12% of cases involved Asian/Pacific Islander (API) defendants, while 8% had missing or incomplete race information. (Hispanic/Latino ethnicity was collected separately from race information. We are unable to separately count non-Hispanic white people in the data.)
  - Across cases with a conviction, 53% of people were white, 22% were Black, and 22% were API.
  - White (56%) and API (22%) defendants were overrepresented in convictions for HIV-related offenses relative to their share of PLWH in Pennsylvania (29% and 1%, respectively).
- Women were the majority of people accused in Prostitution and Related Offenses cases—making up 53% of all individuals with criminal cases and 67% of convictions stemming from HIV-related offenses, despite representing only 28% of people living with HIV (PLWH) in Pennsylvania.
  - Women accounted for the majority of HIV-related prostitution cases (56%) and were overrepresented relative to their share of the PLWH population. However, men were disproportionately impacted by HIV enhancements in prostitution cases. Although men made up only 14% of prostitution cases overall, they represented 37% of cases with HIV

enhancements.

- All cases including a charge for patronizing prostitutes with available gender information involved men. None of these cases resulted in standing convictions.
- Six of the nine people with a conviction of any kind stemming from Prostitution and Related Offenses cases were women. When looking just at convictions involving HIV-related charges, the split was even between women (50%) and men (50%).
- White and API women were disproportionately represented in HIV-related Prostitution and Other Related Offenses cases. Despite comprising only 5% of PLWH in the state, white women accounted for 29% of prostitution-specific HIV criminal cases. Similarly, API women made up just 0.2% of PLWH but represented 10% of HIV criminal cases.
  - These disparities continue at the conviction stage, where white women account for 33% of total convictions and 33% of convictions for HIV-related offenses specifically. Additionally, API women accounted for 22% of all convictions and 17% of convictions for HIV-related offenses.
- Enforcement is geographically concentrated in southeastern Pennsylvania, with Philadelphia, the state’s most populous county, accounting for the largest share (40%) of all cases.

## BACKGROUND

HIV criminalization refers to laws that make otherwise legal behavior a criminal offense or that impose harsher penalties for illegal conduct based on an individual’s HIV-positive status.<sup>1</sup>

In Pennsylvania, HIV is criminalized through HIV-specific statutes, broader contagious disease laws, and general criminal law.<sup>2</sup> In this analysis, we focus on the state’s Prostitution and Related Offenses<sup>3</sup> statute (hereafter: PRO), the only law in Pennsylvania that explicitly enhances penalties based on a person’s HIV-positive status.<sup>4</sup>

Pennsylvania’s PRO statute creates harsher punishments for people living with HIV (PLWH) who are charged with “prostitution,” “promoting prostitution,” or “patronizing prostitutes.”<sup>5</sup> A conviction for any of these three separate offenses is typically considered a misdemeanor.<sup>6</sup> However, all three offenses carry a felony enhancement for PLWH,<sup>7</sup> upgrading a conviction from a misdemeanor to a third-degree felony punishable by up to seven years in prison and a fine not exceeding \$15,000.<sup>8</sup>

<sup>1</sup> Dini Harsono, Carol Galletly, Elaine O’Keffe, & Zita Lazzarini. “Criminalization of HIV Exposure: A Review of Empirical Studies in the United States.” *AIDS and Behavior* 21, no. 1 (2017): 27-50.

<sup>2</sup> The Center for HIV Law and Policy (2024, January). “*HIV Criminalization in the United States, A Sourcebook on State and Federal HIV Criminal Law and Practice*.” <https://www.hivlawandpolicy.org/sites/default/files/2024-01/HIV%20Criminalization%20in%20the%20U.S.%20A%20Sourcebook%20on%20State%20Fed%20HIV%20Criminal%20Law%20and%20Practice%20Jan24.pdf>; Jordan Grasso, Nathan Cisneros, Will Tentindo, and Brad Sears. Forthcoming. “Enforcement of HIV Criminalization in Pennsylvania.” Los Angeles, CA: The Williams Institute.

<sup>3</sup> People may engage in and be criminalized for the behaviors described in these laws for a variety of reasons, ranging from consensual sex work to experiences of trafficking. While it is best to use the language that individuals use to describe themselves and their work, our focus here is on the legal framework rather than self-identification. For this reason, we follow the terminology used in the statutes themselves.

<sup>4</sup> 18 Pa. Cons. Stat. § 5902 (2025); There were previously other laws explicitly criminalizing PLWH in Pennsylvania, including Assault by Prisoner (18 Pa. Cons. Stat. § 2703) and Assault by Life Prisoner (18 Pa. Cons. Stat. § 2704). However, in 2022, these statutes were amended to apply more broadly, providing sentence enhancements for offenses involving “communicable diseases” rather than HIV specifically. That same year, a new statute—Assault on Law Enforcement Officer (18 Pa. Cons. Stat. § 2702.1)—was enacted, which results in sentence enhancements for people who cause a law enforcement officer to come into contact with bodily fluids and who knew, had reason to know, or should have known they were “infected by a communicable disease.” As a result, the PRO statutes analyzed here are the only remaining criminal laws that name HIV specifically.

<sup>5</sup> 18 Pa. Cons. Stat. § 5902 (2025).

<sup>6</sup> 18 Pa. Cons. Stat. § 5902(A.1) (2025). Unless the person knew that they were HIV-positive, a first or second offense is a third-degree misdemeanor, a third offense is a second-degree misdemeanor, and all subsequent offenses are first-degree misdemeanors.

<sup>7</sup> 18 Pa. Cons. Stat. § 5902(A.1)(4) (2025); 18 Pa. Cons. Stat. § 5902(C.1)(5) (2025); 18 Pa. Cons. Stat. § 5902(E.1)(4) (2025).

