## News

# CONNECTICUT'S CONVERSION THERAPY BAN IN QUESTION AFTER SUPREME COURT DECISION



**Members of a crowd wave pride flags in the air. The United States Supreme Court recently ruled against laws that would ban LGBTQ+ youth from being subjected to conversion therapy.** PHOTO COURTESY OF PBS

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The Supreme Court of the United States ruled in an 8-1 decision Tuesday that laws banning conversion therapy violated the free speech clause of the Constitution and should be returned to the lower courts for scrutinous judicial review, calling Connecticut laws into question.

In 2019, Colorado enacted House Bill 19-1129 to protect LGBTQ+ youth from being subject to the harmful and scientifically disproven practices of conversion therapy.

In Chiles v. Salazar, licensed counselor Kaley Chiles challenged the Colorado ban because it prohibits her from engaging in conversations with minors that encourage changing sexual orientation or gender identity. The question presented is whether this viewpoint-based restriction regulates professional conduct or violates the Free Speech Clause by censoring protected speech. The American Psychological Association (APA) defines conversion therapy as "attempts to change a person's sexual orientation, gender identity, or related behaviors," which stems from the belief that "being LGBTQ+ is a mental illness that should be cured." The APA regards these efforts as being "not evidence-based therapy."

Many studies report a myriad of negative outcomes associated with conversion therapy. The APA cites "depression, anxiety, suicidality, substance misuse, a range of posttraumatic responses, loss of connection to community, damaged familial relationships, self-blame, guilt, and shame" as being among the harmful side effects of conversion therapy.

Additionally, conversion therapy efforts are widely unsuccessful. A survey from the Journal of Counseling Psychology in 2015 found that only 3.2% of those who underwent sexual orientation change efforts experienced even a slight change in sexual orientation.

Due to the mounting evidence against conversion therapy efforts, the APA filed an amicus curiae brief in support of the Colorado ban in August 2025. It stated that "SOGICE (sexual orientation and gender identity change efforts) do not meet the criteria of a legitimate therapeutic treatment, are potentially harmful, discredited practices, and are not supported by credible scientific evidence."

Liberal Justices Elena Kagan and Sonia Sotomayor joined the conservative majority in the decision, while Justice Ketanji Brown Jackson dissented. Justice Jackson wrote in her dissent that "the Constitution does not pose a barrier to reasonable regulation of harmful medical treatments just because substandard care comes via speech instead of scalpel."

Although the decision does not mean the Supreme Court is striking down the law, sending it back to lower courts for the "highest judicial review" makes the law's demise almost certain.

For a law to pass strict scrutiny, the government must prove that it has a compelling justification and that the law is carefully designed to limit speech as little as possible. Most laws do not satisfy strict scrutiny.

This decision has added to the list of recent judicial blows to the LGBTQ+ community, including a decision last June in which the court upheld a Tennessee law banning puberty blockers and hormones for transgender minors.

Additionally, this decision raises concerns for the 23 states with similar laws in place, including Connecticut's Public Act 17-5.

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**Sunday, April 5, 2026**

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