

Backgrounder

Secondary Negative Effects on Employees of the Pornographic Industry¹

Although this backgrounder focuses on the secondary negative effects of the pornographic industry on its employees, we also understand the multiplicity of secondary negative effects on the community at large.¹

1. The Pornographic Industry Lures a Damaged Population as Its Employees

- 90% are child sexual abuse survivors.²
- Degrading, dehumanizing acts required of employees exacerbates disorders.
- As USA/UK welfare, police agencies must “offer/mandate counseling” for staff “*viewing objectionable material*” the trauma for the performers of such material is evidential.³

2. Secondary Negative Effects of Pornographic Workplace on Performers

▪ Sexually Transmitted Diseases

- 66% to 99% of pornography performers are reported with Herpes, *a non-curable disease*.⁴
- Chlamydia/Gonorrhea among performers is 10x greater than LA County 20-24 year olds.⁵
- 25 HIV cases by performers reported by Adult Industry Medical Healthcare since 2004.⁶
- 70% of STDs in the porn industry occur in females.⁷

▪ Mental Health/Disabilities of Pornographic Workplace Employees

- Suicide and Suicidal Ideation⁸
- Post Traumatic Stress Disorder⁹
- Sexual Trauma¹⁰
- Prostitution activities¹¹
- Sexual Addiction¹²
- Substance Abuse¹³

3. Public Costs of a Pornographic Workplace: Sex performers, further traumatized by their brutal workplace environs, typically work “*three months to three years*”¹⁴ putting most on the dole:

- **Mental Health**—Drug/alcohol/abortion/abuse - require rehabilitation.
- **Hospitalization**—Drug overdoses/suicides/auto accidents, etc. - require medical aid.
- **Government Services**—Pregnancies/abortions/PTSD - require social services.
- **Child Protection Services**—Child abuse/neglect/battery/abandonment - foster care, etc.
- **Women, Infant Children (WIC)**—Food/nutrition - aid for low-income women, children.
- **Unemployable**—due to job gap, common lack of high school diploma and dysfunctions.
- **Law Enforcement**—Prostitution/domestic violence, etc. - require police, judicial time.
- **Jails and Prisons**—Drugs/prostitution/DUI/domestic violence - parole, incarceration.

¹ These data by Shelley Lubben, executive director of Pink Cross Foundation, a 501(c)(3) public charity dedicated to reaching out to adult industry workers offering emotional, financial and transitional support. www.shelleylubben.com and www.thepinkcross.org, are herein corroborated by Judith A Reisman, PhD, former Principal Investigator, *Images of Children, Crime & Violence in Playboy, Penthouse and Hustler*, 1989, US Dpt of Justice, Juvenile Justice and Delinquency Prevention, Grant No. 84-JN-AX-K007 (11/14/09).

4. To Avoid Taxes, Federal & State Workplace Safety Laws & Thus to Stay in Business, the Pornographic Industry Falsely Dubs Employees “Independent Contractors.”¹⁵

- In *Robert Deupree, Petitioner, V. Workers’ Compensation Appeals Board, etc.*, (08-815) March 2, 2009 Petition DENIED by the US Supreme Court a pornographic performer contracted HIV allegedly due to employer-violation of standard workplace safety practices.
- Like most pornographic employers, “Defendants” charged that said employee was an “independent contractor.”
- The court ruled that she (who like most pornographic performers suffers from multiple pre-existing pathologies) was an *employee*, thus entitled to workplace safety.
- The bloodborne pathogens standard for “employee” protection requires that employers:

“...use feasible **engineering and work practice controls** to protect workers from coming into contact with blood or other disease-carrying body fluids (referred to in the standard as “other potentially infectious material,” or “OPIM”). Semen and vaginal fluid are always considered OPIM. Any other body fluid is considered OPIM if it’s visibly contaminated with blood. Saliva is considered OPIM in connection with dental procedures because these procedures routinely cause saliva to be contaminated with blood...The kind of contact prohibited by the standard is contact between skin or mucous membranes and blood or OPIM.”¹⁶

5. Conclusion

Ms. Lubben concludes, “the majority of pornographic films currently produced involve direct contact between skin or mucous membranes and blood, semen, vaginal fluid, saliva and other OPIM. Since these exchanges of potentially hazardous fluids clearly violate even minimal health safety measures, the majority of pornographic films being produced would be in violation of extant safety laws.”

“In addition, recognizing pornographic performers as employees—directed and controlled by the employer¹⁷—will finally provide these commonly already disabled pornographic employees with the health insurance, tax supports and disability benefits commonly provided by employers to other workers in the United States of America.”

– 30 –

ENDNOTES

¹ See Judith Reisman, “There is Child Pornography in Your Neighborhood Store,” presentation to the Mayoral *National Conference on the Blight of Obscenity*, Cleveland Ohio, July 28-29, 1977, pp. 53-70.

