

Urban Justice Center

Sex Workers' rights and Human Trafficking

<https://www.urbanjustice.org/2018/12/12/the-right-to-mother-and-do-sex-work/>

Campaign and Advocacy

NORTHERN CALIFORNIA Kymberly Cutter expected an uphill battle for custody of her 8-year-old daughter. She is a sex worker and her case was being tried in a rural, conservative part of the state. Her ex-boyfriend, the child's father, brought to court a file of photographs and advertisements for her bodywork and prostate massage business.

He was trying to make it seem like I was raising [our daughter] in a brothel, she says. I wasn't.

Cutter's massage studio was in an apartment separated from her main house, and her ex-boyfriend was part of that world, she tells *In These Times*. He was very much open to my sex work when we were together.

Liz Afton works as a counselor at the Sex Workers Project, an initiative of New York City's Urban Justice Center (UJC), which provides legal and social services to people involved in sex work. Parents, particularly mothers, who are involved in sex work often have it used against them to separate them from their child, Afton says.

Atossa Movahedi, director of legal services and development at the UJC's domestic violence project, says Cutter's situation is common. More often than not, she says, the opposing party had knowledge of, or even was involved directly, in the client's participation in the sex work, and is now using it as a tool to exploit them in the court system.

When dealing with custody disputes, courts first look at a parent's ability to provide a loving and stable home. Financial status, mental health, drug use and domestic violence all fall under consideration. Though many mothers involved in sex work pass inspection in these areas, they're left with the fact that the job is usually illegal and in the eyes of some on the bench, immoral.

In many cases, we see the inherent biases of the judge at play, perhaps not explicitly, but in their demeanor and rulings, Movahedi says.

I had a good judge, Cutter says. He felt what I did for a living had no bearing on my ability to parent. Cutter also came armed with 60 letters of support from friends, family and community members, and her parents gave her \$10,000 to cover her legal costs. Even then, she says, I was really, really lucky. If you get a conservative judge who wants to punish women, well, you're in big trouble.

Take the case of Finley Fawn, who lost custody of her 6-year-old son in 2016. Fawn performs legal sex shows on the internet, but the courts decided that filming from home allowed her child too much awareness of the job.

Juliana Piccillo, a former sex worker in Tucson, Ariz., says that when she and her second husband divorced in 2003 she waived her right to child support because he threatened to sue for custody if she did not. When, in 2009, she decided to pursue child support for their disabled son, he tried to use her sex work against her. Though she won, she recalls the experience as drenched in bias and belittlement. Her ex-husband served as his own counsel, Piccillo says, and tried to embarrass her with images from her website. A friend of hers went through something similar; opposing counsel repeatedly referred to her as Hooker Mom.

In 2014, Piccillo helped start *Red Umbrella Babies*, an anthology about sex work and parenting. Every [separated] sex worker I know has had their custody threatened, she explains. If we start talking about it, we can show that sex workers can be very good parents and raise very healthy children in very wholesome environments.

Liz Afton argues that many sex workers make great mothers not in spite of the job, but because of it. It provides schedule flexibility and much better wages than many jobs, and the luxury of more quality time with their children, she says. It can also allow people to escape abusive relationships by taking control of their own financial security.

As for Cutter, she's now living and co-parenting with another sex worker who also has a child. Cutter says raising her child with another woman in the field feels like a safer bet when it comes to retaining custody. Within the world of sex workers, it's not entirely uncommon.

Piccillo, for example, is involved with the Sex Workers Outreach Program, a network of 28 chapters dedicated to advancing sex worker rights. We spend holidays together, we barbecue together, we raise our children together, she says. We create our own communities to nurture our kids.

Piccillo adds, A lot of myths and stereotypes about sex work have been debunked. But parenthood is the last frontier.

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