NY Appeals Court to Hear if Saliva With HIV Is ’Dangerous’

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The New York State Court of Appeals will hear an aggravated assault case that may clarify if saliva with HIV can be considered a “dangerous instrument” under the law, The Observer-Dispatch reports. David Plunkett, who has HIV, bit a police investigator in 2006 and was charged with intentionally putting the officer at risk of contracting the virus. The court will debate if saliva is a “substance” that someone can use to seriously injure or kill another person. The Lambda Legal Defense and Education Fund is assisting the defense and filed an amicus curiae document with the court in the interest of everyone living with HIV. The paper states that saliva does not transmit HIV.

To read the Observer-Dispatch article, click here.

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http://beta.docker.poz.com/article/NY-Saliva-HIV-22285-7288