

Date: January 27, 2015

To: Dr. Brad Sanchez, OPA Board of Directors and Legislative Committee

Fro: Patrick J. Stone

Re: Response to Proposed Legislation Making SOCE with Minors Unlawful in Oregon

Dear Dr. Sanchez, OPA Legislative Committee, and OPA Board of Directors:

The following are my questions and concerns regarding the proposed OPA legislative agenda to make SOCE, Sexual Orientation Change Efforts, with minors unlawful in Oregon.

1. Is this a solution in search of a problem? The APA task force was unable to find current mental health or religious inpatient programs in the nation that use SOCE with minors. Has the APA, OBPE, Social Work Board, Licensed Counselors, or OPA ethics committee reported any formal complaints regarding SOCE with minors in the past decade, or ever? If so, how many? The educational, clinical, and ethics training efforts of OPA and APA may make this proposed legislation unnecessary.
2. Harmful, unfounded psychology practices and theories of the past have been rarely (never?) criminalized and specifically named into law. Why should we begin with SOCE?
3. The criminalizing of SOCE may breach constitutional protections of freedom of speech and freedom of religious expression.
4. Criminalizing what is seen by many as religious behaviors creates stigma and discrimination. Aligning one's sexual expression/orientation/identity with one's faith beliefs is a common practice across many faiths be it Catholic, Protestant, Muslim etc. Does this proposed legislation erode religious freedom?
5. No where in the APA task force report or resolution does it recommend criminalizing the use of SOCE with adults or minors. The report clearly discourages the use of SOCE but says nothing about criminalizing the conduct.
6. Criminalizing the broad categories that are included under the term SOCE may not be possible for the law to be understandable and enforceable.
7. Criminalizing the use of SOCE with minors will send a powerful message to researchers and clinicians that this area of sexual orientation and identity is off limits for discussion and research. Is this a message we wish to send?
8. The charge of the APA task force report on Appropriate Therapeutic Responses to Sexual Orientation was to create a collaborative/integrative report which sought to bridge a gulf between the psychological and religious community when it came to SOCE. Using this report as a basis to criminalize the use of SOCE with minors seems a betrayal of the basic purposes of the report.
9. The APA task force report is replete with qualifiers. The report states repeatedly that the research in this area is inadequate and indeterminate. Do we wish to base criminal law on weak science?
10. The criminalizing of SOCE further polarizes psychology and many religious conservatives who may need psychological services. Targeting religious conservatives will only deepen this divide.

11. The proposed legislation does not undo the harms of the past and tends to polarize the present debate into winners and now criminals.

I have never advocated or practiced any form of SOCE. The present proposed legislation seems a step too far.

Thank you for considering my questions and concerns in this debate.

Patrick J. Stone PhD