<sup>8</sup> 18 Pa. Cons. Stat. § 1103(3) (2025); 18 Pa. Cons. Stat. § 106(b)(4) (2025).

**Table 1. Pennsylvania HIV-specific laws**

CODE SECTION AND TITLE	CONDUCT CRIMINALIZED	SENTENCE
18 Pa. Cons. Stat. § 5902(A) (2025), <i>Prostitution</i>	<ul style="list-style-type: none"> <li>Lives or works in a place where prostitution happens</li> <li>Engages in prostitution</li> <li>Loiters in a public space for the purpose of prostitution</li> </ul>	<b>Misdemeanor</b> Felony 3 if the person is living with HIV
18 Pa. Cons. Stat. § 5902(B) (2025), <i>Promoting Prostitution</i>	<ul style="list-style-type: none"> <li>Manages, owns, or operates a business for prostitution</li> <li>Persuading, recruiting, encouraging, or forcing another person into prostitution</li> <li>Transports someone for the purpose of prostitution</li> <li>Allows property to be used for prostitution</li> </ul>	<b>Misdemeanor</b> Felony 3 if the person is living with HIV
18 Pa. Cons. Stat. § 5902(E) (2025), <i>Patronizing Prostitutes</i>	<ul style="list-style-type: none"> <li>Pays someone for sex</li> <li>Goes to a place where prostitution happens with the intent to have sex</li> </ul>	<b>Misdemeanor</b> Felony 3 if the person is living with HIV

Pennsylvania law does not require actual transmission of HIV, intent to transmit, or conduct capable of transmitting HIV to sustain a conviction under the HIV-related prostitution enhancements. Pennsylvania law also does not consider whether the accused used mitigation strategies, such as condoms or maintaining an undetectable viral load that would make sexual transmission of HIV impossible.<sup>9</sup> However, a person must be aware of their own HIV-positive status (prostitution and patronizing prostitutes) or the HIV-positive status of the person whose services are promoted (promoting prostitution), to be liable for the HIV enhancements.

## DATA SOURCE

In March and June 2025, the Williams Institute obtained data from the Administrative Office of Pennsylvania Courts on individuals who had contact with the state’s Magisterial District Judge system or Courts of Common Pleas under Pennsylvania’s HIV-related PRO statutes. The data included aggregate counts by year for cases filed with the courts involving offenses related to prostitution,<sup>10</sup> patronizing prostitution,<sup>11</sup> and promoting prostitution,<sup>12</sup> as well as incident-level data for cases resulting in convictions.<sup>13</sup>

<sup>9</sup> Barré-Sinoussi, F., et al. (2018). Expert consensus statement on the science of HIV in the context of criminal law. *Journal of the International AIDS Society*, 21(7), 251-261. <https://doi.org/10.1002/jia2.25161>; and Lehman, J.S., et al. (2014). Prevalence and public health implications of state laws that criminalize potential HIV exposure in the U.S. *AIDS and Behavior*, 18, 997-1006. <https://doi.org/10.1007/s10461-014-0724-0>

<sup>10</sup> 18 Pa. Cons. Stat. § 5902(A) (2025).

<sup>11</sup> 18 Pa. Cons. Stat. § 5902(E) (2025).

<sup>12</sup> 18 Pa. Cons. Stat. § 5902(B) (2025).

<sup>13</sup> Conviction data do not capture *all* convictions, as Pennsylvania law allows certain offenses to be expunged from records, and some cases may be automatically removed under the state’s Clean Slate law. Therefore, the numbers presented here should not be considered comprehensive or fully inclusive of all convictions under these statutes.

The data did not explicitly identify HIV-related charges. We inferred those charges for prostitution and patronizing prostitution, where individuals were charged with a third-degree felony, indicating an HIV-related sentencing enhancement. HIV is the only condition that can elevate these charges to a felony under the statute.

Charges under Pennsylvania’s *promoting prostitution* statute, however, can be elevated from misdemeanors to felonies for other reasons besides a defendant’s HIV status. As a result, we were not able to make this inference for the promoting prostitution charges. Therefore, unlike prostitution and patronizing prostitution, cases involving promoting prostitution charges are not included in this analysis.

Under Pennsylvania’s clean slate laws, individual cases that do not result in a conviction are sealed from public access, though they remain available within the judicial system. Additionally, the Administrative Office of Pennsylvania Courts retains case information for only ten years, after which it is no longer accessible.<sup>14</sup>

In the analysis that follows, therefore, we examine *aggregate counts for all HIV cases* filed with the courts and *detailed incident-level data for HIV cases with convictions*. Aggregate data extend from offenses filed between April 1, 2015, and March 31, 2025, while conviction data cover the period from January 1, 2015, to December 31, 2024.<sup>15</sup>

**Table 2. Administrative Office of Pennsylvania Courts data sources**

DATA	DATA TYPE	DATES COVERED
Cases filed with courts	Aggregate counts by year	April 1, 2015, and March 31, 2025
Convictions and open charges	Incident-level	January 1, 2015, to December 31, 2024

<sup>14</sup> According to J. Mankoski (personal communication, December 12, 2024).

<sup>15</sup> Aggregate and incident-level data were requested and received separately, resulting in a discrepancy of the time period covered by each dataset.



