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AIDS risk high among inmates

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A recent study by researchers affiliated with Johns Hopkins Hospital and the Maryland Division of Correction found that every year, nearly one-half of 1 percent of all inmates in the state prison system become infected with the AIDS virus while they are incarcerated.

Given the size of the current population, that means about 90 inmates will be infected while incarcerated this year.

While no one knows for sure, medical experts estimate that as many as 10 percent of the state's total of about 18,300 inmates are already infected with the AIDS virus.

The most likely ways for inmates to contract the virus are through sexual acts or by using contaminated needles to inject drugs, according to prison officials and inmate advocates.

Inmates may also be contracting the virus during the application of crude prison tattoos, according to a prison official.

"Getting treated by the dentist is not the way most people in prison got AIDS," said Stuart Comstock-Gay, executive director of the Maryland chapter of the American Civil Liberties Union. "They got it from sexual activity or drug use. That's where it's happening."

"AIDS is certainly a problem we are having to contend with and have had to contend with increasingly in the last several years as the number of AIDS-infected inmates has risen," said Gregory M. Shipley, spokesman for the state prison system.

The issue of AIDS in prison is under increased scrutiny this week after the disclosure that a dentist who formerly worked in the Maryland Penitentiary died this month of acquired immune deficiency syndrome.

Prison officials said the dentist, Victor J. Luckritz, treated thousands of patients during his 21-month tenure at the prison, which ended in April 1990.

State officials have begun looking for inmates who were treated by Luckritz. Those prisoners will be eligible for counseling and an AIDS test if they wish.

Luckritz was not a state employee. He worked as a contractual employee for two companies that provided health care to the state prison system between 1988 and 1990.

Prison officials are worried that Luckritz may have passed the

virus on to some of his patients. According to sketchy reports from prison officials, Luckritz sometimes did not wear protective gloves while treating patients, which could increase the risk of transmitting the virus. But others who knew Luckritz have said that he took appropriate precautions around his patients.

State prison officials said they are also investigating whether a second dentist at the Penitentiary, Luckritz' successor, also died of AIDS. Officials said yesterday that they had no more information about the second dentist, whom they have declined to name.

The number of inmates infected by Luckritz -- if any -- "may pale" compared with the number of inmates infected in other ways, according to Susan Gauvey, a Baltimore attorney. Gauvey represents state inmates not infected with the AIDS virus who are suing the state seeking protection from infected inmates.

Among other things, the inmates represented by Gauvey had sought mandatory testing of all inmates and had wanted to segregate prisoners who had the AIDS virus. The state has resisted the claims, as has a group of AIDS-infected inmates also involved in the suit.

The two groups of inmates are now negotiating over a possible compromise that would involve voluntary testing of inmates. Current inmates in the prison system are not entitled to AIDS tests now, unless their condition indicates a test is necessary. Since Jan. 1, the state has offered AIDS tests to incoming inmates.

Gauvey said the state has resisted testing inmates for AIDS, in part because it fears having to offer special medical care to inmates with the virus, treatment that often involves expensive drugs. Prison spokesman Shipley declined to comment on the issue.

State officials are bracing for the possibility of a flood of lawsuits filed by AIDS-infected inmates who were also treated by Luckritz. But the cases could be difficult for inmates to win, in part because they would have to prove that they were infected specifically by Luckritz, according to several legal experts.

"The burden would be on them that they didn't have other risk factors," said Deborah Weimer, an assistant professor at the University of Maryland Law School and director of the school's AIDS clinic. "That's going to be real tough to prove."

State officials already have attempted to pin any possible blame in the Luckritz case on the two private contractors that employed the dentist, PHP Health Care Corp. and, after Jan. 1, 1989, Correctional Medical Systems of St. Louis.

"We think what has transpired this far is the responsibility of the contractors," said Judson P. Garrett, deputy state attorney general. "To the extent there is a liability problem, it is their problem, not the state's."