

# Press Information: Acadia Parish Sexually Oriented Business Ordinance

## ARTICLE VII OF CHAPTER TEN OF THE CODE OF ORDINANCES OF THE ACADIA PARISH POLICE JURY TO BE ENTITLED “SEXUALLY ORIENTED BUSINESSES”

### Contents

Reference Material .....	1
Contact Information .....	1
Some history .....	2
Issues with the ordinance and process .....	2
Adverse Secondary Effects .....	2
Constitutional Right to Gather in Private .....	3
In Support of Private Membership Clubs .....	3
Not a Sexually Oriented Business .....	4
Research on Non-monogamy .....	4
Statement from Tess Zachary of the National Coalition for Sexual Freedom .....	7
Statement of Douglas D. Brown, attorney with the NCSF .....	8
Statement from Woodhull Freedom Foundation .....	10
Statement from OPEN (Organization for Polyamory and Ethical Non-monogamy) .....	11

### Reference Material

Language of the proposed ordinance introduced November 2024:

<https://appj.org/wp-content/uploads/2024/11/Ordinance-Sexually-Oriented-Businesses.pdf>

### Contact Information

#### National Coalition for Sexual Freedom

<https://ncsfreedom.org/>  
Tess@NCSFreedom.org  
602-851-1590

#### Douglas D. Brown

The Douglas Brown Law Firm, LLC  
dbrown@dougbrownlaw.com  
985- 310-6900

#### NCSF Mission Statement

The NCSF is committed to creating a political, legal and social environment in the US that advances equal rights for consenting adults who engage in alternative sexual and relationship expressions. The NCSF aims to advance the rights of, and advocate for consenting adults in the BDSM-Leather-Fetish, Swing, and Polyamory Communities. We pursue our vision through direct services, education, advocacy, and outreach, in conjunction with our partners, to directly benefit these communities.

## Some history

This proposed Ordinance was written in direct response to a private 501 (c)7 membership club being built in Acadia Parish. The club did everything right, spoke to every relevant department, and made sure they had everyone's buy-in and nothing would stop them from building their club. Permits had been issued, and the Police Jury had agreed to allow the club to be built. In response to construction beginning, this Ordinance was introduced.

This ordinance effectively bans this private club entirely. It is retaliatory and written in a way to not restrict the existing adult businesses in Acadia Parish.

This club is private, and by invitation only. The permits included a high fence and no signage to identify what exists there. No local advertising would be done, and discretion is and always has been the goal.

While most Acadia Parish residents have been neutral, a vocal minority has been loudly protesting purely based on moral grounds.

These kinds of events are already happening in Acadia Parish, and this ordinance merely succeeds in denying people a safe space to practice these constitutionally protected activities.

## Issues with the ordinance and process

### Adverse Secondary Effects

The justification for the opposition to this business is based on "Adverse Secondary Effects" *"WHEREAS, there is convincing documented evidence that sexually oriented businesses as a category of establishments have deleterious secondary effects and are often associated with crime and adverse effects on surrounding properties;"*

As evidenced in the ordinance in SECTION 10-242: Purpose, Findings, & Rationale.

In subheading *"B) Findings. Based on evidence of the adverse secondary effects of adult uses presented in hearings and in reports made available to the Police Jury, and on findings, interpretations, and narrowing constructions incorporated in:"*...

**Every single citation in this section relates to for-profit gentlemen's clubs which are open to the public and in highly populated urban areas. There are no studies or challenges mentioned regarding a private not-for-profit membership club in a rural area.**

There are zero studies or statistics where private lifestyle clubs have brought crime to an area, or posed a health or safety risk. Often where cities choose to allow those businesses

is in an industrial or manufacturing zone, and when comparing the before and after, there has been no difference in crime, or a slight decrease because of the stability and security brought to the area.

Clubs like these have rules that all members must adhere to, and behavioral standards that are enforced, including that all activity is clearly consensual and the law is followed. This important education provides benefits for local citizens both at the club and beyond in their personal relationships.

These kinds of ordinances are an affront to free trade, personal freedom, and privacy rights.