## FINDINGS

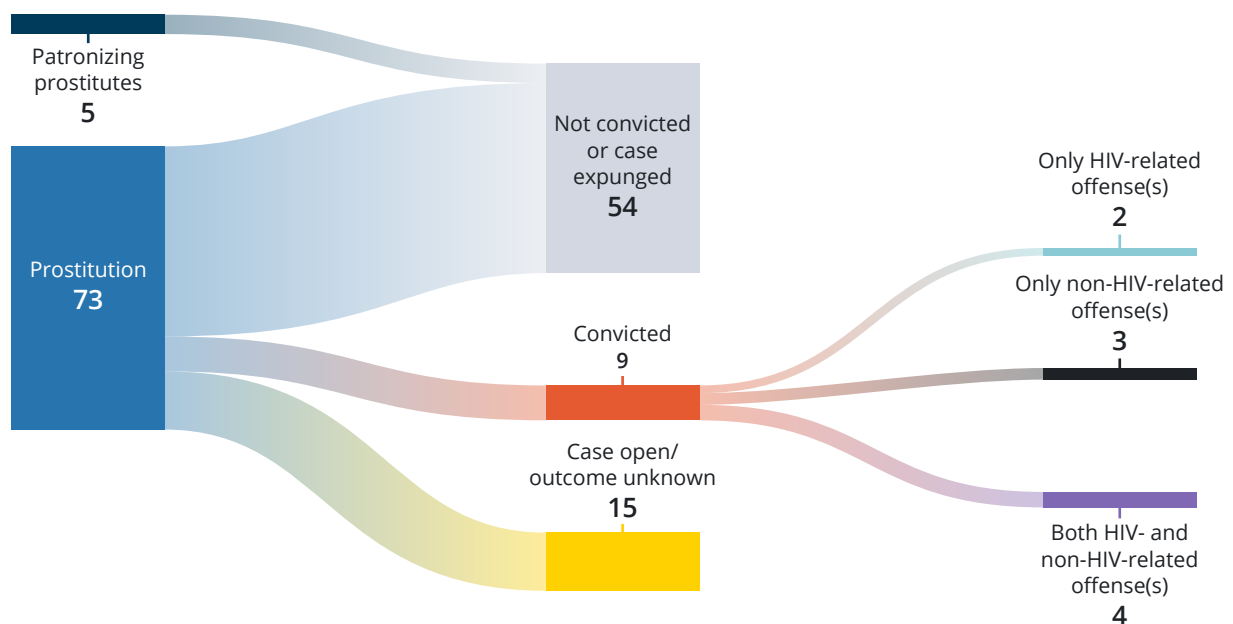
### NUMBER AND FREQUENCY OF CASES AND CASE OUTCOMES

Since 2015, at least 78 cases involving HIV-specific offenses related to prostitution or patronizing prostitutes were filed in Pennsylvania courts. Nearly all of the cases (94%) involved allegations of prostitution; only five cases (6%) alleged patronizing prostitutes.

Overall, about 12% of these cases involving one or more HIV related charges resulted in conviction. All nine convictions stemmed from prostitution-related charges. None of the five patronizing prostitutes cases—where the alleged client was charged—resulted in a standing conviction; they either ended without conviction or any conviction was subsequently expunged.<sup>16</sup>

Of the 73 cases involving prostitution, 9 (16%) resulted in convictions. Two of these cases involved guilty or no contest pleas solely for HIV-related charges, three solely for non-HIV-related charges, and four for a combination of both. In total, six HIV-related prostitution cases, or 10% of all prostitution cases with an outcome, resulted in a standing conviction on an HIV-specific charge.

**Figure 1. Final dispositions of Prostitution and Other Related Offenses cases with HIV enhancements in Pennsylvania**



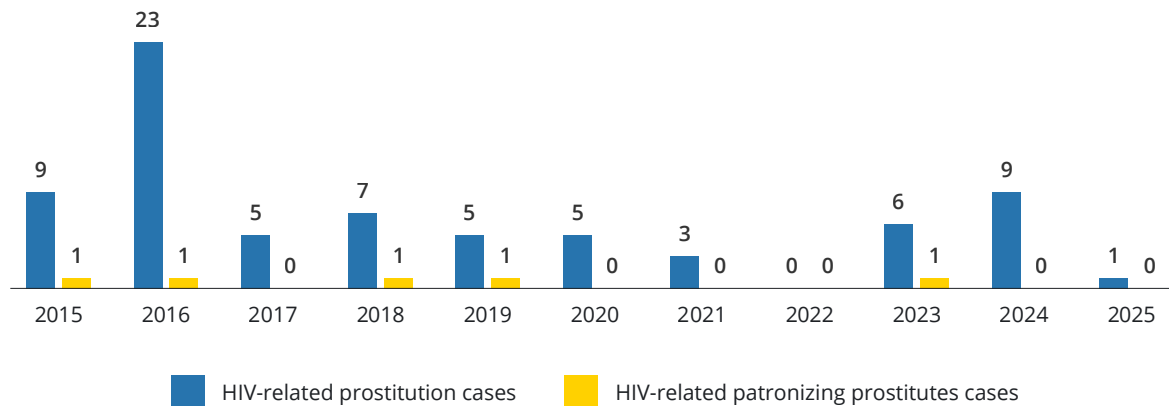
An average of 7.8 cases involving HIV-related PRO charges were filed annually in Pennsylvania courts. Enforcement peaked in 2016, when nearly one-third (31%) of all cases from the past decade were filed. Case numbers fluctuated over the 10-year period, reaching a low in 2022 when none were filed,

<sup>16</sup> Because of Pennsylvania’s Clean Slate law, some cases may no longer appear as convictions due to expungement following diversion programs. This means the totals we see could represent only the cases that remain on record, rather than the full number of cases that originally occurred or full number of convictions. As a result, these figures might undercount the true volume of cases and convictions, since expunged records are effectively removed from the dataset.



and showing notable spikes in 2015, 2016, and 2024.<sup>17</sup> A resurgence occurred in 2023 and 2024, with an average of 7.5 cases per year during that period following a general decline in cases.

