

# Utah Woman Whose Stepchildren Saw Her Topless in Home Faces Charges

*Tilli Buchanan says she was teaching the children about women's inequality*

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By Harriet Sokmensuer

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A woman in Utah faces criminal charges after she was seen topless by her stepchildren while getting undressed in her home with her husband, in an incident she says was an attempt to teach them about women's inequality.

On Tuesday, Tilli Buchanan, 27, appeared in court with her attorney and an attorney with the American Civil Liberties Union of Utah to argue that she should not face lewdness charges and that the state's lewdness statute is unconstitutional because it discriminates against women, the Salt Lake Tribune, CBS News and KSL report.

Buchanan faces three counts of lewdness involving a child stemming from an incident in the past. The date the incident in question occurred is unclear. Buchanan believes it happened in the fall of 2016 but prosecutors allege it occurred sometime between November 2017 and January 2018.

In September, Buchanan told the Tribune that on the day in question, she and her husband had been installing insulation in their West Valley City home's garage when they decided to go inside, get out of their itchy, sweaty work clothes and take a shower.

While undressing, her stepchildren— a 13-year-old boy, a 10-year-old girl and a 9-year-old boy — came downstairs and became embarrassed. In an effort to make it a teaching moment, Buchanan tried to explain that a woman's breasts aren't inherently sexual and women should not be treated differently from men.

"This isn't a sexual thing," Buchanan told the paper of what she told the children. "I should be able to wear exactly what my husband wears. You shouldn't be embarrassed about this."

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In February, Buchanan was charged after prosecutors learned of the incident during a Division of Child and Family Services investigation into the children unrelated to Buchanan.

According to court documents, West Valley City prosecutors allege the incident wasn't as innocent as Buchanan makes it out to be, saying she was "under the influence of alcohol" at the time. The documents allege she took her top off after her husband took his shirt off, saying she would only put it back on if he showed her his genitals, the Tribune reports.

Buchanan said she hadn't given the incident a second thought until she was charged.

"I was devastated," she told the Tribune. "Because the moment I took to teach the kids, it was kind of smashed. Like you can't teach kids this. In fact, you're going to be charged for even bringing this up."

Buchanan's husband is not charged.

“It was in the privacy of my own home. My husband was right next to me in the same exact manner that I was, and he’s not being prosecuted,” Buchanan said after Tuesday’s hearing, CBS reports.

If found guilty of the misdemeanor charges against her, Buchanan could face time behind bars and would have to register as a sex offender for 10 years.

“If we lose this, she’s on the sex offender registry with child rapists and things of that nature,” her attorney, Randy Richards, said. “The magnitude of the penalty on this is enormous.”

During Tuesday’s hearing, ACLU of Utah attorney Leah Farrell asked the judge to find the state’s lewdness statute against toplessness unconstitutional. Prosecutors argued that it is socially accepted in the United States for nudity to include a woman’s breasts.

“In the statute, there’s one part of it that says this part of a woman is found inherently obscene and this part of a man isn’t,” Farrell said after the hearing, according to the Tribune. “That really sets up an unequal and unfair dichotomy. And Tili’s case is something none of us would expect to happen to us.”

The judge called the case “important” and said a written ruling to be released in about two months.

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