## Constitutional Right to Gather in Private

This issue is grounded in the constitutional protection of freedom of association. Prohibiting a private club where people can associate just because a loud minority of people object to their personal choices on moral grounds is unconstitutional.

This is further supported by *Lawrence v. Texas* where deference must be made to private choices where they are not directly affecting anyone else.

It's important to not enact more government regulation against people because of who they associate with, and the content of their speech—in other words, the expression in private of their beliefs. Many people need safe and private spaces to gather without public or government intrusion so they can meet with their peers and get support from like-minded individuals.

Over-taxing and over-regulating private clubs can only aim to overburden the financial stability of the club and make it harder for marginalized groups to gather in private. It also overburdens the regulatory ability of the policy jury, squandering tax dollars, and benefiting no one.

The state of Louisiana already has enforceable laws on the books to keep people safe and to keep private activities behind closed doors. In a time where we are all concerned about government being intrusive in people's lives—for example, there are people who want to tax churches now—Acadia Parish doesn't need another layer of government.

In other words, just because it's not your cup of tea doesn't mean local authorities should stop other people from making their own legal, private choices.

## In Support of Private Membership Clubs

The Fantasies lifestyle club and clubs like them are private members-only, alternative lifestyle clubs that provide a safe meeting place for their members. They are private centers where like-minded adults can learn more about consent and healthy relationships.

Many towns in the U.S. have private membership clubs like Fantasies, and they maintain good relations with the local police with no issues arising from their operation in the neighborhood.

## Not a Sexually Oriented Business

Fantasies is not a sexually oriented business because all of the social activities are participated in by the members themselves. The club does not employ staff or hire contractors to provide entertainment or performances like a sexually oriented business.

The Acadia Parish Police Jurors serve the entirety of Acadia Parish, including the large percentages of adults in the area who want to access the membership services that the Fantasies lifestyle club provides.

Like any club or organization, they work to keep the area clean and safe and address any issues quickly because this is their community.

The club is being built on four acres of land with privacy fencing and discreet signage appropriate for a private social members club and its members.

## Research on Non-monogamy

### Parenting

[Dr. Elisabeth Sheff](#) has spent 20 years studying a number of non-monogamous families with children, with parents who engage in swinging, open relationships, polyamory, and/or polyfidelity. Sheff's longitudinal research has revealed a number of trends: children who grow up in non-monogamous homes, some of which involved multiple adult partners cohabiting and some not, appeared to be healthy, self-confident, intelligent, articulate, well-adjusted, and benefit from a greater availability of love, nurturing, and resources (Pallotta-Chiarolli 2020; Sheff 2014; 2016). There is no indication of higher levels of child abuse or childhood neglect by non-monogamous parents.

- Pallotta-Chiarolli, M., Sheff, E., Mountford, R. (2020). Polyamorous Parenting in Contemporary Research: Developments and Future Directions. In: Goldberg, A.E., Allen, K.R. (eds) LGBTQ-Parent Families. Springer, Cham. [https://doi.org/10.1007/978-3-030-35610-1\\_10](https://doi.org/10.1007/978-3-030-35610-1_10)
- Sheff, E. (2014). The polyamorists next door: Inside multiple-partner relationships and families. Lanham, Maryland: Rowman & Littlefield.
- Sheff, E. (2016). Resilience in polyamorous families. In P. Karian (Ed.), Critical & experiential: Dimensions in gender and sexual diversity (pp. 257–280). Hampshire, England: Resonance Publications Ltd.

### Divorce

According to a [recent study](#) cited by [VeazeyFelder, LLC](#), the rate of divorce in Louisiana is 15.5%. By comparison, OPEN's 2023 [Community Survey](#) of nearly 2,500 people found that only 12.7% of their respondents were divorced.

According to the [Newcomb Institute](#) at Tulane University, two-fifths of adults in Louisiana (41%) have experienced sexual violence or harassment in their lifetime.

