

# Resistance Grows to ‘Converting’ Gays

Momentum is building in the states against so-called “gay conversion therapy,” with New York Gov. Andrew Cuomo joining the chorus this month in an executive order banning what he called “a hateful and fundamentally flawed practice.”

“New York has been at the forefront of acceptance and equality for the LGBT community for decades — and today we are continuing that legacy and leading by example,” the Democratic governor said in a statement accompanying the order, which prohibits both the therapy and its coverage by private insurers or the state’s Medicaid program. “We will not allow the misguided and the intolerant to punish LGBT young people for simply being who they are.”

Conversion therapy, which aims to “cure” non-heterosexual orientations, has been linked to depression, substance abuse and suicide attempts, according to a report last fall from the federal Substance Abuse and Mental Health Services Administration.

A number of professional counseling associations, including the American Psychological Association, the National Association of Social Workers and the American School Counselor Association warn their members against such therapies.

“Sexual orientation conversion therapies assume that homosexual orientation is both pathological and freely chosen,” the social workers’ group says in a policy statement. “No data demonstrate that reparative or conversion therapies are effective, and in fact they may be harmful.”

In the last two years California, the District of Columbia, Illinois, New Jersey and Oregon have banned the treatment. And 13 states are considering legislation banning conversion therapy for minors, according to CQ StateTrack data.

More education about the effects of conversion therapy has made its prohibition a bipartisan issue, according to Sarah Warbelow, legal director for Human Rights Campaign, an LGBT rights group. She says that patients who have publicly talked about their therapy experiences and the public’s shifting attitudes about the LGBT community have also helped.

“When parents were subjecting children to conversion therapy they were doing it because they loved their kids, and it may sound perverse but they just didn’t know it was a problem,” Warbelow says. “They thought they were doing the right thing and getting their kids therapy, not knowing this was fraudulent practice.”

Defenders of the practice say government should not interfere with how therapists treat their patients.

Mathew Staver, chairman of the Liberty Counsel, a nonprofit that provides legal help for people who believe they’ve been denied their religious freedom, says people who are unhappy about being attracted to members of the same sex “have the right to seek the counseling that would reach their objective.”

“It’s problematic that the government would come and put a cookie-cutter template on all counseling situations and

supersede the judgment of a licensed mental health counselor and the self determination of the client,” Staver says.

The Liberty Counsel has a petition pending for the Supreme Court to take up their case against New Jersey’s ban on gay conversion therapy. The group argues that counseling provided to clients is protected by the First Amendment and that mental health professionals shouldn’t be restricted in providing conversion therapy information.

The group tried a similar approach to block California’s ban but the Supreme Court passed on their petition in June 2014.

Jo Linder-Crow, CEO of the California Psychological Association, says as state lawmakers were considering a bill banning conversion therapy in 2012, mental health professionals were concerned about its broad language. At the time the association said the bill “micromanages the work of individual therapists.”

The group supported the bill after lawmakers added language that would allow mental health professionals to offer therapy for youth exploring their sexual orientation, Linder-Crow says.

“Does anybody know what exactly goes on in a therapy session? No I don’t think that’s possible,” Linder-Crow says. “But if a person gets a complaint filed against them and they tried to engage in this sort of therapy, not only is it against the law, this person is vulnerable to being investigated and possibly losing their license.”

— Marissa Evans



Josh Edelson/AFP/Getty Images

## Senators Give Pot a High Five

Vermont has taken a step toward becoming the first state to legalize recreational marijuana through the legislative process. On Feb. 25, the state Senate voted 17-12 for a legalization bill.

The bill now moves to the House, where its outcome is less clear. Democratic Gov. Peter Shumlin has said he would sign the bill into law.

The measure would allow possession of up to an ounce of marijuana for adults 21 and over, and would allow retail sale of the drug. A tax of 25 percent would be charged on sales. It would not allow for home-growing or edibles.

Four states — Alaska, Colorado, Oregon and Washington — have legalized cannabis, but all of those have come via ballot initiative. A half-dozen other states could have legalization laws before voters this November.

— Jonathan Miller