

IRMA RODRIQUEZ

*Excerpt*

I'm in my early forties and have spent more than half my life in prison or on parole. One of the first things I remember was when I was five years old. This big blue car pulled up to the trailer where I lived with my mom, and a lady with a big old hat came and put me in the car. She was from Children's Services and she took me away with her. Later I found out that someone had called Children's Services because of my stepfather, Manuel. He never molested me, never touched me. But he was a heroin addict. I remember always smelling burnt matches all the time as a kid. I hate that smell.

One time when he went out to cop some dope, he left me alone in the trailer with the outside of the trailer door tied shut. A lady in another trailer saw that and called the police. Manuel was just getting home when the police arrived, and I'll never forget that feeling. I was so scared that they were going to arrest him, that they were there because of me, and they were going to take me away. And of course they did. Children's Services took me to court, and the judge didn't let any of my family have me. I remember screaming but it didn't matter. I went back and forth between my grandparents and my godparents for a while, but finally the court agreed to let me live permanently with my grandparents.

My mom would try to get me back, but she was an active heroin addict—Manuel had turned her on to the drug—and the court wouldn't give her custody. She tried hard, even getting herself on a Methodone maintenance program. And she was doing good, she always kept jobs. I remember her going in for her Methodone treatments. They'd give her a lock box for her take home medication, and it looked just like a lunch box to me. I remember I wanted one for school. But all her efforts

made no difference to the court. They wouldn't give me back. And in the end, she got hooked on pharmaceutical meds. Valium, codeine, anything that was a downer.<sup>1</sup>

My grandparents tried their best with me. My grandfather was a good provider, he was a janitor with a regular income. They did what they could, but even so, I didn't have too much of an affectionate childhood. I wasn't hugged a lot, I wasn't nurtured I think the way I should have been. My family just didn't know how to do that. But they did their best. I was considered a special child, because I had no father and my mother was a heroin addict and a drug addict. They were soft with me, they never yelled or hit me. My grandfather was scared of the courts and of Children's Services. He couldn't read or write, but still he expected respect. He thought that it was the most disrespectful thing for the government to come knock on his door and expect to just come in. He used to be very offended. I remember after the social workers left he would be so angry. But he was scared, too. His guard was up, and he treated me like a princess, because he was afraid they'd take me away. Don't touch her, don't yell at her, you just give her what she wants. In the end, though, I think I would have been better off disciplined instead of enabled with toys and candy and ice cream.

In second grade I started having visitations with my mom on the weekend, and at the beginning I never really wanted to go with her. I didn't trust her. But in sixth grade, when I started developing, things began happening. I started wanting to smoke, I'd seen people smoking, I wanted to pluck my eyebrows, I wanted to do all sorts of stuff my grandparents wouldn't allow. At my mom's house I could do anything I wanted, because she was hardly there. I'd have boys over, I could leave and not come back until the next day, she wouldn't question it. She'd yell, but all it took was a pill and a glass of Kool-Aid to keep her quiet.

In seventh grade my grandparents finally gave up on me. I ran away for four days. They couldn't control me anymore, so they gave me to my mom for good. Once I was with my mother, it

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<sup>1</sup> Sedative

all started: the cigarettes, the drinking, the hanging out with gangs, and going out with boys. I even became a prostitute. And I started using drugs. With my mother already living the life of an addict it seemed normal to me. My mother did it and my stepfather did it and everyone else out here was doing it. I'd walk outside my mom's apartment and there were gang members drinking and smoking and whatever. But by the time I was a teenager I had already been to juvenile hall and boot camp. I was locked up at the age twelve and then I got out and got locked up again at thirteen and got locked up again and again.

*Irma cycled in and out of Juvenile Hall until she was 18. She was later convicted of possession, transportation and sales of PCP; no longer a minor, she went to prison for six years. She continued to circulate in and out of prison for the next decade.*

In the middle of '90 I was diagnosed with HIV. I was seen by the Public Health Department while I was in jail, interviewed and counseled, and given a blood test. It came back positive, and I have to say I wasn't surprised. With my history of drug use, the prostitution, it made sense. They sent me to the prison Chronic Care Program ("CCP"), where they kept people with chronic illnesses. From the middle of 1990 to as of a few years ago, I was treated for HIV. In the CCP I had restrictions galore. I couldn't go to any other prison, I wasn't eligible for transfer to less restrictive institutions, and I was medicated. For between 8 and 10 years I was on three combinations of HIV therapy. They would test my white blood cell count and it would come back really low. They would screen my blood for my viral load, and the results would be terrible.

You can imagine this diagnosis was devastating to me. I even tried to commit suicide. The side effects of the medication were awful. Vomiting, diarrhea. Every day I had to stand in the med line sometimes for hours in the heat. I was sent regularly for chest x-rays with the other HIV

women. And of course, because of the open treatment, the marked bags of medication, everyone knew I was HIV positive. People would harass me; the corrections officers would discriminate against me. The whole system discriminated against HIV patients.

And then, in 2007, after more than a decade and a half of aggressive treatment, they finally decide to retest me, and the test comes back negative. It turned out that I was not HIV positive, and that I had never been. This negative result was confirmed in 2008. The first HIV test they did, back in 1990, was wrong.

Negative! I was never infected to begin with. I'll never know what happened to the lab reports, whether they were falsified or whether it was just incompetence. But at the same time, I worry that maybe I have a special strain of HIV that's just not showing now. Am I gonna pop up with full blown AIDS a few years from now? I can't stop thinking how could I have had so many lab tests that showed it in my blood? So many tests showing high viral loads? But they've retested me a few times, as recently as last year, and I'm still testing negative. But I'm scared. I don't know what to believe right now. I don't know what to do. I wish I could go see a doctor out in the free world who could screen my blood and see once and for all if I'm really HIV negative.

After all this happened, I petitioned for a hearing with the Chief Medical Officer. Before they can bring a law suit against the department of corrections, prisoners first have to file an in-house grievance. It took me exactly nine months from the time I filed the grievance for the Chief Medical Officer to hear it and interview me. When I walked into the hearing room I walked into a whole panel of people. They were ready for me. Medical officers, public health officials, nurses. The public health nurse who initially sent me to be tested claimed that she never interviewed me. But how else would I have been referred for treatment? She insisted that she has no record of that, that she doesn't recall it. It's ridiculous. We all know that I was treated for HIV, but she keeps insisting that she never gave me the diagnosis.

Their claim is that it's not their fault, they simply treated me for a disease they were told I had. They refuse to acknowledge that they were the ones who told me that I had the disease. It took nine months for the decision from the hearing to come through, during which time they kept sending my forms back to me, telling me the wording was incorrect, the filing dates were incorrect. Because I had to go through this process before even considering a law suit, I resubmitted three times, but each time they'd send it back claiming clerical errors. But I had a public interest attorney from the prisoners' rights group Justice Now with me during the process, and I'm sure that the forms were in perfect order.

The prison refuses to accept responsibility. They blame the mistaken diagnosis on the lab, and tell me to go ahead and take it up with them. They say, "Now, what the lab people did to you, or what they sent back to us, is not our mess. You need to get legal help and sue them." I tried to do that, but the lab was closed down. It turns out they were shut down by the government because they were falsifying tests.

More than anything I've gone through in my life and in prison, this medical stuff has messed me up. If you live in the free world, I don't think you can really understand. When you're in prison, it's like you've been put in this little box, and little slips of paper are put in the box with you, with pieces of information. You can't verify it, you don't know if it's true, you don't know what to do or how to act. And worst of all, there's no way of you getting out of this box. You just have to keep breathing.