By comparison to non-monogamous participants in a recent NCSF survey, 33.6% of the 3,000 respondents had experienced sexual assault as an adult in a mainstream context, while only 25.5% had experienced a nonconsensual experience within in an alt-sex context (swing, polyamory, or kink event/relationship) with about half of those experiences being sexual assault, eg. only 14%. This is a fraction of the sexual assaults experienced in the mainstream by Louisiana residents.

Wright, S., Bowling, J., McCabe, S., Benson, J. K., Stambaugh, R., & Cramer, R. J. (2022). Sexual Violence and Nonconsensual Experiences Among Alt-Sex Communities' Members. *Journal of Interpersonal Violence*, 8862605211062999. <https://doi.org/10.1177/08862605211062999>

Bowling, J., Wright, S., Stambaugh, R., Gioia, D., Cramer, R. (2021) Consent Survey Tech Report. University of North Carolina Charlotte with the National Coalition for Sexual Freedom. <https://ncsfreedom.org/wp-content/uploads/2021/01/Consent-Survey-2020-report.pdf>

## Health

Acadia Parish is #33 out of 50 parishes in Louisiana for STI rates, right behind Jefferson Parish:

### 33. Acadia Parish

- Chlamydia cases: 659.8 per 100K people (378 cases)
- Gonorrhea cases: 357.8 per 100K people (205 cases)
- Syphilis cases (non-congenital): 33.2 per 100K people (19 cases)
- Primary and secondary syphilis: 24.4 per 100K people (14 cases)
- Nonprimary and nonsecondary early syphilis: 8.7 per 100K people (5 cases)

By comparison, peer-reviewed research has found that non-monogamous participants take more precautions than those in monogamous relationships in terms of greater condom use during intercourse and a higher likelihood of STI testing. Thus, the precautions they take indicates that people with negotiated non-monogamy have fewer STIs and infect fewer partners than do people in unfaithful relationships in which the partners are cheating.

Sheff, E. (2014). The polyamorists next door: Inside multiple-partner relationships and families. [Lanham, Maryland: Rowman & Littlefield.](#)

Lehmiller JJ. (2015) A Comparison of Sexual Health History and Practices among Monogamous and Consensually Nonmonogamous Sexual Partners. *Journal of Sexual Medicine*. Oct;12(10):2022-8. [doi: 10.1111/jsm.12987.](https://doi.org/10.1111/jsm.12987)

Fleckenstein, J. R., & Cox, D. W. (2014). The association of an open relationship orientation with health and happiness in a sample of older US adults. *Sexual and Relationship Therapy*, 30(1), 94–116. <https://doi.org/10.1080/14681994.2014.976997>

# Statement from Tess Zachary of the National Coalition for Sexual Freedom

Given the stigma that oftentimes exists towards open conversations about sexual health, it is no surprise that communities which celebrate diverse expressions of human sexuality and desire are often misunderstood.

This private membership club deserves your protection. In addition to the constitutionally protected freedom of expression that should be afforded to all people in Acadia Parish, the opposition consists of a small group of people who want to tell other people how to live based on their personal religious beliefs. While their beliefs are valid and right for them, they should not be applied to anyone else.

The Ordinance cited research about Adverse Secondary Effects that does not apply even tangentially to Acadia parish or this private social club, and in order for the research to apply it must directly relate to the issue, which this research does not. I'm flabbergasted at how this group of reasonable people can choose to cite resources that are willfully misapplying inappropriate data. Especially when there are better resources available that relate specifically to the club in question, and the practices of those this club serves.

This sort of moral policing disguised as lawmaking is a dangerous and slippery slope for the financial well-being of your parish and citizens who need their tax dollars to be spent on important issues. The funding that the Police Jury approved last month that you, the tax payers, will have to pay to defend this indefensible ordinance is just a down payment on the money that will have to be spent:

- This kind of Ordinance cost the city of City of Doraville \$267,000 in a single attorney for a single lawsuit, and Floyd County, GA paid \$189,149.80 just in a bill to an attorney to fight a lawsuit.

Despite the loud voices, I know that most people in Acadia Parish don't care about this issue and wouldn't be concerned about this nondescript private club that wants to quietly exist alongside their neighbors without disturbance.