² Based upon in-depth interviews and public testimonies by pornography employees, we estimate 90% are adult survivors of child sexual abuse. These data are considered reasonable based upon the extant data from established governmental statistical findings as follows: 1 in 4 girls is sexually abused before the age of 18. (<http://www.cdc.gov/nccdphp/ace/prevalence.htm>, *ACE Study - Prevalence - Adverse Childhood Experiences*); 1 in 6 boys is sexually abused before the age of 18. (<http://www.cdc.gov/nccdphp/ace/prevalence.htm>, *CE Study - Prevalence - Adverse Childhood Experiences*); An estimated 39 million survivors of childhood sexual abuse exist in America today. (Abel, G., Becker, J., Mittelman, M., Cunningham-Rathner, J., Rouleau, J., & Murphy, W. 1987). Self reported sex crimes on non-incarcerated paraphiliacs. *Journal of Interpersonal Violence*, 2(1), 3-²⁵

³ The National Center for Missing and Exploited Children now employs a psychologist to aid staff who must view “this work,” this “objectionable material.” (NCMEC Quarterly Progress Report, April 23, 2009). The NCMEC study recommends interventions. “Monitoring employees’ well-being” should be proactive to prevent “severe secondary traumatization.” Analysts need “support resources...safeguard programs, counseling, peer support” to create “awareness of secondary

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- trauma and compassion fatigue.” Although the hunt is for child abuse images, an extensive body of work is now emerging on the problems experienced by staff who *must* view *adult* pornography to seek criminals and victims. See Reisman, “Picture Poison,” SALVO, Autumn, 2009, pp. 23-25. <http://www.salvomag.com/new/mag/salvo10.php>.
- ⁴ 99% reported by former performers and 66% by Sharon Mitchell, Founder of AIM (Adult Industry Medical Healthcare Foundation – www.aim-med.org).
- ⁵ Peter R. Kerndt, MD, MPH Director, Sexually Transmitted Disease Program Los Angeles County Department of Public Health. “Worker Health and Safety in the Adult Film Industry.” May 21, 2008. http://bixbyprogram.ph.ucla.edu/lectureslides/Kerndt_5-21-08.ppt.
- ⁶ County of Los Angeles Public Health: Adult Film Industry Report. September 17, 2009. http://www.shelleylubben.com/sites/default/files/LA_Public_Health_9-17-09.pdf.
- ⁷ Ibid, Kerndt, “Worker Health and Safety in the Adult Film Industry.”
- ⁸ Shelley Lubben. Testimony given before Committee on Revenue and Taxation, California State Assembly on AB2914 Taxation: Adult Entertainment Venue Impact Fund. See “Suicide Deaths in the U.S. Porn Industry since 1970.” <http://www.shelleylubben.com/suicide-deaths-us-porn-industry-1970>.
- ⁹ Ibid Lubben. See also Melissa Farley and Howard Barkan, DrPH *Women & Health*, 27 (3): 37-49. 1998 by The Haworth Press, Inc. http://www.prostitutionresearch.com/prostitution_research/000021.html.
- ¹⁰ Chris Hedges, Pulitzer Prize Winner, *Empire of Illusion*, Nation Books New York, 2009, see esp. Chapter 2 “The Illusion of Love,” re, Lubben, et al., Ibid Lubben. See Jan Meza aka Elizabeth Rollings <http://www.shelleylubben.com/former-porn-star-elizabeth-rollings-story>. See also Anne Bissell, Sex Industry Survivors 12 Step Recovery, author of *Memoirs of a Sex Industry Survivor* at <http://www.sexualabusesurvivors.com/SexualIssues.htm>.
- ¹¹ Ibid Hedges, Lubben, Farley, Bissell as above. See also one site for “porn star” prostitution services at www.bodymiracle.com.
- ¹² Ibid above. See also Judith Reisman, “The Science Behind Pornography Addiction,” U.S. Senate Testimony on Commerce, Science and Transportation, November 18, 2004.
- ¹³ Ibid Hedges. See esp. pp. 62-63. Reisman, Lubben, Bissell, Farley et al.
- ¹⁴ Sharon Mitchell, “How to Put Condoms in the Picture,” *The New York Times*. <http://www.nytimes.com/2004/05/02/opinion/02MITC.html>. Ms. Mitchell is a former pornographic performer and the founder of AIM (Adult Industry Medical Healthcare Foundation). Mitchell received her PhD. from the Institute for the Advanced Study of Human Sexuality in San Francisco, a *non-credentialed agency*, since 1968, that has published and sold child pornography to *Hustler* Magazine (See Reisman, *Kinsey Crimes and Consequences*, 2003 and www.drjudithreisman.com for further information, in Reisman’s archives).
- ¹⁵ See employment laws for independent contractor vs. employee at www.irs.gov, <http://www.taxes.ca.gov/iCorE.bus.shtml>.
- ¹⁶ DOSH, <http://www.dir.ca.gov/DOSH/AdultFilmIndustry.html>.
- ¹⁷ See employment laws for independent contractor vs. employee at www.edd.ca.gov, and <http://www.irs.gov/businesses/small/article/0,,id=99921.00.html>.