

AMERICAN ATHEISTS

October 26, 2018

The Honorable Vincent C. Gray
Chairperson, Committee on Health
Council of the District of Columbia
1350 Pennsylvania Ave., NW
Washington, DC 20004

Re: SUPPORT for B22-0972, Testimony from American Atheists in support of a bill protecting vulnerable adults from dangerous conversion therapy.

Dear Chairperson Gray and Members of the Committee on Health:

American Atheists, on behalf of its constituents in the District of Columbia, thanks you for hosting a hearing on B22-0972, a vital measure that will extend the protections against the dangerous and discredited practice of conversion therapy to vulnerable adults under conservatorship or guardianship. Conversion therapy, sometimes known as sexual orientation change efforts, are harmful practices, often religiously based, that falsely claim to change one's sexual orientation or gender identity or expression. We urge you to swiftly pass this important legislation.

American Atheists is a national civil rights organization that works to achieve religious equality for all Americans by protecting what Thomas Jefferson called the "wall of separation" between government and religion created by the First Amendment. We strive to create an environment where atheism and atheists are accepted as members of our nation's communities and where casual bigotry against our community is seen as abhorrent and unacceptable. We promote understanding of atheists through education, outreach, and community-building and work to end the stigma associated with being an atheist in America. As advocates for the health, safety, and well-being of all Americans, American Atheists objects to efforts to subordinate medical care to the religious beliefs of providers and institutions.

The District of Columbia has been a leader in protecting vulnerable individuals from the harms conversion therapy, being the third jurisdiction in the United States to pass such protections for young people in 2014. This bill would extend these important protections to adults under guardianship or conservatorship.

Under District law, an "incapacitated individual" is an adult whose ability to receive and evaluate information effectively or to communicate decisions is impaired to such an extent that they lack the capacity to manage all or some of his or her financial resources or to meet all or some essential requirements for their health & safety, and such adults may be placed by the courts under guardianship or conservatorship.¹ In FY 2017, DC Courts had nearly 3,000 open cases of adults under guardianship or conservatorship.²

¹ DC Code § 21-2011(11).

² District of Columbia Courts' Statistical Summary, CY 2017. *Available at* <https://www.dccourts.gov/sites/default/files/DC%20Courts%20Statistical%20Summary%20CY%202017%20-%20Final.pdf>.

Like young people, many people under guardianship or conservatorship are dependent on others for their care, medical decision-making, and legal protection. And again, like young people, this makes them uniquely vulnerable to the harmful practice of conversion therapy. People under guardianship or conservatorship should not be denied the dignity of their identity or subject to dangerous and discredited practices based on the beliefs of their family members, their caretakers, or others.

Conversion therapy consists of practices, sometimes performed by licensed mental health providers, which seek to change an individual's sexual orientation or gender identity or expression. These practices are based on religious beliefs rather than medical facts, such as the false idea that being LGBTQ is a mental illness that needs to be cured. This idea has been rejected by every major mental health association group for decades. Conversion therapy does not include therapies that provide acceptance, support, or understanding of LGBTQ identities; that facilitate coping, social support, or identity exploration; or that address unlawful conduct or unsafe sexual practices; or that provide assistance to a person going through gender transition.

While there is no credible evidence that conversion therapy can change a person's sexual orientation or gender identity or expression, it is clear that conversion therapy poses devastating health risks for LGBTQ people. These dangerous practices can lead to depression, decreased self-esteem, substance abuse, homelessness, and even suicidal behavior, and for this reason, the nation's leading mental health organizations have criticized them.³ Unfortunately, professional rules have not kept up with this widespread understanding, and some licensed mental health providers continue to engage this discredited practice.

The effects of conversion therapy have been well documented among youth. Statistics show that minors experience conversion therapy as family rejection, resulting in increased health risks. Such youth are 8.4 times more likely to report having attempted suicide and 5.9 times more likely to report high levels of depression.⁴ Although this bill pertains to adults rather than youth, it is without doubt that individuals in such a vulnerable positions would suffer a similar or even great impact from these dangerous practices.

Providers who engage in conversion therapy with the validation indicated by a state license can mislead families about the risks involved, leading to adverse psychological outcomes and irreparable damage to the whole family. This legislation is needed to protect families with members under guardianship or conservatorship from these damaging practices.

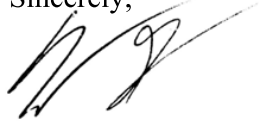
Although this bill does not address conversion therapy practiced by unlicensed practitioners and religious organizations, American Atheists condemns those practices as well. We suggest that the Committee consider amending the legislation to additionally prohibit anyone appointed as a guardian or conservator by the court, who receive funds from District taxpayers, from subjecting those under their care to conversion therapy. No one should be subject to abuse or mistreatment based on the religious beliefs of their caretakers

³ For example, the American Psychological Association, American Medical Association, American Counseling Association, American Psychiatric Association, American Association for Marriage and Family Therapy, and many others have position statements criticizing conversion therapy.

⁴ Caitlin Ryan, et al., *Family Rejection as a Predictor of Negative Health Outcomes in White and Latino Lesbian, Gay, and Bisexual Young Adults*. *Pediatrics* 346 (2009).

Thank you for the opportunity to testify in favor of this important bill to protect the health and well-being of people placed under guardianship or conservatorship in the District of Columbia. If you should have any questions regarding American Atheists' support for B22-0972, please contact me at 908.276.7300 x9 or by email at agill@atheists.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'AG', with a long horizontal flourish extending to the right.

Alison Gill, Esq.
Legal and Policy Director
American Atheists

cc: All Members of the Committee on Health of the Council of the District of Columbia