NCSF received hundreds of communications from the people of this parish asking how to get through to you that they aren't interested in telling people how to live or what to do. You are all reasonable and well-meaning people, and I struggle to understand why you appear to be so unwilling to hear any argument on this issue.

The speed and lack of thoughtful consideration on this matter is concerning when you haven't considered the serious financial repercussions of what you're taking on, and the direct restriction of liberty should concern everyone.

## Statement of Douglas D. Brown, attorney with the NCSF

Though the term "polyamory" has become a buzzword, at its core the term identifies a thoughtful, consensual, deliberate, and non-secret non-monogamy. If you've heard of, or seen the term "polyamory," that's what it's talking about—having relations or relationships with more than one person, and everybody involved knows and is OK with it. They call it "the lifestyle." And they value their privacy.

There was a recent case in another parish with a lifestyle couple in which the judge had this to say: "I don't know where y'all are from, but around here, we don't do that kind of thing." Well, the truth is, "that kind of thing" exists in every parish in Louisiana—in Acadia, in Lafayette, across the state and nation, and everywhere else in the world and has for all of time. Again, there are people worldwide—including here in South Louisiana—who find personal fulfillment in polyamory, in that lifestyle, and they come from all walks of life, all social strata.

For many, the idea of them happily and successfully navigating polyamory, or non-monogamy, is just incomprehensible. People hearing about the concept for the first time often and naturally react with something like: "How can people do that?" "How can someone let that happen?" "How can they be okay with that?" Those are valid, honest questions.

The reality you're not being told is that ongoing peer-reviewed research conducted from 2005 to 2020 has found no indication of higher levels of child abuse or childhood neglect by non-monogamous parents. Plus, a 2023 non-monogamy community survey found that only 12.7% of their respondents are divorced, which is lower than Louisiana's divorce rate of 15.5%. A 2020 survey of non-monogamy and other alt-sex respondents found that only 14% experienced sexual assault in a non-monogamy context, whereas the Newcomb Institute at Tulane University found that 41% of adults in Louisiana have experienced sexual violence or harassment in their lifetime: that's 1/3 the rate of sexual violence within the non-monogamy community because of the intensive education they receive about consent. And several studies from 2014-2015 have consistently found much lower rates of STIs within the non-monogamy communities compared to the mainstream because of education about use of protection.

All of us know that issues of sex and sexuality can be profoundly uncomfortable to discuss—whether it's the "birds and bees" talk with kids, or talking about certain issues with a partner. Even asking a question about some things can be uncomfortable. So universal agreement about anything having to do with sexuality is unlikely. But, like the TV show *Ted Lasso* puts it: "Be curious, not judgmental." Because if we judge instead of being curious, we put the blinders on and we stop learning.

Unfortunately, the public reaction to this ordinance has not allowed a deliberative process to take place. The Fantasies lifestyle club has not had time, nor the notice and opportunity, frankly, to properly make their case to the police jury or to the general public, and to address concerns or even fears.

The Fantasies lifestyle club knows this ordinance, in substantial form, will likely pass, making litigation inevitable. This ordinance has problems. It is vague and ambiguous. It is zoning by another name. It is obviously targeted at the Fantasies lifestyle club. And it is crafted to deny the club and its members of privacy. It is their hope this process won't cost Acadia Parish and Louisiana taxpayers the hundreds of thousands of dollars similar lawsuits have cost other municipalities—even for the ones where the ordinance was upheld. Regardless, the Fantasies lifestyle club looks forward to being a good neighbor, and a member of the community.

## Statement from Woodhull Freedom Foundation

We are writing from the Woodhull Freedom Foundation, a national human rights organization that works to protect our fundamental human right to sexual freedom. We strongly support the Fantasies lifestyle club and its endeavor to open a new private club in Acadia Parish.

It has come to our attention that the Police Jury is considering enacting a Sexually Oriented Business Law in response to opposition from a vocal minority. We urge you to reconsider this course of action, as it poses significant threats to free trade, personal freedom, and privacy rights.

