

Gov. Christie Signs Change-Therapy Ban, Harms NJ Kids

New Jersey Gov. Chris Christie is expected to sign A3371 today, barring licensed therapists from helping children overcome unwanted same-sex attractions, behaviors or identity. This law will prohibit minors and their parents from receiving counseling they desire and will force counselors to violate ethical codes because they will not be able to help clients reach their own counseling goals.

Liberty Counsel will file suit seeking to block this law.

"The New Jersey governor is putting himself in every counseling room, dictating what kind of counseling clients can receive," says Mat Staver, founder and chairman of Liberty Counsel. "This bill provides a slippery slope of government infringing upon the First Amendment rights of counselors to provide, and patients to receive, counseling consistent with their religious beliefs.

"This bill is so broad that parents would be prohibited from seeking help for their son who developed unwanted same-sex attractions after being molested by the likes of Jerry Sandusky. Counselors would only be allowed to affirm these unwanted feelings as good and normal. This is absurd and dangerous. This law would inflict serious damage to children, parents and counselors."

A3371 prohibits only one viewpoint regarding change counseling and, therefore, constitutes viewpoint discrimination. No viewpoint-based restriction on private speech has ever been upheld. The Supreme Court ruled that "the First Amendment forbids the government to regulate speech in ways that favor some viewpoints or ideas at the expense of others."

Gov. Christie has reportedly said he is siding with the

“experts,” referring to the American Psychological Association’s 2009 task force report cited by the legislature in support of the law. But that task force report specifically states there is evidence of benefit of such counseling, and any such reports to the contrary were only anecdotal. The report also states there is no research—none—regarding the effects of change therapy involving minors.

“How can you ban counseling to minors where there is no evidence of harm to minors? Indeed, there is no research on minors at all. This law is politically, not scientifically, motivated,” Staver says.

New Jersey counselors, parents of minors receiving change-therapy counseling, and national counseling organizations have contacted Liberty Counsel. Liberty Counsel is currently litigating a case challenging California Senate Bill 1172, which is virtually identical to A3371, and has obtained an injunction against that law from the Ninth Circuit Court of Appeals.