

After Exodus, Liberals Target Jewish Ex-Gay Therapy Group

A month after the nation's leading Christian "ex-gay" group apologized and announced plans to close, a similar Jewish group is facing a first-of-its-kind lawsuit for consumer fraud.

On Friday the New Jersey Superior Court will hear arguments in the lawsuit filed by the Southern Poverty Law Center against the group Jews Offering New Alternatives for Healing (JONAH).

The complaint says the Jersey City-based JONAH's practices violate the state's Consumer Fraud Act by falsely promising that it can help clients change their sexuality from gay to straight.

"JONAH profits off of shameful and dangerous attempts to fix something that isn't broken," Christine P. Sun, deputy legal director for the SPLC, said when the lawsuit was filed last November.

"Despite the consensus of mainstream professional organizations that conversion therapy doesn't work, this racket continues to scam vulnerable gay men and lesbians out of thousands of dollars and inflicts significant harm on them."

The suit is being brought by four young men and two of their parents, who claim that JONAH induced them to pay for services by making deceptive claims that sexual orientation is a choice that can be changed.

JONAH has no official denominational affiliation, but its work has been endorsed by leading Orthodox rabbis and institutions. The more liberal Reform and Conservative movements allow gay rabbis and same-sex marriages.

Charles LiMandri, president and chief counsel of the Freedom of Conscience Defense Fund, who is arguing the case on JONAH's behalf, plans to ask the judge to dismiss the case.

"We think it's highly unfortunate that the SPLC would attempt to misuse a state Consumer Fraud Act to basically interfere with the right to self-determination," said LiMandri said.

Douglas Laycock, an expert in religious court cases at the University of Virginia Law School, said the case could get tricky because it centers around cloudy questions of religious belief.

"This will very much depend on what the religious group said and what the SPLC is able to prove," Laycock said. "To the extent that the prospect of conversion depends on religious faith, it's going to be very hard to make a fraud claim."

Laycock also said the plaintiffs would have to prove false statements of fact that are "verifiable in this world."

JONAH, which was started in 1998 by two Jewish families, believes that "homosexuality is a learned behavior and that anyone can choose to disengage from their same-sex sexual fantasies, arousals, behavior and identity—if motivated and supported in that process," according to its website.

In a 2009 report, an American Psychological Association task force studying conversion therapy found that "enduring change to an individual's sexual orientation was unlikely" and "some participants were harmed by the interventions."

The American Psychiatric Association removed homosexuality from its Diagnostic and Statistical Manual of Mental Disorders in 1973.

LiMandri agrees that homosexuality is not a mental disorder, but said that doesn't discount JONAH from being able to work with clients whose faith calls homosexuality a sin.

“You don’t get to define what a sin is,” LiMandri said, adding that JONAH doesn’t force anyone to change their sexual orientation. “They just say if you want to change and bring your life into conformity with your own values, we’re they’re to help you.”

The lawsuit comes against a larger backdrop of growing acceptance of homosexuality and gay marriage, and admissions by ex-gay leaders that their movement is flawed.

A week after the Christian “ex-gay” advocacy group Exodus International announced it would be closing its doors, New Jersey lawmakers sent Gov. Chris Christie a bill that would ban licensed therapists from practicing conversion therapy on minors.

California was the first state to outlaw reparative therapy for minors. The law, which was slated to take effect last January, is currently before the 9th U.S. Circuit Court of Appeals, which put it on hold until an opinion is issued regarding the law’s constitutionality.

The SPLC’s lawsuit against JONAH said that it erroneously “claimed that their services were scientifically proven to be effective.” It also described sessions at JONAH, which involved clients being asked to undress in front of a mirror and recreate scenes of childhood sexual abuse.

But LiMandri said it’s not the SPLC’s role to tell people they can’t change; self-determination is up to individuals. He said that in the Judeo-Christian worldview, there exists the belief that people have a wounded nature, but “God can and will heal you if you come to him.”