Kavanaugh Defended a Company Accused of Abusing Inmates Who Have HIV

The 1990s case “says a lot about his value system and what we can expect of him” on the Supreme Court.

September 14, 2018 By Trent Straube

When Supreme Court nominee Brett Kavanaugh was an attorney in the 1990s, he represented a company accused of mistreating prisoners who were living with HIV, reports the American Ledger.

In this specific case, Kavanaugh’s client, Correctional Medical Services (CMS), was accused of failing to provide proper care and treatment to HIV-positive inmates in Alabama. Inmates also alleged that CMS segregated inmates living with HIV from other inmates, which they claimed violated the Americans with Disabilities Act.

Kavanaugh argued that the case should be dismissed because the inmates had not used the prison’s administrative-review process within the prison system to its fullest and weren’t eligible to bring the case to the courts until they did so. A federal judge agreed with Kavanaugh.

The American Ledger article summarizes several other HIV-related cases against CMS.

Kavanaugh’s time representing CMS did not come up during his questioning before the Senate Judiciary Committee, and he didn’t list the case as one that represented significant matters that he has litigated.

“That Kavanaugh chose to defend a company accused of deliberately abusing prisoners with HIV and AIDS says a lot about his value system and what we can expect of him in Justice Kennedy’s seat,” said David Stacy, the government affairs director of Human Rights Campaign (HRC), an LGBTQ advocacy group, in a related release about the article.

“The American people deserve a fair-minded jurist,” Stacy said. “The Senate needs to reject this nomination.”

The American Ledger is affiliated with American Bridge 21st Century, a progressive super PAC.

In related news, HIV advocacy group AIDS United recently posted a POZ blog about its opposition to Kavanaugh.

© 2026 Smart + Strong All Rights Reserved.
http://beta.docker.poz.com/article/kavanaugh-defended-company-accused-abusing-inmates-hiv