Porn, Patient Zeta and HIV

Adult film actor Derrick Burts, a.k.a. Patient Zeta, tested HIV positive in October, bringing international attention to the topic of condoms in porn. Burts now advocates for enforcing condom use in all adult films-whether straight or gay-and for educating everyone on the link between sexually transmitted infections and HIV risk.

June 24, 2011 By Trent Straube

It was this time last summer that Derrick Burts decided to enter the adult film industry, working in both the straight and gay sides. Less than four months later, he tested positive for HIV at the Adult Industry Medical Healthcare Foundation (AIM), a Los Angeles clinic that addresses the health needs of adult film actors. When the news became public—because of confidentiality laws, he was referred to as "Patient Zeta"—many studios in the adult industry briefly shut down as fellow actors were tested (no one was positive). In a December 8 press conference, Burts, now allied with the AIDS Healthcare Foundation (AHF), made his identity known, using the publicity as a platform to advocate for condoms in all porn and to criticize the AIM clinic, which has since closed.

The ensuing controversies and conversations underlined the issue of HIV prevention in the adult industry. Current California law is not clear-cut; it requires adult film companies to protect workers against blood-borne pathogens via condoms or "equivalent protections." Does regular HIV testing constitute equivalent protections? That question is being debated as the California Occupational Safety and Health Administration drafts new rules for workplace safety. As a general rule among the mainstream adult film industry—as opposed to the unregulated world of homemade videos posted online—condoms (but not testing) are required in gay porn, and testing (but not condoms) is required in straight porn.

Burts and AHF believe testing isn't enough, while their detractors maintain that the level of HIV infections in straight porn is miniscule and that the real danger for female actors is their male costars who do gay films and escort work. Burts says he contracted the virus while on the set of a gay film that did require condom use. So how did that lead to HIV? Burts, who identifies as bisexual and is now 24, explains his theory to *POZ*—warning: the interview includes frank sex talk—and he fills us in on how he's doing since his diagnosis.

You found out you were positive when you had an HIV test at the AIM clinic in October 2010. Can you walk us through that day and the following weeks?

Once I found out that I had HIV, [AIM] put me in touch with one of their specialists—I had a brief

phone conversation with him on speaker phone; he mentioned that he would meet me in person, but he was out of town—and the first thing that he told me was that I had nothing to be afraid of, HIV is definitely very manageable now and that I can still live a long, healthy, normal life, so that put me at ease.

I was advised by AIM that [my test result] would get out to the media because it would have to be reported to the county. The next day it was everywhere that there was an outbreak in the industry, and I panicked a little bit because even though my name was confidential I was scared that my public information would get out and that my family would find out. AIM pretty much told me to go on a vacation, let things die down with the media, don't talk to anyone, delete all of my social networks, don't tell anyone anything until I see a doctor. And that's what I did. They told me not to read all of the information in the newspapers, but it's hard not to. I started to notice the big picture, that there was a big battle going on between AHF and AIM and about using condoms in porn.

[Then AIM] started to ignore me. At the end of November, I still had not seen a [doctor at AIM]. The only people who knew I had HIV at that point were my agent, my girlfriend, myself and staff at the AIM clinic. AIM wasn't returning my phone calls, and I had an emotional breakdown.

At that point, I called my agent who booked all my gay scenes and I told him I was freaking out. He said, I'll put you in touch with my attorney, so the attorney calls me and he said that his law offices are across the street from AHF's headquarters in Florida and that he would go and talk to them to get me some care.

Did he tell them you were Patient Zeta?

He didn't. He just said that there is a patient in California who has tested positive and has gone two months without treatment and we need to get him into care. So later that day I heard from AHF through email, and they said we want to get you in. I went in and had to talk to an enrollment counselor, and they started telling me about the different things that would pay for my medications and care, which was through the Ryan White Foundation of LA County and California ADAP.

Did you identify yourself as Patient Zeta at this point?

No. I gave my name, Derrick Burts, and did all of the paperwork, and then they got me to see a doctor and they drew my blood—all of the normal things—and everything went really well. At this point I had not gone public and I had no plans to. I did not want people to know that I was HIV positive.

What changed your mind?

I was sitting in [an AHF office with my doctor] who asked if I had my old records from the AIM clinic. [I called to get them, but the clinic kept hanging up on me.] So I explained to my doctor that I was Patient Zeta and I told her how AIM was treating me. She said they can't hold your medical

records from you. I realized at this point that AIM only cared about protecting themselves from the media.

I don't want this to happen to other people. I don't like the way that the AIM clinic treated me, and I am learning more and more that the porn industry is corrupt and that they'll do anything to look good—AIM made a public statement saying that everyone on Patient Zeta's quarantine list from the straight porn came back clean and that he contracted HIV from his private life. That made me look really bad. I [decided] I wanted to go back to the media and defend myself and really lead with the AIDS Healthcare Foundation's push for condoms [in porn]. I [thought], "Having HIV is bad, but somebody needs to stand up and do something about this because I'm not the first porn performer to get HIV."