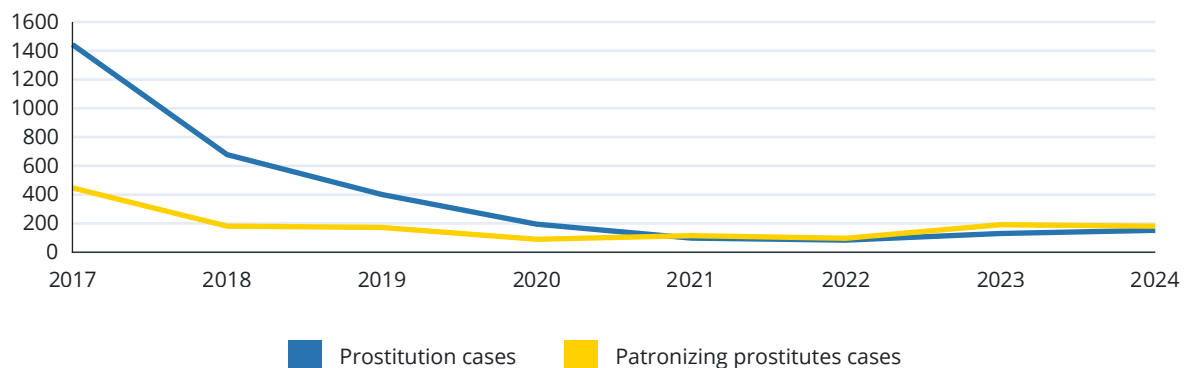
**Figure 2. Number of Prostitution and Other Related Offenses cases with HIV enhancements per year in Pennsylvania**



Note: Case-level data for 2015 cover the period from April to December, while data for 2025 cover the period from January to March.

While the total number of PRO cases—including those with and without HIV enhancement—has declined over the past decade (Figure 3), an increasing share of cases included HIV enhancements (Figure 4). For example, less than 1% of prostitution cases involved HIV enhancements in 2017. By 2024, about 6% of prostitution cases included HIV enhancements. In contrast, patronizing prostitutes cases have remained generally stable over the past several years (Figure 3), with only 0% to 1% including HIV sentencing enhancements (Figure 4).

**Figure 3. Number of overall Prostitution and Other Related Offenses cases per year in Pennsylvania<sup>18</sup>**

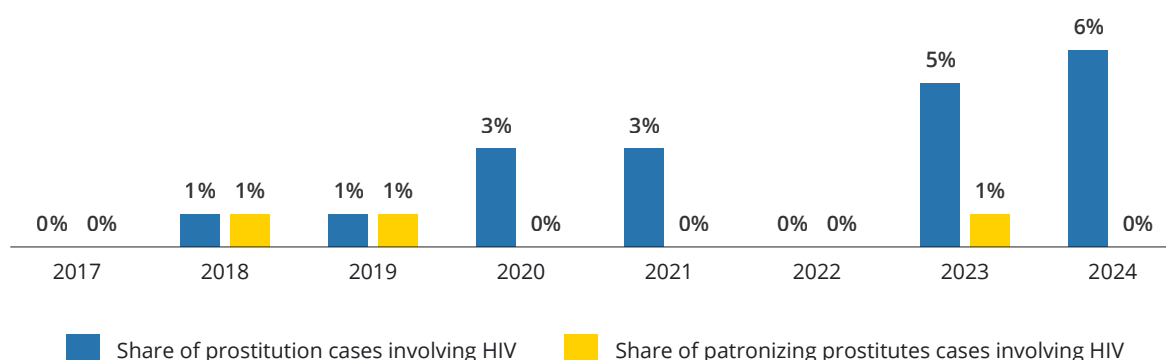


Note: These cases encompass those both with and without HIV sentencing enhancements.

<sup>17</sup> The 2015 case data only include cases filed between April and December, so it is possible that additional cases from earlier in the year are not captured.

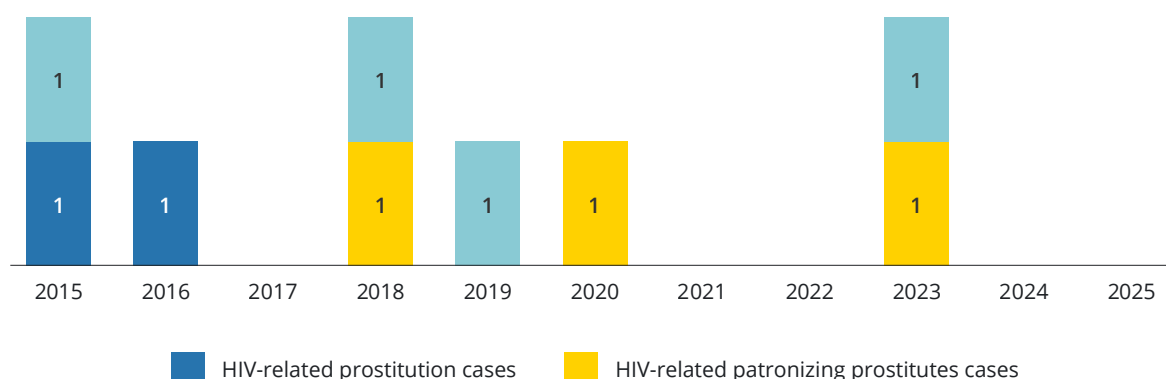
<sup>18</sup> Data used to produce Figures 3 and Figures 4 were derived from the *Commercial Sexual Exploitation in Pennsylvania Annual Reports* published by the Institute to Address Commercial Sexual Exploitation at Villanova University School of Law. See: The Institute to Address Commercial Sexual Exploitation. *Annual Report*. Villanova University School of Law. Retrieved August 27, 2025 (<https://cseinstitute.org/our-work/annual-report/>).

