



The City of Morgantown

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Office of the City Clerk

AGENDA
MORGANTOWN CITY COUNCIL
COMMITTEE OF THE WHOLE
Tuesday, September 28, 2021
7:00 p.m.

NOTE: Committee of the Whole Meetings of the Morgantown City Council are intended to provide an opportunity for the Council to receive information, ask questions, and identify policy options in an informal setting. No official action is taken at these meetings. At this Committee of the Whole Meeting the following matters are scheduled.

PRESENTATIONS:

1. Morgantown Utility Board Presentation – Mike McNulty General Manager
2. Conversion Therapy – Andrew Schneider Fairness, WV

PUBLIC PORTION:

ITEMS FOR DISCUSSION:

1. Ordinance amending article 153 governing the Human Rights Commission to prohibit Conversion Therapy
2. COVID mitigation measures for public meetings

ADJOURNMENT:

For accommodations, please reach out to us at 304-288-7072.

CONVERSION THERAPY 101

Prohibiting Conversion Therapy Ordinance

Conversion therapy refers to any of several dangerous and discredited practices aimed at changing an individual's sexual orientation or gender identity.

Example: Attempting to change someone's sexual orientation from lesbian, gay, or bisexual to straight or their gender identity from transgender or nonbinary to cisgender.

Conversion therapy can come in many forms and is sometimes known by other names, including: "gender critical therapy"; "reparative therapy"; "ex-gay ministries"; "sexual orientation and gender identity change efforts"

WHO PERFORMS CT?

Conversion therapy can be performed by: licensed professionals (therapists, councilors, psychiatrists); unlicensed ministries, or life coaches; educators

While some conversion therapists continue to use physical methods, the most common technique today include "talk therapies" that licensed or unlicensed practitioners use in attempt to "treat" a person's sexual orientation or gender identity.

WHAT DO EXPERTS THINK?

There is no accredited training for mental health professionals on how to attempt to change a person's sexual orientation or gender identity. That also means there is no ethical standard of care for doing so all of the Nation's leading Professional Medical and Mental Health Associations have rejected conversion therapy and deemed it as unnecessary, ineffective, and dangerous.

DOES CT WORK?

No. Conversion therapy is based on outdated information that being LGBTQ+ is a mental illness, despite all major medical associations' agreement that LGBTQ identities are a normal variant of human nature.

The American Psychiatric Association has not treated homosexuality as a mental illness since 1973, and being transgender is no longer treated as a mental illness since "gender identity disorder" was removed from psychological diagnostic manuals in 2013.

IS IT HARMFUL?

Yes. The risks of conversion therapy extend far beyond its ineffectiveness. Conversion therapy is strongly associated with negative mental health outcomes and greater rates of attempting suicide. According to The Trevor Project's 2020 National Survey on LGBTQ Youth Mental Health, 10% of LGBTQ youth reported undergoing conversion therapy, with 78% reporting it occurred when they were under age 18. Youth who reported undergoing conversion therapy reported more than twice the rate of attempting suicide in the past year compared to those who did not.

STATISTICS

- 698,000 LGBTQ adults (ages 18-59) in the U.S. have received conversion therapy, including about 350,000 LGBTQ adults who received treatment as adolescents.
- 20,000 LGBTQ youth (ages 13-17) will receive conversion therapy from a licensed healthcare professional before they reach the age of 18 in the 41 states that currently do not ban the practice.
- A 2018 study by The Family Acceptance Project found that:
 - Rates of attempted suicide by LGBT young people whose parents tried to change their sexual orientation were more than double (48%) the rate of LGBT young adults who reported no conversion experiences (22%).
 - Suicide attempts nearly tripled for LGBT young people who reported both home-based and out-of-home efforts to change their sexual orientation (63%).
 - High levels of depression more than doubled (33%) for LGBT young people whose parents tried to change their sexual orientation compared with those who reported no conversion experiences (16%) and more than tripled (52%) for LGBT young people who reported both home-based and out-of-home efforts to change their sexual orientation.
 - Sexual orientation change experiences during adolescence by both parents/caregivers and externally by therapists and religious leaders were associated with lower young adult socioeconomic status, less educational attainment, and lower weekly income.