I spoke with [AHF president] Michael Weinstein and said, "Before I decide to work with you guys, I want to know your agenda." He laughed and he said, "Our agenda is not to shut down the [porn] industry. It's to make the industry a safer place to work." Porn sends out a message—almost everybody watches porn so this is a global message—that unsafe sex is OK. Kids are watching a guy having sex with a girl without a condom, and then they think it's OK. That's what porn teaches. That's what AHF has a problem with.

When I really listened to what Michael was saying and I saw how passionate he was, I knew that his agenda was the right agenda. I felt ripped off; I felt degraded by the porn industry.

On December 8, you then came out publicly as Patient Zeta and as an advocate for AHF's position on enforcing condoms in porn. Just to clarify, Are you working with AHF in an official capacity?

No I'm not. They are not paying me, and I am not working with them in any capacity other than trying to protect the porn industry. I'm not on a salary.

Part of your story seems a bit confusing, though. You're advocating for condoms in porn, specifically straight porn where they're absent, but you claim that you contracted HIV from shooting a gay film in Florida, on a set that did use condoms, correct?

On all my Florida [gay] shoots we used condoms, [director Chi Chi LaRue doesn't] believe in barebacking [a.k.a. condomless anal sex], and I would never do barebacking because I know the risk of getting HIV is really high. It has turned out that LA County has confirmed that I worked with two known positives while working on the set [of gay films].

If you used condoms, then how do you think you got exposed to HIV on those sets?

I did a shoot where I was riding [a costar] on top, like a reverse cowboy. He had the condom on and at the end pulled the condom off and did the cum shot all over my butt and near my anus. I know that semen came in contact with that area. This is just an idea of how I got it. Either that or oral, because also the oral side of gay shoots is unprotected and it's not like normal oral. You are doing 20 or 30 minutes of hardcore gagging. The cum shot was in my mouth. [It turns out that] I

had gonorrhea in the throat during that shoot. When you have an active [sexually transmitted infection, or STI] it makes it a lot easier for you to contract HIV. That's something that the public doesn't understand. They say, "Oh, I don't buy [his story]—the chances of him getting HIV from an oral scene or from semen on the butt are very unlikely." And those chances are low—but [they're higher] when you have an active STI. [Later tests showed that] I had not only gonorrhea in the throat but also had gotten herpes [and chlamydia]. I gave this version to the media, but I'm sure you can see why they omitted it—it was probably a little too graphic.

[*Editor's note: The CDC says that people with an STI are at least two to five times more likely than an uninfected person to acquire HIV. That's because STIs create breaks in the skin and entryways for HIV, and also because the inflammation from the STI causes the body to create more white blood cells, which are the targets for HIV.*]

Once your story broke in the *Los Angeles Times*, online readers and other reporters posted that you were withholding information, specifically that you had also worked as an escort. Were you doing sex work?

I had this ad on Rentboy for escorting. When I went to Florida for my first shoot, a bunch of guys told me about escorting sites. I said, "This is cool. I could try it out," and I discussed it with my girlfriend, so I made an ad on Rentboy. This was September. Now remember it was early October that I tested positive, so I was only on the site for about a month. But honestly, most of the calls that came in were from really scary people; some were wanting to have sex and do crystal. I agreed that there wouldn't be any sex involved.

If you were not willing to do sex, then what would you be doing?

You could check off the things that you would do. The only thing that I was willing to do was sensual massage, go-go dancing, stripping and oral—but that's all I checked. There is no way [I'd have anal sex], especially at the rate I'm charging—$300 an hour—when in porn I can make $1,300 doing a sex scene. My girlfriend can even attest that I never had sex from one of those escorting acts.

This spring, AIM permanently closed its doors. What are your thoughts on that outcome?

I feel that the closure of AIM is a step in the right direction. While I feel that testing is greatly important, AIM's system clearly didn't work, and they had several issues in the way they operated the clinic. I hope that this will put pressure on the industry to come up with a better system, which includes workplace safety education and condom use for performers.

Also in recent months, a few other video productions, such as Hustler, have been fined for not providing condoms onset. Is that a viable way to solve the issue of condoms in porn?

I don't feel that fining is enough. The real change comes when county officials create a policing

system where these sets are being monitored during each production. The main difficulty with this is finding the funding to create such a system. One idea is to raise the price of the filming permits that each producer must obtain before the shoot.

Finally, tell us how you're doing now and what you plan to do moving forward.

I feel really good about myself and know that I'm healthy. I haven't started medications yet, but I saw my doctor [recently and said that] I want to get started on medication sooner rather than later. Both LA County and AHF have offered me counseling classes [so I can become a speaker and advocate]. My message isn't just to the porn industry, it's to the general public, and my target is young people. I think they'll listen to someone who is closer to their age. I'm 24, and I thought I was invincible. I honestly thought that I would never get HIV. I mean, I have a girlfriend, and I actually thought that I was more safe in the porn industry because I was getting tested every month.

I've probably gotten thousands of emails [since I came forward]; I was overwhelmed by the amount of support—so many messages from all over the world, saying that my story and my courage to come forward [as having HIV] gave them the courage to tell their friends and family. If I can make a difference in just one person's life, if I can save one life, if I can stop one person from getting into the porn industry, then it's worth it.

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http://beta.docker.poz.com/article/Derrick-Burts-HIV-20686-5211