

Utah woman accused of being topless with stepkids takes plea deal

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SALT LAKE CITY (AP) — A Utah woman who fought criminal charges after her stepchildren saw her topless in her own home took a plea deal Tuesday to avoid the risk of having to register as a sex offender if convicted, her lawyer said.

Tilli Buchanan's decision brought an end to the case that drew attention to a debate over whether it's fair to treat men and women differently for baring their chests. Her husband was not charged even though he also had his shirt off at the time.

Tilli Buchanan and her attorneys argued that Utah law on lewdness involving a child was unfair to women and asked a judge to throw out the charges and declare part of the law unconstitutional. Buchanan and the American Civil Liberties Union of Utah had pointed to a court ruling that overturned a topless ban in Colorado and helped fuel a movement.

But the judge instead sided with prosecutors who argued that lewdness is commonly understood to include women's breasts in American society.

ridiculous," her attorney Randy Richards said. "She (or other women) have to worry about their kids seeing them topless? It's ridiculous."

Buchanan pleaded guilty to a misdemeanor count of lewdness as part of the agreement that dropped two other charges of lewdness involving a child. The remaining charge will be dropped after a year as long as Buchanan doesn't commit any new crimes.

The stakes were too high to go to trial because she would have been on the sex offender registry for 10 years if she had been found guilty of the charges that were dropped, Richards said.

Buchanan and her husband said they took off their shirts to keep their clothes from getting dirty while they hung drywall in their garage in a Salt Lake City suburb.

When her husband's three children, ages 9 through 13, walked in, she explained that she considers herself "a feminist and wanted to make a point that everybody should be fine with walking around their house or elsewhere with skin showing," her lawyers said in court documents.

children's mother reported the incident to child welfare officials working on a separate investigation involving the children.

Police said Buchanan removed her shirt and bra in front of the children while "under the influence of alcohol."

A global movement advocating for the rights of women to go topless, called the Free the Nipple campaign, has seen mixed success fighting similar ordinances in other parts of the country.

The 10th U.S. Circuit Court of Appeals has upheld a ruling that blocked a ban in Fort Collins, Colorado, on women going topless in public.

But the U.S. Supreme Court recently left in place the conviction of three members of the Free the Nipple campaign who were arrested for going topless on a New Hampshire beach in 2016.