WHAT CAN YOU DO?

Pass this ordinance to prohibit conversion therapy within the City of Morgantown. Passing this ordinance will show that we as a community care for our LGBTQ+ youth, and want to protect them to the best of our abilities. Our LGBTQ+ youth deserve to thrive in a healthy environment, where they are not subjected to misinformation and hatred, or being told they are "damaged" and need "cured". By passing this ordinance, we are promoting equality, safety, and inclusiveness within our city. We can continue to serve as a beacon of hope to the rest of the state, encouraging other municipalities to pass similar ordinances, with the hope we will soon have a statewide law.

**AN ORDINANCE AMENDING ARTICLE 153 GOVERNING
THE HUMAN RIGHTS COMMISSION
TO PROHIBIT CONVERSION THERAPY**

WHEREAS, West Virginia Code 8-12-2(a)(9) provides that the City of Morgantown has plenary power and authority to adopt an ordinance not inconsistent or in conflict with the West Virginia Constitution, state code, or city charter, that provides for the government, protection, order, conduct, safety and health of persons or property; and

WHEREAS, West Virginia Code 8-12-5(23) and (44) provides that the City of Morgantown's City Council has the plenary power and authority to adopt an ordinance that provides for the elimination of hazards to public health and safety and to abate or cause to be abated anything which is declared a public nuisance and to protect and promote the public safety, health, welfare and good order; and

WHEREAS, contemporary science recognizes that being lesbian, gay, bisexual, or transgender is part of the natural spectrum of human identity and is not a disease, disorder, or illness; and

WHEREAS, conversion therapy has been rejected by every major medical and mental health organization, including the American Psychological Association, American Psychiatric Association, American Medical Association, American Academy of Pediatrics, American Academy of Child and Adolescent Psychiatry, American Counseling Association, American Psychoanalytic Association, American School Counselor Association, American School Health Association, National Association of Social Workers, and the Pan American Health Organization; and

WHEREAS, conversion therapy leads to critical health risks including anxiety, depression, decreased self-esteem, substance abuse, homelessness, and suicide; and

WHEREAS, minors are especially vulnerable to the harms associated with conversion therapy; and

WHEREAS, the City has a compelling interest in protecting the physical and psychological well-being of minors, including lesbian, gay, bisexual, and transgender youth, and in protecting its minors against exposure to serious harms caused by conversion therapy; and

WHEREAS, in consideration of the foregoing, the City Council finds and concludes that the practice of conversion therapy impermissibly discriminates against lesbian, gay, bisexual, and transgender youth on the basis of sex, sexual orientation, and/or gender identity;

NOW, THEREFORE, the City of Morgantown hereby ordains that Section 153.02 of the City Code is amended as follows:

Discriminate or discrimination means to exclude from, or fail or refuse to extend to, a person equal opportunities because of race, religion, color, national origin, ancestry, sex, age, blindness, disability, sexual orientation, gender identity, familial status or veteran status and includes to separate or segregate. For the purposes of this article, discrimination based on race includes, but is not limited to, discrimination based on hair textures and protective hairstyles historically associated with a particular race. Furthermore, for the purposes of this article, discrimination on the basis of sex, sexual orientation, or gender identity includes the practice of conversion therapy with a minor under the age of eighteen years old by any medical or mental health professional.

Conversion therapy means any practices or treatments that seek to change an individual’s sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender. Conversion therapy shall not include counseling that provides assistance to a person undergoing gender transition, or counseling that provides acceptance, support, and understanding of a person or facilitates a person’s coping, social support, and identity exploration and development, including sexual-orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as such counseling does not seek to change an individual’s sexual orientation or gender identity.

Medical or mental health professional means any individual who is licensed by the City or State to engage in a profession related to physical or mental health, including any interns, trainees, or apprentices who provide medical or mental health services under the supervision of a licensed medical or mental health professional.

This ordinance is effective upon adoption.

FIRST READING

Mayor

SECOND READING

City Clerk

ADOPTED

FILED