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Offered By: MAYOR HARRIGAN, COUNCILWOMAN MOSLEY, COUNCILWOMAN
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AKRON CITY COUNCIL
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ORDINANCE NO. 288-2022, amending and/or supplementing Title 9 "General Provisions," to enact Chapter 106 "Prohibition of Conversion Therapy on Minors" of the Code of Ordinances of the City of Akron to prohibit the practice of conversion therapy on minors in the City of Akron; and declaring an emergency.

WHEREAS, conversion therapy, which aims to change a person's sexual orientation or gender identity, is a practice that is overwhelmingly shunned in the medical community, and is particularly harmful to youth; and

WHEREAS, the American Academy of Pediatrics, the American Association for Marriage and Family Therapy, the American Counseling Association, and the American Medical Association have all condemned conversion therapy, particularly when practiced on minors; and

WHEREAS, practitioners of conversion therapy operate under the erroneous assumption that non-heterosexual, non-cisgender identities are mental disorders, and that sexual orientation and gender identity can and should be changed. This assumption is not based on medical and scientific evidence and is rejected by the American Medical Association and numerous other professional healthcare associations and advocates; and

WHEREAS, practitioners of conversion therapy often employ aversive conditioning, which involves the use of electric shock, deprivation of food and liquid, smelling salts, and chemically induced nausea. It is a violation of the ethical codes of the American Psychological Association and the American Psychiatric to use aversive conditioning in an attempt to "change" a person's sexual orientation or gender identity; and

WHEREAS, according to a 2019 study by UCLA's Williams Institute, LGBT+ youth who have undergone conversion therapy were nearly twice as likely to consider and attempt suicide than those who hadn't experienced conversion methods; and

WHEREAS, the City of Akron is proud to celebrate its diversity and is committed to supporting the LGBT+ community; and

WHEREAS, the City has a compelling interest in protecting the physical and psychological well-being of minors, including LGBT+ youth, and in protecting its minors against exposure to the serious harms caused by conversion therapy.

NOW, THEREFORE, BE IT ENACTED by the Council of the City of Akron:

Section 1. Title 9 "General Provisions," Chapter 106 "Prohibition of Conversion Therapy on Minors," Sections 106.01 through 106.03 of the Code of Ordinances of the City of Akron be, and is hereby amended to read as follows:

106.01 – Definitions.

As used in this chapter:

“Conversion therapy” means any practice or procedure that seeks to change a person’s sexual orientation or gender identity, including efforts to change behaviors or gender expressions, or to reduce or eliminate sexual or romantic attractions or feelings toward a person of the same gender or non-binary person. Conversion therapy includes, but is not limited to, practices commonly referred to as “reparative therapy.”

“Gender expression” means a person's representation of the person's gender(s) through the person's name, choice of pronouns, clothing, haircut, behavior, voice, or other body characteristics.

“Gender identity” means a person’s internal, deeply held sense of the person's gender, which may be the same or different from the person's sex assigned at birth, and includes non-binary identities that are not solely male or female.

“Healthcare professional” means an individual who is licensed, certified or registered to provide, to an individual or a group, mental health services, including but not limited to, the assessment or improvement of mental, emotional, psychiatric, psychological, or psychosocial adjustment or functioning, regardless of whether there is a diagnosable, pre-existing disorder or disease. Healthcare professionals include, but are not limited to, physicians specializing in the practice of psychiatry, psychologists, marriage and family therapists, licensed social workers, professional clinical counselors, behavioral clinicians or therapists, nurses, or any other persons offering such mental health services.

“Minor” means a person less than eighteen years of age.

106.02 – Efforts to Change Sexual Orientation, Gender Identity or Expression Prohibited

- A. It shall be unlawful for any healthcare professional to knowingly engage in conversion therapy with a minor, without regard to whether the healthcare professional is compensated or receives any form of remuneration for the healthcare professional’s services.
- B. Nothing contained in this chapter shall be construed to prohibit a healthcare professional from engaging in any of the following:
 - 1. Assisting an individual who seeks to transition, is in the process of transitioning, or has transitioned from one gender to another;
 - 2. Providing an individual with acceptance, support, and understanding or facilitating an individual’s coping, social support, or identity exploration and development, as long as such practices do not seek to change sexual orientation or gender identity;

3. Providing an individual with sexual orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as such practices do not seek to change sexual orientation or gender identity.

106.03 – Enforcement

The Akron Civil Rights Commission shall have authority to investigate and consider complaints of a violation of this chapter, and may create such rules and procedures to receive, initiate, investigate, hold hearings, and issue orders and penalties on complaints alleging violations of this chapter.

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety for the reason that it is immediately necessary to protect Akron's LGBT+ youth from the harmful practice of conversion therapy and, provided this ordinance receives the affirmative vote of two-thirds of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

Passed October 24, 2022

Wanda R. Biviano
Clerk of Council

Ray Semmler
President of Council

Approved 10/25, 2022

[Signature]
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AKRON CITY COUNCIL



**Equality Ohio's Statement in Support of Akron City Council Ordinance
To Protect Kids Against Conversion Therapy**

Alana Jochum, Esq., Equality Ohio
October 24, 2022

Thank you for considering protecting our youth against the dangerous practice of so-called conversion "therapy" in Akron. Your proud city stands ready to join Cincinnati, Toledo, Columbus, Dayton, Athens, Lakewood, Kent, Reynoldsburg, Cleveland Heights, and Cleveland in this critical step to protect children from malfeasance disguised as care.