**Figure 4. Share of all Prostitution and Other Related Offenses cases with HIV enhancements per year in Pennsylvania**



Case convictions have occurred sporadically over time, ranging from zero to two per year over the 10-year period for which we have data, with an average of one conviction per year during the study period.<sup>19</sup> It is difficult to observe a consistent time trend in convictions. However, the presence of convictions on an HIV-related prostitution charge (as well as other non-HIV-related charges) indicates a continuation of criminalization—both filed cases and prosecutions—up to the present.

**Figure 5. Number of HIV-related prostitution cases resulting in convictions per year in Pennsylvania**



Note: All convictions stemmed from prostitution cases; none originated with patronizing of prostitutes cases.

## DEMOGRAPHICS OF PEOPLE CHARGED AND CONVICTED

Demographic information was available for 72 of the 78 HIV-related PRO cases in Pennsylvania.

### Race

Black and white individuals each accounted for approximately 40% of the charged cases, while Asian/Pacific Islander (API) individuals made up 11%. Race data was missing in 6 cases (8%). We do not have enough information to identify people of Hispanic/Latino ancestry as a separate race/ethnicity category.

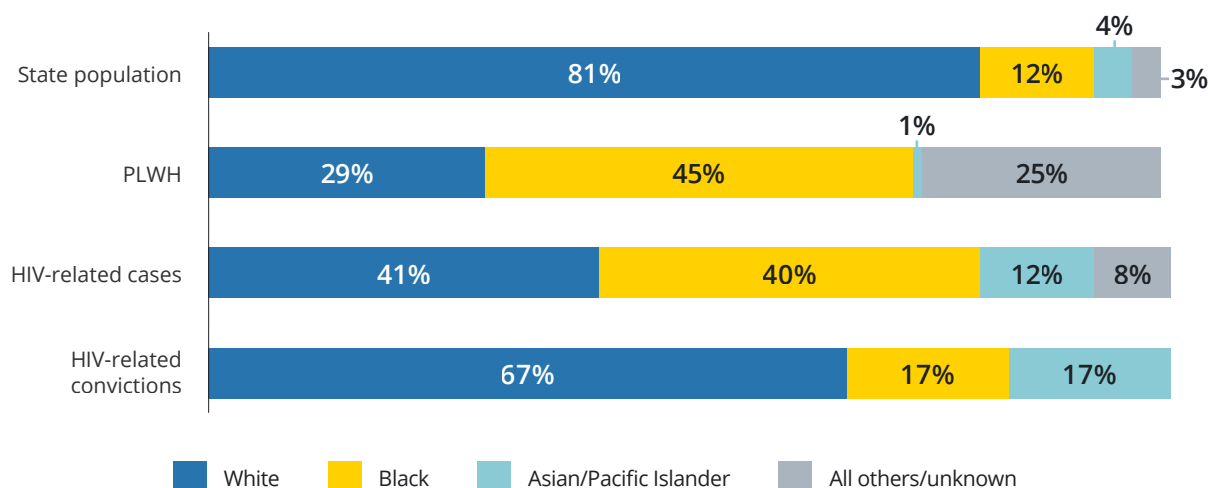
<sup>19</sup> Because of Pennsylvania’s Clean Slate law, some cases may no longer appear as convictions due to expungement following diversion programs. This means the totals we see could represent only the cases that remain on record, rather than the full number of cases that originally occurred or full number of convictions. As a result, these figures might undercount the true volume of cases and convictions, since expunged records are effectively removed from the dataset.

White individuals charged in HIV-related PRO cases are disproportionately convicted, comprising 56% of all convictions and 67% of convictions for HIV-related offenses, despite only accounting for 29% of PLWH and 41% of cases.

Similar disparities were seen among API individuals charged in HIV-related PRO cases. API individuals represent 1% of PLWH<sup>20</sup> and 12% of HIV-related charges but account for 22% of total convictions and 17% of HIV-related convictions.

Conversely, Black individuals make up 45% of PLWH<sup>21</sup> and 40% of all HIV-related PRO cases, but only 22% of total convictions and 17% of HIV-related convictions.

**Figure 6. Share of Prostitution and Other Related Offenses cases and convictions with HIV enhancements in Pennsylvania by race**



Note: Race data for charged cases does not separately identify individuals of Hispanic/Latino ancestry. PLWH data are reported separately for Hispanic/Latino individuals. As a result, our single-race figures for White, Black, and Asian/Pacific Islander individuals may be somewhat overstated, since some cases could include people of Hispanic/Latino ethnicity who are otherwise classified by race.

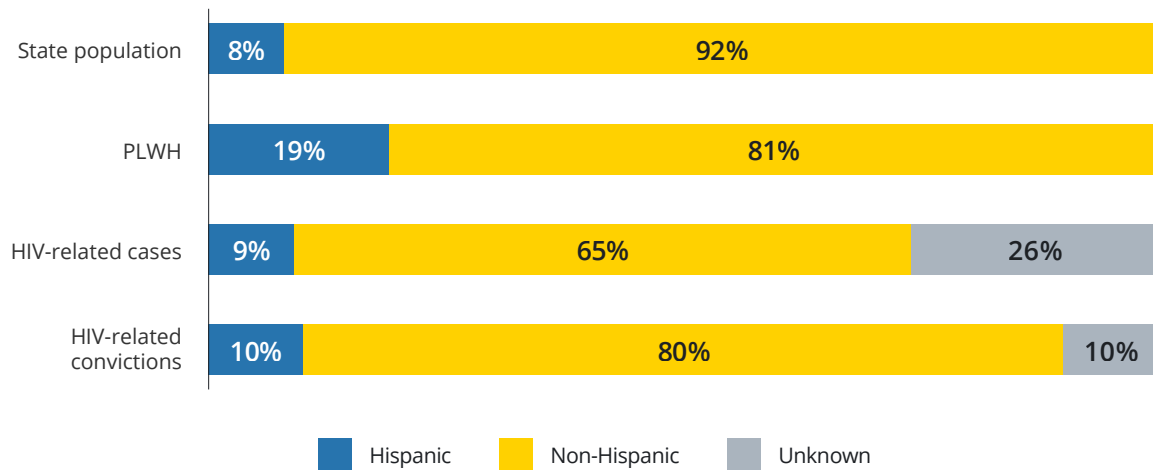
Ethnicity data were available for 74% of individuals charged with HIV enhancements in PRO cases. Of those, 65% were non-Hispanic and 9% were Hispanic. The remaining 26% of cases had no reported ethnicity or were classified as “unknown.”<sup>22</sup>

