

National Association of Social Workers – Florida Chapter
Response to the Court Ruling Overturning the Ban on Sexuality Conversion Therapy
December 11, 2020

Dear NASW-FL members and friends:

We are writing this letter in response to the November 20, 2020 ruling of the 11th Circuit Court of the Federal Court of Appeals in the case of “Otto & Hamilton v. City of Boca Raton and County of Palm Beach, Florida.” In this case, the majority ruled that the city’s and county’s bans “prohibiting therapists from engaging in counseling or any therapy with a goal of changing a minor’s sexual orientation” are unconstitutional. The Florida Chapter of the National Association of Social Workers strongly opposes this ruling and urges the full panel of the Circuit Court to overturn this decision and uphold the constitutional validity of the ban on sexual orientation change efforts (SOCE, sometimes known as reparative therapy or conversion therapy).

The National Association of Social Workers, the American Psychological Association, the American Academy of Pediatrics, the American Medical Association, and other prominent national health and mental health associations have all conducted reviews of the research on conversion therapies. All of these associations have concluded that conversion therapy is not only ineffective, but that it is very detrimental to the psychological and social wellbeing of clients subjected to this intervention. The primary rationale for prohibiting conversion therapy are as follows:

1. Homosexuality is not a mental health disorder that needs to be treated, repaired, converted, or erased. It is a healthy expression of human sexuality.
2. Conversion therapy reinforces negative self-images and may lead to damaging consequences for the client, including psychological distress, depression, substance abuse, homelessness, self-harmful behavior, social isolation, and suicide.
3. Social work, health, and mental health professionals have an ethical duty to promote health and wellbeing, and to avoid interventions known to cause harm.
4. Rather than providing detrimental interventions, social work, health, and mental health professionals should be providing sexuality-affirmative interventions and support.
5. Any discriminatory or prejudiced practice directed against any group is damaging to the social, emotional, and economic well-being of the affected group and of society as a whole.

As the dissenting judge, Martin, suggests, local governments have an interest “in protecting minors from harmful professional practices,” particularly “when the affected clients are minors.” The ban on conversion therapy does not violate the constitutional principle of freedom of speech. If a physician was planning to conduct harmful surgery on patients, no court would say that the surgeon’s right to free speech demands that the physician be free to perform the harmful surgery. Similarly, the ban on conversion therapy needs to be upheld in order to protect minors from very damaging interventions.

CALL TO ACTION:

Now is the time to stand up and protect children from the dangers of conversion therapy. Please help us put an end to conversion therapy and strengthen the support needed for lesbian, gay, bisexual, transgender, queer, and questioning children. Please consider being part of the change we need by engaging in some or all of the following opportunities:

- **Educate yourself** so that you can educate others. See “Conversion Therapy” at https://www.eqfl.org/conversion_therapy or “Ending Conversion Therapy: Supporting and Affirming LGBTQ Youth” <https://store.samhsa.gov/product/Ending-Conversion-Therapy-Supporting-and-Affirming-LGBTQ-Youth/SMA15-4928>
- **Speak to elected officials** to educate them about these issues. If your city or county does not have a ban on conversion therapy, encourage them to adopt one. Participate in the advocacy efforts by Equality Florida or other groups promoting a state-wide ban on conversion therapy (www.eqfl.org)
- **Inform teachers, parents, clergy, physicians, therapists, and others working with children** about the detrimental effects of conversion therapy.
- **Support LGBTQ+ advocacy groups** that are seeking to overturn the *Otto* decision or supporting conversion therapy bans in other parts of the country (e.g., Human Rights Campaign - <https://www.hrc.org>; National Center for Lesbian Rights - <https://www.hrc.org>).
- **If you know of children who are suffering due to conversion therapy**, ensure that they and their families have access to affirmative professional and support groups (e.g., PFLAG - <https://pflag.org>; LGBTQ+ community centers; gay-straight alliances in schools, Family Equality Council).
- **Celebrate and support LGBTQ+ individuals.** They are perfect and cherished as they are.

As new information, challenges, or opportunities arise, we will continue to provide resources and suggestions for members of NASW Florida. Together, we can make a difference for some of the most vulnerable children in our society.