HIV and the JetBlue Flight Attendant

August 10, 2010 By Oriol R. Gutierrez Jr.

Steven Slater, the JetBlue flight attendant who deployed an inflatable emergency chute after landing at JFK Airport and then fled the scene, pled not guilty to charges of reckless endangerment, criminal mischief and criminal trespass.

The details of Slater's story from this point on vary quite a bit depending on the news outlet. However, there does seem to be a consensus on the outline of the story.

A passenger grabbed a bag in an overhead compartment when the plane was landing. Slater told the passenger to close the overhead and sit down. The passenger disregarded Slater's request and grabbed the bag anyway. The passenger told Slater, "Fuck you." Either the bag or the door of the overhead bin struck Slater in the head.

As a result, Slater yelled expletives into the P.A. system of the plane, grabbed at least one beer can, opened the plane door deploying the chute, slid down, got into his car and drove to his home in Queens, where he was arrested.

OK so far, but when basic details like the gender or sex of the passenger who cursed at Slater are in conflict (for example, an ABC News article uses the pronoun "she" and the New York Post uses the pronoun "he"), I hesitate to draw too many conclusions. However, there is one detail that I just can't avoid exploring further.

According to the New York Post, Slater told the police that he was HIV positive. The New York Times does not mention Slater's HIV status, but other outlets do mention it.

Oh, the ethics of HIV disclosure. When to disclose one's HIV status on a personal level (for example, I happen to be HIV positive, by the way, just in case someone reading this didn't know) is tricky enough, but having one's HIV status disclosed by a third party ups the ante.

The same rules should apply for journalists in disclosing HIV status as with disclosing sexual orientation or gender identity: Is it relevant?

Let's take the example of Judge Walker from the federal Prop 8 case. The fact that Walker is gay may or may not have had an impact on how he decided the case, but I believe his being gay is relevant enough to warrant disclosure of his sexual orientation by the media.

And while we're at it, let's take the issue of the Post also revealing that Slater "hopped into bed with his boyfriend" when he went home. Was this relevant?

I believe there may be a reason Slater's HIV status is relevant, but more on that in a moment. As it stands so far in my telling of the story, the details don't seem to warrant disclosure. And such seems to be the conclusion of the New York Daily News.

"Steven Slater told police he's HIV positive after his arrest for his JetBlue tantrum at JFK: sources" was the original Daily News headline, but "Steven Slater bail set at $2,500, attorney tells judge flight attendant's rant was sane thing to do" is the current headline and there is no mention of HIV in the current version of the article.

The fact that the Daily News scrubbed HIV out of their story very soon after their original decision shows some level of doubt about the relevancy of disclosing Slater's HIV status.

UPDATE: "JetBlue flight attendant who lost his cool arraigned; pleads not guilty" was the headline of the original New York Post story with the HIV reference. When you now click on the link that used to take you to that story, it now goes to a story headlined "Jet Blue flight attendant who lost his cool released" with no references to HIV. So, the Post also has seemingly changed its mind about the relevancy of disclosing Slater's HIV status. Search results on the New York Post website still show the original headline.

Now, back to why it may be relevant. I have no knowledge as to whether Slater is HIV positive. However, as someone who is HIV positive, I can imagine what would make me disclose my HIV status to the police in that situation and it ain't pretty.

If I were bleeding and still conscious, I'd tell the police--and anyone else that might come into contact with my blood--that I was HIV positive. Most of the reporting says that Slater was hit on the head. The ABC News video seems to show a substantial gash on his forehead.

Watch the ABC News video:

No matter how remote the risk of HIV transmission, the health and safety of other people would make me disclose my HIV status (not to mention, depending on what jurisdiction I happen to be in, there may be legal consequences to me not disclosing my HIV status).

Disclosure of my HIV status to the police under those circumstances would seem reasonable to me. And I believe it would be relevant enough for the media to report my HIV status.

Obviously, this is all conjecture on my part. I may be on to something here or I may be totally wrong. Journalistically, now that the genie is out of the bottle, it is fair game to discuss. But I also believe the relevancy threshold had not been met yet for the media, and that's a shame.

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