

RESOLUTION NO. 138-22

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, OPPOSING AND DISCOURAGING THE PRACTICE OF SEXUAL ORIENTATION CHANGE EFFORTS ON MINORS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, as recognized by major professional associations of mental health practitioners and researchers in the United State and elsewhere for nearly 40 years, being lesbian, gay, bisexual, transgender or gender nonconforming, or questioning (LGBT or LGBTQ) is not a mental disease, disorder or illness, deficiency or shortcoming; and

WHEREAS, the American Academy of Pediatrics in 1993 published an article in its Journal, stating: “Therapy directed at specifically changing sexual orientation is contraindicated, since it can provoke guilt and anxiety while having little or no potential for achieving changes in orientation;” and anxiety while having little or no potential for achieving changes in orientation;” and

WHEREAS, the American Psychiatric Association in December 1998 published its opposition to any psychiatric treatment, including reparative or conversion therapy, which therapy regime is based upon the assumption that homosexuality is a mental disorder per se, or that a patient should change his or her homosexual orientation; and

WHEREAS, the American Psychological Association’s Task Force on Appropriate Therapeutic Responses to Sexual Orientation (“APA Task Force”) conducted a systematic review of peer-reviewed journal literature on sexual orientation change efforts (“SOCE”), and issued its report in 2009 citing research that sexual orientation change efforts can pose critical health risks to lesbian, gay, and bisexual people, including confusion, depression, guilt, helplessness, hopelessness, shame, social withdrawal, suicidality, substance abuse, stress, disappointment, self-blame, decreased self-esteem and authenticity to others, increased self-hatred, hostility and blame toward parents, feelings of anger and betrayal, loss of friends and potential romantic partners, problems in sexual and emotional intimacy, sexual dysfunction, high-risk sexual behaviors, a feeling of being dehumanized and untrue to self, a loss of faith, and a sense of having wasted time and resources; and

WHEREAS, following the report issued by the APA Task Force, the American Psychological Association in 2009 issued a resolution on Appropriate Affirmative Responses to Sexual Orientation Distress and Change Efforts, advising parents, guardians, young people, and their families to avoid sexual orientation change efforts that portray homosexuality as a mental illness or developmental disorder and to seek psychotherapy, social support, and educational services that provide accurate information on sexual orientation and sexuality, increase family and school support, and reduce rejection of sexual minority youth; and

WHEREAS, the American Psychoanalytic Association in June 2012 issued a position statement on conversion therapy efforts, articulating that “As with any societal prejudice, bias against individuals based on actual or perceived sexual orientation, gender identity or gender expression negatively affects mental

health, contributing to an enduring sense of stigma and pervasive self-criticism through the internalization of such prejudice” and that psychoanalytic technique “does not encompass purposeful attempts to ‘convert,’ ‘repair,’ change or shift an individuals’ sexual orientation, gender identity or gender expression,” such efforts being inapposite to “fundamental principles of psychoanalytic treatment and often result in substantial psychological pain by reinforcing damaging internalized attitudes; and

WHEREAS, the American Academy of Child & Adolescent Psychiatry in 2012 published an article in its Journal stating that clinicians should be aware that there is “no evidence that sexual orientation can be altered through therapy and that attempts to do so may be harmful;” that there is “no medically valid basis for attempting to prevent homosexuality, which is not an illness;” and that such efforts may encourage family rejection and undermine self-esteem, connectedness and caring, important protective factors against suicidal ideation and attempts; and that, for similar reasons cumulatively stated above, carrying the risk of significant harm, SOCE is contraindicated; and

WHEREAS, the Pan American Health Organization, a regional office of the World Health Organization, issued a statement in 2012 stating: “These supposed conversion therapies constitute a violation of the ethical principles of health care and violate human rights that are protected by international and regional agreements.” The organization also noted that conversion therapies “lack medical justification and represent a serious threat to the health and well-being of affected people; and

WHEREAS, in 2014 the American School Counselor Association issued a position statement that states: “It is not the role of the professional school counselor to attempt to change a student’s sexual orientation or gender identity. Professional school counselors do not support efforts by licensed mental health professionals to change a student’s sexual orientation or gender as these practices have been proven ineffective and harmful;” and

WHEREAS, a 2015 report of the Substance Abuse and Mental Health Services Administration, a division of the U.S. Department of Health and Human Services, “Ending Conversion Therapy: Supporting and Affirming LGBTQ Youth” further reiterates based on scientific literature that conversion therapy efforts to change an individual’s sexual orientation, gender identity, or gender expression is a practice not supported by credible evidence and has been disavowed by behavioral health experts and associations, perpetuates outdated views of gender roles and identifies, negative stereotypes, stating, importantly, that such therapy may put young people at risk of serious harm, and recognizing that, same-gender sexual orientation (including identify, behavior, and attraction) is part of the normal spectrum of human diversity and does not constitute a mental disorder; and

WHEREAS, the American College of Physicians wrote a position paper in 2015 opposing the use of “conversion,” “reorientation,” or “reparative” therapy for the treatment of LGBT persons, stating that “[a]vailable research does not support the use of reparative therapy as an effective method in the treatment of LGBT persons. Evidence shows that the practice may actually cause emotional or physical harm to LGBT individuals, particularly adolescents or young persons”; and

WHEREAS, the City Commission hereby finds the overwhelming research demonstrating that sexual orientation and gender identity change efforts can pose critical health risks to lesbian, gay, bisexual, transgender questioning persons, and that being lesbian, gay, bisexual, transgender or questioning is not a mental disease, mental disorder, mental illness, deficiency, or shortcoming; and

WHEREAS, the City has repealed its prohibition against the practice of SOCE on minors in compliance with the holding of *Otto, et al v. City of Boca Raton and County of Palm Beach, Florida*; and

WHEREAS, the City desires to discourage practices, such as SOCE, that are harmful or potentially harmful to the physical and psychological well- being of minors, including but not limited to lesbian, gay, bisexual, transgender, and questioning youth, and to protect its minors from exposure to serious harms caused by SOCE; and

WHEREAS, the City desires to discourage the practice of SOCE on minors by licensed therapists, including reparative and/ or conversion therapy, which have been demonstrated to be harmful to the physical and psychological well- being of lesbian, gay, bisexual, transgender, and questioning person.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. The forgoing recitals are hereby affirmed and ratified.

Section 2. The City Commission acknowledges the decision in *Otto, et al v. City of Boca Raton and County of Palm Beach, Florida* and does not intend to take any action in contravention of this decision.

Section 3. The City Commission hereby believes that SOCE is harmful to the physical and psychological well-being of lesbian, gay, bisexual, transgender, and questioning persons, and strongly discourages and opposes such practice on minors.

Section 4. This Resolution shall become effective immediately upon adopted.

PASSED AND ADOPTED in regular session on the _____ day of _____, 2022.

ATTEST:

Katerri Johnson, City Clerk

Shelly Petrolia, Mayor

Approved as to form and legal sufficiency:

Lynn Gelin, City Attorney