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New law to focus on HIV in blacks

Infection rate tied to prison population

By **Johnathon E. Briggs**
Tribune staff reporter

Gov. Rod Blagojevich is expected to sign a bill Friday that would focus on preventing HIV among African-Americans.

Believed to be the only legislation of its kind nationwide, the African American HIV/AIDS Response Act targets the link between disproportionately high incarceration rates among blacks and the transmission of HIV, the virus that causes AIDS.

The legislation aims to expand voluntary HIV testing in state prisons and county jails. It would also create the position of African American HIV/AIDS response officer in the governor's office and in the state Departments of Health, Human Services and Corrections to coordinate a response to the crisis.

It also commissions a Chicago State University study to investigate and quantify the correlation between imprisonment and HIV infection.

Community groups and AIDS activists have lobbied for the

legislation since 2003.

In Illinois blacks are 15 percent of the population but account for 51 percent of AIDS cases and 65 percent of the state prison population, state health and census figures show.

The rate of HIV infection among Illinois prisoners is estimated to be five times that in the general population, according to the AIDS Foundation of Chicago.

Studies suggest that prison is a primary source of HIV transmission, continually reintroducing the virus to society when prisoners return home.

"Emergencies require emergency measures," said state Rep. Constance Howard (D-Chicago), who co-sponsored the bill with state Sen. Kimberly Lightford (D-Maywood).

"We felt there is a correlation between people coming out of corrections and the infection rate in the African-American community," said Lloyd Kelly, director of the Let's Talk, Let's Test Foundation, who developed the bill with Howard.

"We must act now and do all that we can to stop the spread of this disease," Blagojevich said in a statement.

State officials estimate that

\$2.2 million will be required annually to implement the act, but funds have not yet been appropriated for the measure, which takes effect Jan. 1. The AIDS Foundation of Chicago and community groups said they would urge the Blagojevich administration to fund the measure next year.

"Funding for this act will be one of the AIDS Foundation's priorities," said John Peller, director of state affairs for the organization.

The bill originally authorized condom distribution to inmates. Howard said that provision was removed after opposition from the Department of Corrections, which forbids condoms in jails.

"It's sort of disappointing to me that we, in this day and age, don't recognize that people have sex," Howard said.

The bill describes the AIDS epidemic among blacks as "a crisis separate and apart" from that of other communities, but services offered under its auspices are open to all groups.

Under the act:

■ The Department of Corrections and county jails must offer voluntary HIV testing with no co-pay to inmates when they ar-

rive in prison, during their incarceration and prior to their release. Limited testing at a small fee is currently provided in state prisons and some jails.

■ HIV-positive inmates who are released must receive transitional case management and referrals to support services through the Department of Corrections and other agencies.

■ HIV-positive welfare recipients may request changes in their work, education or training program if they meet Americans With Disabilities Act standards for disability.

■ High-traffic state offices, such as driver's license facilities and public aid offices, located in high-risk communities must provide space to community groups to offer rapid HIV testing.

Illinois Department of Corrections spokeswoman Dede Short said the agency offers many of the services that it will now be required to provide under the law. A nine-member panel housed in the governor's office, to include two ex-offenders and representation from three AIDS organizations, will review how well the prison system implements the act.

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