<sup>20</sup> AIDSVu, State Prevalence Data 2022 (2025), Excel spreadsheet, last modified August 16, 2023, available at [https://aidsvu.org/wp-content/uploads/2022/11/AIDSVu\\_State\\_Prev\\_2022-20240822.xlsx](https://aidsvu.org/wp-content/uploads/2022/11/AIDSVu_State_Prev_2022-20240822.xlsx)

<sup>21</sup> AIDSVu, State Prevalence Data 2022 (2025), Excel spreadsheet, last modified August 16, 2023, available at [https://aidsvu.org/wp-content/uploads/2022/11/AIDSVu\\_State\\_Prev\\_2022-20240822.xlsx](https://aidsvu.org/wp-content/uploads/2022/11/AIDSVu_State_Prev_2022-20240822.xlsx)

<sup>22</sup> Because race and ethnicity were provided as separate aggregate counts, we are unable to identify cases by combined race/ethnicity categories (e.g., non-Hispanic White, Hispanic White, non-Hispanic Black, Hispanic Black, etc.), limiting our ability to analyze intersecting demographic trends. Some cases identified the ethnicity as “unknown,” which might mean that this information was not collected by law enforcement or the courts along with other demographic information.

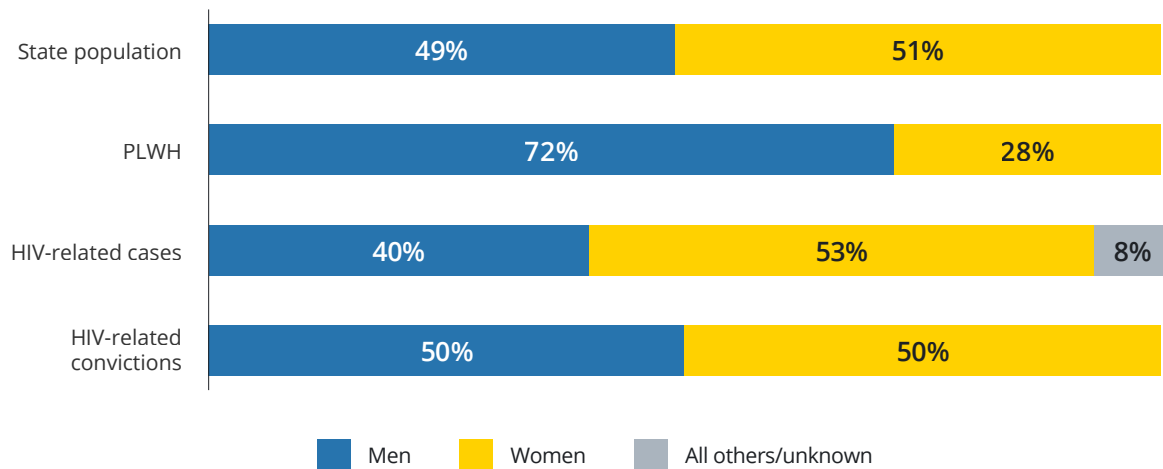
**Figure 7. Share of Prostitution and Other Related Offenses cases and convictions with HIV enhancements in Pennsylvania by ethnicity**



## Gender

Women were overrepresented in all HIV-related PRO cases, comprising 53% of individuals charged, 67% of overall convictions, and 50% of HIV-specific convictions, despite accounting for only 28% of PLWH and 51% of the state’s general population.<sup>23</sup>

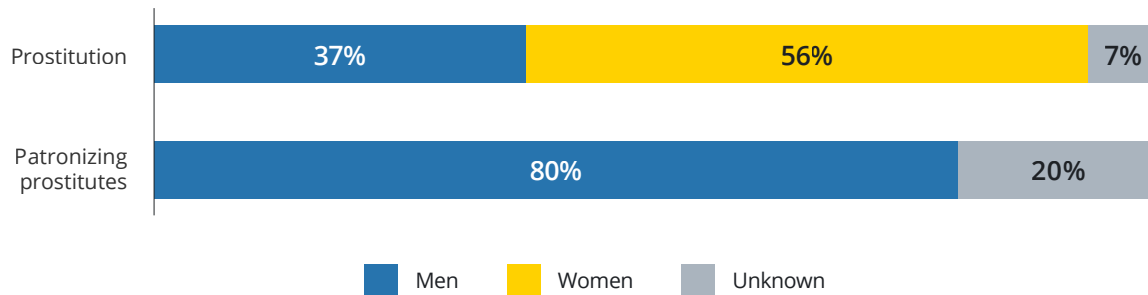
**Figure 8. Share of Prostitution and Other Related Offenses cases and convictions with HIV enhancements in Pennsylvania by gender**



<sup>23</sup> AOPC data includes a “gender” variable and only includes two options: male and female. We do not know who makes the gender determination and do not have gender identity information; AIDSvu, State Prevalence Data 2022 (2025), Excel spreadsheet, last modified August 16, 2023, available at [https://aidsvu.org/wp-content/uploads/2022/11/AIDSVu\\_State\\_Prev\\_2022-20240822.xlsx](https://aidsvu.org/wp-content/uploads/2022/11/AIDSVu_State_Prev_2022-20240822.xlsx); U.S. Census Bureau, State Population by Characteristics: 2020-2024, Table SC-EST2023-SR11H (2023), available at <https://www2.census.gov/programs-surveys/popest/tables/2020-2023/state/asrh/sc-est2023-sr11h-42.xlsx>.

