

RESOLUTION NO. 22-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY
OF FORT LAUDERDALE, FLORIDA, OPPOSING
CONVERSION THERAPY ON MINORS; AND PROVIDING
FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, being lesbian, gay, bisexual, transgender, or questioning is part of the natural spectrum of human identity, not a disease, disorder, illness, deficiency, or shortcoming, and the major professional associations of mental health practitioners and researchers in the United States have recognized this fact for nearly 40 years; and

WHEREAS, in June 2012 the American Psychoanalytic Association issued a position statement on conversion therapy efforts, stating that, “[a]s 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 “[p]sychoanalytic technique does not encompass purposeful attempts to 'convert,' 'repair,' change or shift an individual's 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 2018 published a policy statement stating that there is “no evidence to support the application of any ‘therapeutic intervention’ operating under the premise that a specific sexual orientation, gender identity, and/or gender expression is pathological;” that “‘conversion therapies’ lack scientific credibility and clinical utility;” and that “such interventions are harmful [and] should not be part of any behavioral health treatment of children and adolescents;” and

WHEREAS, the Pan American Health Organization, a regional office of the World Health Organization, stated in May 2012, “[t]hese 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, 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,” found that based on scientific literature, conversion therapy to change an individual’s sexual orientation, gender identity, or

gender expression is a practice not supported by credible evidence, is disavowed by behavioral health experts and associations, and perpetuates outdated views of gender roles and identities and negative stereotypes. The report further stated that such therapy may put young people at risk of serious harm, and that same-gender sexual orientation (including identity, behavior, and attraction) is part of the normal spectrum of human diversity and does not constitute a mental disorder; and

WHEREAS, a 2009 study published in the Journal of the American Academy of Pediatrics found that lesbian, gay, and bisexual young adults that have higher levels of family rejection based on their sexual orientation during adolescence were 8.4 times more likely to report having attempted suicide, 5.9 times more likely to report high levels of depression, 3.4 times more likely to use illegal drugs, and 3.4 times more likely to report having engaged in unprotected sexual intercourse compared with peers from families that reported no or low levels of family rejection; 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 reaffirmed in a 2018 statement the recommendation that ethical practitioners refrain from attempts to change individuals' sexual orientation; and

WHEREAS, in 2021 the American Psychological Association issued a resolution reiterating its strong and long-standing opposition to conversion therapy and affirming that the scientific evidence and clinical experience indicate that conversion therapy puts individuals at significant risk of harm; and

WHEREAS, the City of Fort Lauderdale, Florida ("City"), finds that the overwhelming research demonstrates that sexual orientation and gender identity change efforts pose critical health risks to lesbian, gay, bisexual, transgender, gender nonconforming, or gender-questioning persons, and that being lesbian, gay, bisexual, transgender, gender nonconforming, or gender-questioning is not a mental disease, mental disorder, mental illness, deficiency, or shortcoming; and

WHEREAS, the City has a compelling interest in protecting the physical and psychological well-being of minors, including, but not limited to, lesbian, gay, bisexual, transgender, gender nonconforming, and gender-questioning youth, and in protecting minors against exposure to serious harms caused by sexual orientation and gender identity change efforts;

WHEREAS, the City of Fort Lauderdale previously prohibited the practice of conversion therapy on minors but, following a challenge in federal court to such prohibition resulting in an adverse ruling by the United States Court of Appeals for the Eleventh Circuit, and notwithstanding strong disagreement with the Eleventh Circuit's decision, the City of Fort Lauderdale City Commission elected to repeal such prohibition and does not intend to reenact, or consider reenactment of, any such prohibition or anything substantially similar;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. The City Commission of the City of Fort Lauderdale, Florida, believes that conversion therapy on minors is potentially harmful to the physical and psychological well-being of lesbian, gay, bisexual, transgender, and questioning persons, and therefore, strongly opposes and discourages such practice on minors, but acknowledges the Eleventh Circuit Court of Appeals' decision and does not intend to take any action in contravention of such decision.

SECTION 2. The City Commission of the City of Fort Lauderdale, Florida, opposes the use of conversion therapy on minors and strongly discourages individuals, particularly those providing mental health counseling or therapy, from using conversion therapy on minors.

SECTION 3. If any portion of this Resolution is determined by any court to be invalid, the invalid portion will be stricken, and such striking will not affect the validity of the remainder of this Resolution. If any court determines that this Resolution, in whole or in part, cannot be legally applied to any individual, group, entity, property, or circumstance, such determination will not affect the applicability of this Resolution to any other individual, group, entity, property, or circumstance.

SECTION 4. That this Resolution shall take effect immediately upon its adoption.

ADOPTED this ____ day of _____, 2022.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

APPROVED AS TO FORM:

City Attorney
ALAIN E. BOILEAU

Dean J. Trantalis _____
Heather Moraitis _____
Steven Glassman _____
Robert L. McKinzie _____
Ben Sorensen _____