The right to gather in private is a fundamental constitutional protection under the freedom of association. Prohibiting a private club based on moral objections to personal choices is unconstitutional. This principle is reinforced by the landmark case of *Lawrence v. Texas*, which established that deference must be given to private decisions that do not affect others.

Furthermore, the Universal Human Declaration of Human Rights protects the right to privacy. Article 12 states, “No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence...” Community members deserve a space to gather in private. The Fantasies lifestyle club is attempting to create that very space.

The Fantasies lifestyle club, like other similar establishments, is a private, members-only club that provides a safe meeting place for consenting adults interested in alternative lifestyles. These clubs often maintain positive relationships with local law enforcement and have not been shown to increase crime rates in their vicinity. In fact, they frequently operate in industrial or manufacturing zones without any noticeable impact on local crime statistics.

The Fantasies lifestyle club should not be classified as a sexually oriented business, as it does not employ staff or contractors to provide entertainment or performances. It is a private social club, and the members' interactions are private and consensual. It is crucial to remember that personal moral objections do not constitute valid legal grounds for limiting the rights of adults to gather in private. The state of Louisiana already has enforceable laws to ensure public safety and maintain privacy. Adding another layer of regulation is unnecessary and potentially harmful to personal freedoms.

We strongly urge you to vote against designating clubs like the Fantasies lifestyle club as a Sexually Oriented Businesses. This decision would protect constitutional and human rights, support local businesses, and maintain the principles of personal freedom that are fundamental to our society.

Sincerely,

Ricci Joy Levy, President & CEO of Woodhull Freedom Foundation

## Statement from OPEN (Organization for Polyamory and Ethical Non-monogamy)

Dear Members of the Acadia Parish Police Jury:

I am writing on behalf of OPEN (Organization for Polyamory and Ethical Non-monogamy), a national nonprofit organization dedicated to advancing rights and acceptance for diverse relationship structures. Our organization works closely with communities across the United States to promote understanding and protect the fundamental rights of individuals to form consensual relationships and build supportive communities.

We have been made aware of recent discussions regarding the proposed classification of private membership clubs in Acadia Parish under sexually oriented business regulations. As an organization that has conducted extensive research on relationship diversity in America, we feel compelled to provide important context for your deliberations.

Based on comprehensive demographic research, approximately one in five American adults will participate in some form of consensual non-monogamy during their lifetime. These are your neighbors, colleagues, and community members – people from all walks of life who have chosen to explore relationship structures that work for them. Private membership clubs serve as vital community spaces where these individuals can gather safely, build supportive relationships, and access educational resources about consent, communication, and relationship skills.

Our 2024 Community Survey of over 4,500 adults found that social stigma and lack of access to community spaces represent significant barriers for individuals seeking to connect with others who share their values and relationship choices. Private membership clubs help address this need by providing safe, discrete spaces for community building and education. These venues operate successfully in many communities across the United States, maintaining positive relationships with local authorities and contributing to their local economies without increasing crime or causing community disruption.

The constitutional right to freedom of association protects the ability of consenting adults to gather privately with others who share their beliefs and values. Imposing burdensome regulations on private membership clubs based on moral objections to their members' personal choices raises serious constitutional concerns and creates a troubling precedent for government overreach into private activities.

These clubs are responsible business members of their communities, typically operating with strict behavioral standards, clear consent protocols, and discrete facilities that respect community standards. They contribute to local economies through business partnerships, property improvements, and increased revenue for surrounding businesses.

We respectfully urge you to consider both the constitutional implications and practical impact of additional regulation. The state of Louisiana already has sufficient laws to ensure public safety and community standards. Adding another layer of regulation would not serve a compelling government interest while potentially infringing on fundamental rights of association and privacy.

Our organization would be happy to provide additional information about how similar venues operate successfully in other communities across the country. We can be reached via the contact info provided below.

Thank you for your thoughtful consideration of this important matter.

Sincerely,

Brett Chamberlin  
Executive Director  
OPEN (Organization for Polyamory and Ethical Non-monogamy)  
brett@open-love.org  
(603) 978-9096