Commentary: Herbert and Cox must summon the courage to outlaw barbaric conversion therapy

Leah Hogsten | The Salt Lake Tribune l-r Isaac Reese, 19 and Amelia Damarjian, 19, speak with Anna Lehnardt, a staffer with Gov. Gary Herbert's office outside of Herbert's heavily guarded office at the Capitol during a sit-in on conversion therapy.

By Paul C. Burke, Brett L. Tolman and John W. Mackay • Published: March 10, 2019 Updated: March 11, 2019

Only days after calling for an end to what he himself had described as a “barbaric” practice, last week Gov. Gary Herbert backed the hostile takeover of legislation meant to protect LGBT youth from conversion therapy.

Shockingly, rather than championing a compromise bill that had been negotiated in good faith by key Utah groups, including Equality Utah and the Church of Jesus Christ of Latter-day Saints, instead the administration of Gov. Herbert and Lt. Gov. Spencer Cox caved in to a dangerous substitute bill championed by extremists including a recognized out-of-state hate group.

The substitute bill eliminated protections for transgender youth and narrowed the definition of conversion therapy to ban only discredited aversion therapies involving “physical discomfort” such as “electrical therapy, including electroconvulsive therapy.” This meant that therapists could still subject LGBT teens to harmful psychological and emotional manipulation to deny or diminish a

patient's sexual orientation and identity.

In the midst of a teen suicide crisis, the Herbert-Cox Administration gave legislative aid and political cover to quacks who commit child abuse rather than defend the lives and human dignity of queer teens.

This was not an "enormous misunderstanding" but an enormous mistake by the Herbert-Cox Administration. Herbert and Cox embarrassed our state and departed from the "Utah Way" that previously had brought well-intentioned people together to protect both LGBT and religious rights.

The compromise bill unfortunately abandoned by the Herbert-Cox Administration was designed to protect Utah teenagers from the type of physical and psychological abuse suffered by Alex Cooper. As chronicled in her book "Saving Alex," Cooper was sent to an unlicensed residential treatment facility in St. George after coming out to her Mormon family at age 15.

Over several harrowing months, Cooper was tortured and abused in an effort to change her sexual orientation. She was forced to stand at attention for hours wearing a backpack filled with heavy rocks, meant to symbolize the supposed sin of her homosexuality. Her treatment was both barbaric and unconscionable.

The abuse Cooper suffered was not just physical. The psychological abuse targeted both her identity and the essence of her very being. She was told that there was no place for her in God's plan. She was told that she had made wrong choices and that it was evil not only to "act gay" but to be gay. She was instructed against the weight of all scientific evidence that she could — and must — choose not to be gay.

This emotional abuse drove Cooper to the brink of suicide. Her psychological scars proved far more lasting than any physical discomfort she endured. Cooper has explained, "My physical wounds from the rocks eventually healed, but the deeper emotional damage harmed and haunted me into adulthood."

Cooper's testimony shows why Utah needs a comprehensive ban on youth conversion therapy —and why the watered-down definition of conversion therapy in the substitute bill is inadequate.

Herbert has claimed that he is "anxious to ensure that these precious youth ... are loved and accepted for who they are." These words ring hollow and cannot be squared with his administration's support for therapists who neither love nor accept LGBT youth as they are.

It is inexplicable — and indefensible — that the Herbert-Cox Administration cast aside the consensus bill crafted by Utahns and their religious leaders to protect LGBT youth from conversion therapy.

We hope that the Herbert-Cox Administration will summon the political and moral courage to declare that there is nothing wrong with LGBT kids — and that no one should try to "fix" them.

Herbert and Cox should renounce the substitute bill and instead return to the "Utah way." Especially now, our state needs an effective ban on conversion therapy.

Paul C. Burke, Brett L. Tolman, and John W. Mackay provided pro bono representation to Alex Cooper and have also represented Equality Utah and the Utah Pride Center.

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