It is important that this body take this action because the state legislature has not yet banned the practice throughout the state, even though legislation has been pending to protect our youth against this harmful practice for several years now. We rely on local bodies like Akron City Council to take action and protect our youth.

Organizations such as the American Counseling Association, American Psychoanalytic Association, American Psychological Association, National Association of School Psychologists, American Academy of Pediatrics, American Medical Association, American Psychiatric Association, and the National Association of Social Workers have all condemned the practice of conversion therapy, especially for minors.

The overwhelming medical consensus is that being lesbian, gay, bisexual or transgender is not a pathology or disease. Same-gender sexual orientation and variations in gender identity and expression are part of the normal spectrum of human diversity.

There is no evidence that conversion "therapy" has any therapeutic benefit. However, there *is* a conclusive body of research that demonstrates negative outcomes including low self-esteem, substance abuse, depression and suicidal ideation.

Critically, the victims of this practice are not limited to the youth who endure and must survive it. It is important to acknowledge that many parents who send their children to conversion therapy are trying to do the best thing they are aware of for their child. They, too, become victims to the fraudulent promises of "support" by practitioners of conversion "therapy." Having a public conversation like this is an invaluable educational event to build awareness that the assurances that practitioners of conversion "therapy" offer—that it's possible to change a young person's gender identity or sexual orientation—are simply lies, and that those lies have negative consequences for our young people.

At this point in time, those who offer this type of therapy do so quietly. It is impossible to know how common this practice is in Akron, though we have specific reports of the practice occurring here from community members. We also know though the Trevor Project's 2022 National Survey on LGBTQ Youth Mental Health that 17 percent of youth reported being subjected to or threatened with conversion therapy, and that youth affected by conversion therapy reported more than twice the rate of having a suicide attempt in the last year (28% vs 11%). This ordinance is a clear message to a licensed bad actor determined to hang a shingle and swindle



families that they are unwelcome to do so in Akron. Further, it will help to educate parents on the dangers of seeking this type of practice even outside of the city.

As a community, we protect our youth. We don't let them buy nicotine or alcohol. We regulate their driving to a stricter degree. We do this because we value keeping them safe, keeping them mentored, and keeping them loved so they can enter adulthood and do the same for the next generation.

This measure is prudent. In this political climate, it is also timely. I thank the councilmembers for their thoughtful consideration, and will leave the final words to Leelah Alcorn.

Leelah was a transgender child in Kings Mill, Ohio who completed suicide in December of 2014. She scheduled a blog post, her last, to upload automatically after the fact.

In it, she expressed that her parents didn't approve of her and employed some of the techniques we're talking about tonight to try to change Leelah's gender.

Her words follow.

"My death needs to mean something. My death needs to be counted in the number of transgender people who commit suicide this year. I want someone to look at that number and say 'that's [blanked] up' and fix it. Fix society. Please."

Thank you for taking an important step to help fix society here in Akron today.



RE: ORDINANCE NO.

TransOhio applauds the City of Akron for considering and adopting an ordinance opposing and prohibiting the harmful practice of conversion “therapy.” Studies continue to show that attempts to change or alter a person’s sexual orientation or gender identity isn’t just harmful to LGBTQ+ persons, but that those “therapies” simply do not work.

Variations in sexual orientation and gender expression represent normal and expectable dimensions of human development. Nearly all major medical associations have firmly opposed anti-LGBTQ+ conversion therapy practices, including the American Academy of Child and Adolescent Psychology. Conversion “therapies” should not be part of any behavioral health treatment of children and adolescents, and it is especially important to protect young Akronites from practices that lack scientific credibility have actually been proven harmful.

TransOhio is Ohio’s first and largest state-wide transgender equality organization. TransOhio is dedicated to advocacy, support, education, and fostering community among the trans and non-binary populations in Ohio. We work in partnership with local, state, and national organizations and groups to advocate for transgender people, particularly trans youth. TransOhio wholeheartedly and enthusiastically supports this crucial step in preventing the harmful practice of conversion therapy on minors.

At a time when transgender, non-binary, gender nonconforming, and intersex youth are facing unprecedented political and social attacks, it is more important now than ever to support and protect our youth. Thank you for standing up for trans kids and acknowledging the importance of supporting LGBTQ+ people of all ages in mental healthcare. This is the right path forward for Akron, and TransOhio thanks and supports you.

Sincerely,

James Knapp, Chair
TransOhio Board of Directors
transohio@transohio.org

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AKRON CITY COUNCIL

Summary of Ordinance No. 288-2022 passed by Akron City Council October 24, 2022 amending and/or supplementing Title 9 “General Provisions,” to enact Chapter 106 “Prohibition of Conversion Therapy on Minors” of the Code of Ordinances of the City of Akron to prohibit the practice of conversion therapy on minors; and declaring an emergency.

By: Sara Biviano, Clerk of Council

This summary is being published pursuant to Section 38 of the City Charter. The complete text of this legislation is available in the office of the Clerk of Council.

**posted on Akron City Council website 10/25/22 through 11/10/22*