Posthumous HIV Disclosure Stirs Debate

June 22, 2012 By Oriol R. Gutierrez Jr.

Erik Rhodes, a gay porn star, died June 14 of a heart attack in New York City. He was 30 years old. A June 20 New York Times article reported that he was HIV positive.

In the NYT article by Jacob Bernstein (who recently penned another article on the tragic death of another gay man, Bob Bergeron, a New York City therapist who committed suicide earlier this year), it was clear that Rhodes had led a fast life:

He appeared regularly on Page Six, spent time with the designer Marc Jacobs, was profiled in magazines that had nothing to do with pornography, and shot an ad campaign for Loehmann's.

Over the last few years, he had also been the author of a harrowing (and frequently clever) Tumblr feed, on which he detailed his escapades escorting, his rampant steroid use and his stories of winding up in psychiatric wards after crystal meth binges. (The blog was taken down last weekend, shortly after news of his death ricocheted around the Internet.)

Mr. Rhodes, whose given name was James Naughtin, was signed to Falcon Video in 2004, and became one of a handful of recognizable faces in an era when the industry was going through a painful economic contraction, thanks to online file sharing and free pornography sites like Xtube.

It was a friend of Rhodes who disclosed:

“People faulted him for doing steroids, which was the thing that allowed him to be the ideal they wanted,” said Samuel Colt, an actor who appeared with Mr. Rhodes on-screen and was a friend for the last several years of his life. “And people were always trying to push drugs onto him.”

Things went from bad to worse. Mr. Rhodes got into fights with boyfriends, and the police would be called. Famous friends like Mr. Jacobs, who did not respond to calls for comment for this article, fell away. Mr. Rhodes went from using steroids to dealing them. And then, a few years ago, he tested positive for H.I.V.

According to Mr. Colt, Mr. Rhodes found this out when he went to shoot a scene for Randy Blue, a company that requires testing. “They said, ’Your test results came back, and you’re H.I.V. positive,’ ” Mr. Colt said. Nevertheless, Randy Blue still managed to get Mr. Rhodes to film a solo scene that day, Mr. Colt said.

There’s been a lot of reaction to the death of Rhodes and the range of points being made are numerous. Brett Edward Stout at Advocate.com offers a nice summation of the reactions and adds his perspective:

People have bantered about why we care if a porn star died, have said that he brought this on himself, have locked themselves in rooms in tears, and even been so crass as to say he deserved it. ...

People can judge him for his excesses or his career, but it was us who wanted to see those limits pushed and us who consumed the product he became. While many roll their eyes at porn actors, without an audience they wouldn’t exist. ...

And for a moment, and I hope a long moment, we will all

judge the extent of our excesses and mitigate the dangers they pose with moderation.

I have to admit that I had never heard of Rhodes before. At 41, it seems my adult film knowledge is more than a bit outdated. When Mason Wyler self disclosed in 2010 he had HIV, I also didn't know him beforehand.

There are several differences between the Rhodes and Wyler cases, but the most relevant to me is that, as far as I can ascertain, Rhodes had never publicly self disclosed he was HIV positive during his lifetime.

That point and others have stirred some debate. A good example of the issues can be found in the June 20 blog post by Zach June at the gay porn blog TheSword.com (site NSFW) and in the comments section.

Here's some of what the blog writer said:

Given the fact that Rhodes is dead, the Times printing his HIV status has no effect on him or his career, and in the context of the article, it was a relevant piece of information. ...

Imagine if, for example, Erik Rhodes' HIV status had been disclosed to one of his less than mentally stable scene partners from the past and how that might have played out, first on the set and then, undoubtedly, in some sort of public meltdown on Twitter. So, once one person finds out, everyone finds out.

There are HIV-positive actors working steadily in gay porn without ever transmitting the virus to scene partners. Identifying them as positive and, what, segregating(?) them from performers who happen to be negative would easily lead to public outings and discrimination, and we've already seen how that plays out.

Furthermore, if you think that this is an industry that is administratively or economically equipped to start self-segregating and/or sorting its performers into positives and negatives without violating HIPAA laws, you're even more delusional ...

And here are some of the scores of comments:

I don't know why Samuel included his HIV status in there. If I die, I don't want every little piece on information revealed about me just because it won't "affect my career". It can affect many other things in his family and friend's lives.

Wyler shouldn’t have a career in porn if he’s HIV+ Rhodes shouldn’t have either. Either quit doing porn or go to one of those sites that more or less promotes HIV like Treasure Island. Don’t continue to do porn and put the lives of non-HIV workers at risk.

HIV status is completely irrelevant to the story and “outing” it served absolutely no purpose. Erik’s personal and mental health issues started long before he became HIV positive, that is what is absolutely relevant and the story would have served a greater cause by bringing to light the need for people to have access to better mental health medical care so that things like this don’t have to spiral out of control, as they did for Erik.

I think it’s for the better that Samuel Colt gave this information. HIV carries more stigma and hurt than necessary- maybe this will add enlighten many people who looked to Erik Rhodes for his godlike status. He was a grieving, hurting, sick, human being. But we still fantasized about him. We still wanted to look like him.

I would be interested to know if Rhodes told his status to his escorting clients.

First, James was not public about his status despite being candid and forth right about most of his life.

Second, presumably he shared this with Mr. Colt in confidence with the expectation that he would never share what he was told (a desire that I am sure he intended to survive death). Third, when confronted with a question, the answer to which might cause a person to reveal something that they reasonably believe that they should not, the proper response to decline to answer.

The commentary and comments above should speak for themselves, so I'll leave well enough alone, save the following.

As a gay man with HIV, my first reaction when I read the NYT article was discomfort. It seemed to me that disclosing Rhodes had HIV was unnecessary. Knowing Rhodes had HIV was not necessary for me to understand the extent of his troubles. I thought it was a salacious detail. However, as much as those things are ethically troublesome to me on a personal level, I also think my feelings are irrelevant as far as journalism is concerned. And there's the rub.

Further, there is something to the argument that the discomfort I felt -- and that many, many others felt -- is rooted in stigma and for that reason alone should be challenged. If Colt had said Rhodes had hepatitis C, how would we have felt? Probably less uncomfortable. How about if it was cancer or diabetes? Probably even less uncomfortable. But that's all about personal ethics, not journalistic ethics.

We can't control what is said about us after we're dead, for obvious reasons. Journalists are supposed to be truth tellers, no matter what. I can't fault the NYT or Bernstein for doing journalism. Should Colt have told Bernstein that Rhodes had HIV? That's between Colt and his conscience, but Bernstein was within his rights as a reporter to use the information.

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