

## (Dis)ability and Sex Work Decriminalization

People with (dis)abilities have sex just like people without (dis)abilities, and that sex should not be criminalized.

(Dis)abilities is a relatively new spelling signifying that a person's disability does not necessarily detract from other abilities. (Dis)abilities can be visible, such as mobility impairment, or invisible, like mental health conditions and chronic pain. This term highlights what someone can do in spite of a visible or invisible disability.

The Americans with Disabilities Act of 1990 (ADA) is a landmark civil rights law that protects people with (dis)abilities from discrimination, requires covered employers to provide reasonable accommodations to employees with (dis)abilities, and imposes accessibility requirements on public accommodations. However, the ADA does not address people with (dis)abilities' basic human need for access to sexual fulfillment.

Professional sex workers are experts in navigating consensual sexual relationships. A compassionate society would respect the challenges people with (dis)abilities face, and decriminalize sex work so that people – all people, including people with (dis)abilities – can legally have sexual fulfillment by participating in the sexual services market.

### Clients With (Dis)abilities

People with (dis)abilities may face stereotypes around their sexual agency. While most people have the potential for sexual gratification, non-monetary sexual relationships can often be inaccessible to or challenging for those with (dis)abilities. Many people with (dis)abilities may prefer to pay for sexual services for a variety of reasons, such as:

1. **Limited or no access to safer sex:** Some people are unable or extremely limited in their ability to connect to safer sexual experiences without the support of a professional partner.
2. **"Sexpertise":** Experienced sex workers are professionals. As professionals, they are typically more equipped to meet the needs of their clients. Professional sex workers can deliver enjoyable, non-judgmental, educational experiences for people with (dis)abilities while protecting their own boundaries and centering consent. Furthermore, these encounters can be meaningful and beneficial to their overall health and happiness.
3. **Presence of caretakers:** It can be awkward needing a personal aid worker in order to facilitate establishing an intimate or romantic relationship. This also creates the potential for an uncomfortable working environment for aid workers having to deal with someone else's sexuality without overt consent. For these people, an uncomfortable working environment can be avoided by hiring a third-party sex worker.

4. **Simplicity of communication:** For some people with (dis)abilities, communicating physical and sexual abilities, and navigating consent can be simpler with a professional, especially for the first time.
5. **Environmental inaccessibility:** Many people with (dis)abilities have limited or no access to places where they may meet a sexual partner. Dating scenes can be unaccommodating or physically inaccessible.
6. **Virtual inaccessibility:** Dating apps are not designed to accommodate many differences in sight, hearing, or other abilities.

## Sex Workers With (Dis)abilities

There are many people with (dis)abilities who choose to sell sexual services; demonstrating that their bodies are sexually desirable can be empowering. Unfortunately, prostitution is illegal everywhere in the United States, except for a few brothels in Nevada. Although it is difficult to ascertain data on exact numbers, there are not many sex workers with visible (dis)abilities working in Nevada brothels.

Decriminalizing sex work would allow those with (dis)abilities engaging in the sex trade to work for themselves, according to their personal choices, without fear of arrest. Just as sex workers are experts on sexual consent, people with (dis)abilities are experts on their own bodies. A just society would allow anyone – including those with (dis)abilities – to make their own decisions regarding the consensual buying and selling of sexual services.

### ***Why should people with (dis)abilities and compassionate people support full decriminalization of sex work?***

Full decriminalization offers robust opportunities for people with (dis)abilities to have agency over their own bodies, as either sexual service providers or patrons, without fear of arrest.

The legalization and strict regulation of sex work create barriers to employment or participation for folks with (dis)abilities. For example, in a heavily regulated market, mandatory regulations create environments ripe for discrimination against sex workers and clients with (dis)abilities.

**In short, people with (dis)abilities have sex, sell sex, and buy sex, and as long as these activities are consensual and amongst adults, they should not be criminalized.**