However, when looking at specific charges, a different pattern emerges. The majority of individuals charged with prostitution were women (56%). In contrast, four of the five people arrested for patronizing prostitutes were men.<sup>24</sup>

**Figure 9. Share of Prostitution and Other Related Offenses cases with HIV enhancements in Pennsylvania by gender**



Although women are overrepresented in HIV-related prostitution cases relative to their share of PLWH, men are disproportionately charged with HIV enhancements relative to their share of overall prostitution cases. From 2021 to 2024, men accounted for an average of 14% of annual prostitution cases but 42% of those with HIV enhancements.<sup>25</sup> In other words, while men are less likely than women to be charged with prostitution, they are more likely to face additional penalties tied to HIV status. By contrast, all patronizing prostitution cases during this period (with or without HIV enhancements) involved men. Only one of those cases included an HIV sentencing enhancement, which was also applied to a man.

## Race and Gender

Women across all racial groups were disproportionately criminalized in PRO cases with HIV enhancements relative to their share of PLWH in the state. White women and API women especially appear to have been targets for enforcement. White women accounted for 27% of charged cases while comprising just 5% of the PLWH population.<sup>26</sup> API women represented only 0.2% of the state’s PLWH population<sup>27</sup> but 9% of all cases. Conversely, Black women made up 17% of cases while accounting for 15% of the state’s population of PLWH.<sup>28</sup>

<sup>24</sup> We report “gender” as it was provided to us by the Pennsylvania Administrative Office of the Courts. However, we do not know how the data were collected, including whether the information reflects individuals’ self-identified gender or their legal sex. For example, individuals who might identify as (transgender) women might be classified as men in the data.

<sup>25</sup> Data on gender related to Prostitution and Other Offenses cases—with and without HIV enhancements—were derived from the *Commercial Sexual Exploitation in Pennsylvania Annual Reports* published by the Institute to Address Commercial Sexual Exploitation at Villanova University School of Law. See: The Institute to Address Commercial Sexual Exploitation. *Annual Report*. Villanova University School of Law. (<https://cseinstitute.org/our-work/annual-report/>).

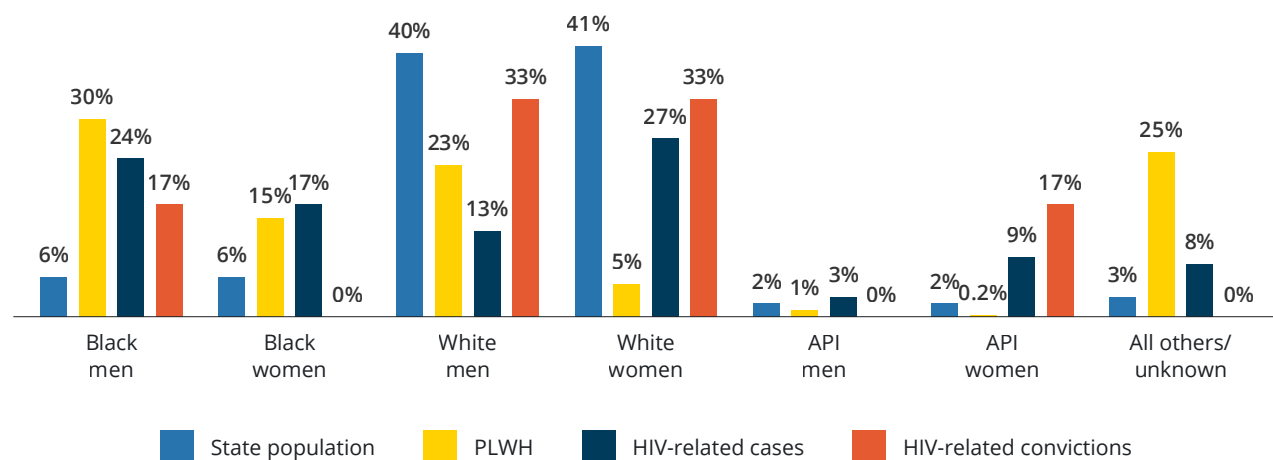
<sup>26</sup> AIDSVu, State Prevalence Data 2022 (2025), Excel spreadsheet, last modified August 16, 2023, available at [https://aidsvu.org/wp-content/uploads/2022/11/AIDSVu\\_State\\_Prev\\_2022-20240822.xlsx](https://aidsvu.org/wp-content/uploads/2022/11/AIDSVu_State_Prev_2022-20240822.xlsx)

<sup>27</sup> AIDSVu, State Prevalence Data 2022 (2025), Excel spreadsheet, last modified August 16, 2023, available at [https://aidsvu.org/wp-content/uploads/2022/11/AIDSVu\\_State\\_Prev\\_2022-20240822.xlsx](https://aidsvu.org/wp-content/uploads/2022/11/AIDSVu_State_Prev_2022-20240822.xlsx)

<sup>28</sup> AIDSVu, State Prevalence Data 2022 (2025), Excel spreadsheet, last modified August 16, 2023, available at [https://aidsvu.org/wp-content/uploads/2022/11/AIDSVu\\_State\\_Prev\\_2022-20240822.xlsx](https://aidsvu.org/wp-content/uploads/2022/11/AIDSVu_State_Prev_2022-20240822.xlsx)

Disparities were even more pronounced at the conviction stage, with White and API women disproportionately represented among those convicted in cases arising from HIV-related PRO charges, together accounting for 50% of all convictions. White women, who comprised 5% of the PLWH population and 27% of charged cases, made up 30% of all convictions since 2015. Similarly, Asian women, representing just 0.2% of PLWH<sup>29</sup> and 9% of charges, accounted for 17% of convictions over the same period.

**Figure 10. Race/ethnicity and gender of Pennsylvania’s state population, population of people living with HIV, charged cases, and convictions in Prostitution and Other Related Offenses cases with HIV enhancements**



Across the nine individuals with any conviction, the average age at conviction was 41 years old (range: 25 to 69 years old). The average age among those with an HIV-related conviction was slightly higher at 46 years old (range: 26 to 69 years old), while those convicted for only non-HIV-related offenses were younger at 30 years old (range: 25 to 36 years old).

## LOCATION OF CASES AND CONVICTIONS

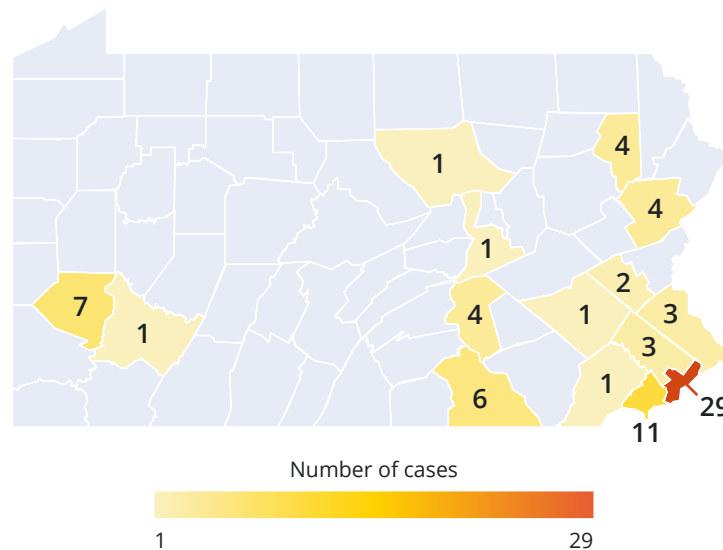
The enforcement of Pennsylvania’s PRO statutes was highly geographically concentrated. The state has 67 counties, but only 15 (22%) reported HIV-related prostitution cases between 2015 and 2025. Enforcement was heavily concentrated in the southeastern region of the state, particularly in and around Philadelphia and Delaware Counties, which together accounted for 51% of all cases.

Philadelphia city and county, home to the state’s largest city, 12% of the population, and 45% of PLWH, had the highest number of cases, representing 37% of the total. This figure is more than twice that of the next highest county, neighboring Delaware County, which accounted for 14% of cases.<sup>30</sup>

<sup>29</sup> AIDSvu, State Prevalence Data 2022 (2025), Excel spreadsheet, last modified August 16, 2023, available at [https://aidsvu.org/wp-content/uploads/2022/11/AIDSVu\\_State\\_Prev\\_2022-20240822.xlsx](https://aidsvu.org/wp-content/uploads/2022/11/AIDSVu_State_Prev_2022-20240822.xlsx)

<sup>30</sup> AIDSvu, State Prevalence Data 2022 (2025), Excel spreadsheet, last modified August 16, 2023, available at [https://aidsvu.org/wp-content/uploads/2022/11/AIDSVu\\_State\\_Prev\\_2022-20240822.xlsx](https://aidsvu.org/wp-content/uploads/2022/11/AIDSVu_State_Prev_2022-20240822.xlsx); U.S. Census Bureau, State Population by Characteristics: 2020-2024, Table SC-EST2023-SR11H (2023), available at <https://www2.census.gov/programs-surveys/popest/tables/2020-2023/state/asrh/sc-est2023-sr11h-42.xlsx>.

**Figure 11. Prostitution and Other Related Offenses cases with HIV enhancements in Pennsylvania by county**



However, convictions resulting from HIV-related sex work charges were geographically dispersed, with nine case convictions spread across eight counties. York County accounted for two convictions, while the remaining convictions occurred in Bucks, Chester, Dauphin, Delaware, Lackawanna, Montgomery, and Philadelphia counties, each of which recorded one conviction.

**Table 3. Prostitution and Other Related Offenses cases with HIV enhancements in Pennsylvania by county**

COUNTY	TOTAL CASES	% SHARE
Philadelphia	29	37%
Delaware	11	14%
Allegheny	7	9%
York	6	8%
All Others	25	32%
<b>Total</b>	<b>78</b>	<b>100%</b>

## CONCLUSION

Although the enforcement of Pennsylvania’s general PRO crime has substantially declined in recent years, enforcement of the state’s HIV-related PRO crime shows no such clear decline. While both parties involved in sex work risk criminalization, the overwhelming majority of HIV-related PRO cases in Pennsylvania involved those engaged in “prostitution” rather than those engaged in “patronizing prostitutes.” White women and API women especially appeared to have been targets for enforcement. Philadelphia and its suburbs are enforcement hot spots—indeed four counties together account for two-thirds of all HIV-related PRO cases in the state.



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### ABOUT THE WILLIAMS INSTITUTE

The Williams Institute is dedicated to conducting rigorous, independent research on sexual orientation and gender identity law and public policy. A think tank at UCLA Law, the Williams Institute produces high-quality research with real-world relevance and disseminates it to judges, legislators, policymakers, media, and the public. These studies can be accessed at the Williams Institute website.

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