



CAMPUS **CLIMATE** REPORT 2014

Virginia University LGBTQ Resource Centers
an 'Unsafe Zone' for Students with Unwanted
Same-Sex Attractions

Acknowledgements and Dedication

This project would not be possible without the persistence of a number of individuals that have worked tirelessly to promote tolerance and understanding for the ex-gay community, former homosexuals, and individuals with unwanted same-sex attractions.

Thank you to Liberty Counsel, especially Richard Mast, for your hard work and ongoing support to ensure that all viewpoints on human sexuality are respected and acknowledged on Virginia university campuses.

Thank you to the entire Board of Directors of Parents and Friends of Ex-Gays and Gays (PFOX). Special thanks to Estella Salvatore, President of PFOX and Regina Griggs, Executive Director of PFOX, who have documented, for many years, the ongoing marginalization and discrimination of students who experience same-sex attraction at university LGBTQ Resource Centers and have pushed for accountability and reform on these campuses.

I would also like to thank the entire Advisory Board of Voice of the Voiceless, especially Chuck Peters, who went undercover with me to record the viewpoint and sexual orientation discrimination that is detailed in this report. You are brave!

I would also be remiss if I didn't acknowledge the many organizations that have supported this project and continue to represent the interests of former homosexuals and those who experience unwanted same-sex attraction, despite considerable hostility from anti-ex-gay extremists. Thank you to the National Association for Research and Therapy of Homosexuality, International Healing Foundation, Jews Offering New Alternatives to Healing, and many other organizations that provide hope and healing for our community.

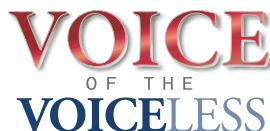
Finally, I would like to thank my wife Sherry for her support, encouragement, and faith in this cause. You are always there on the hard days—when I feel like we are engaging in an impossible battle—to lift my spirits and encourage me to fight the good fight.

This report is dedicated to the countless college students across the United States of America that struggle with unwanted same-sex attraction and have no representation, no resources, and no support on their university campus. It is my hope that some day, you will have the courage to let your voices be heard. Until that time, we will represent you, the voiceless, and demand justice. Because none of us are free until all of us are free.

Sincerely,



Christopher Doyle, MA, LCPC
President & Co-Founder
Voice of the Voiceless



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INTRODUCTION:

The Benefit of LGBTQ Resource Centers on University Campuses and the Importance of Distinguishing Between Sexual Minority Populations

As adolescents enter the college years, they continue to explore their identities while experiencing a greater level of autonomy, develop a more meaningful sense of self, and realize greater levels of intimacy in social and romantic relationships. Developmental psychologist Erik Erikson described youth in this critical period as transitioning between two significant life stages: *Identity vs. Role Confusion* and *Intimacy vs. Isolation*. In the former, adolescents develop a sense of self and personal identity. Successful completion of this stage leads to an ability to stay true to oneself, while failure leads to role confusion and a weak sense of self. In the latter stage, young adults need to form intimate, loving relationships with other people. Success leads to strong relationships, while failure results in loneliness and isolation.¹

Universities provide an ideal social context for young people to begin making the transition from childhood to adulthood. Professors, coaches, counselors, and mentors have a profound affect on adolescents as they negotiate conflicts during this process. It is essential that young people are given time and space to explore these challenges with proper guidance to help them come to terms with their identity. Sexual orientation and sexual identity are one of those challenges, especially as it concerns adolescents that are lesbian, gay, bisexual, transgender, questioning, intersex, or experience unwanted same-sex attractions (LGBTQIU).*

For a number of reasons, LGBTQIU students may experience greater challenges than their heterosexual classmates in transitioning from adolescence to adulthood. Thus, LGBTQ Resource Centers specifically tailored to the needs of these vulnerable populations may provide the necessary knowledge, support, and skills required to help these youth develop a strong sense of self and form loving and intimate relationships. Many state-funded universities in Virginia have realized the benefit of such LGBTQ Resource Centers and have set aside funds to support sexual minority students as they negotiate the unique challenges that heterosexual students may not encounter.

In recent years, many of these LGBTQ Resource Centers have also developed or infused the concept of a Safe Zone, which works to promote a welcoming atmosphere for sexual minority

* While we recognize that Intersex students should be included in this list of sexual minorities, we found no resources specifically dedicated to this population among the LGBTQ Resource Centers visited.

+ This report has been criticized for insisting that SOCE outcome research exhibit high methodological research standards while not demanding the same criteria be used to evaluate the efficacy of gay affirmative therapy, which the Task Force (as well as Virginia universities) recommended for all clients who experience homosexual feelings, whether LGBT or QU identified. For more information, see: Phelan, J.E., Goldberg, A. & Doyle, C. (2012). A Critical Evaluation of the Report of the Task Force on Appropriate Therapeutic Responses to Sexual Orientation, Resolutions, and Press Release. *Journal of Human Sexuality*, 4, 41-69.

students on campus. For example, Virginia Commonwealth University “educates members of the University community about LGBTQ issues to create a network of allies who, together with members of the LGBTQ community, work to create a community of safety and full inclusion for all its members.”²² Similarly, Virginia Tech’s Safe Zone manual states that “some students may be hesitant to come out to everyone on campus. Safe Zones are expected to uphold an individual’s privacy and treat information gained from that student in a confidential manner.”²³ Thus, these programs are primarily meant to provide support for sexual minority students in the effort to help them feel safe and to experience acceptance, love, and intimacy in relationships.

Virginia universities have developed a number of supportive mechanisms for sexual minority youth, including designated safe spaces, staff/faculty that serve as on-campus allies, and educational programs, seminars, and workshops to help further tolerance and understanding for LGBTQ students. Such programs serve as a place for students to feel welcome and supported in their sexual identity, but they may also be a place where youth come to receive counsel over various conflicts. In that case, an LGBTQ Resource Center or Safe Zone may provide information, options, and referrals for the student to seek out mental health services within their university counseling center or local community to help them negotiate these challenges.

In Virginia, the state has appropriated funds to assist students in need of counseling, regardless of sexual orientation and/or identity, through a program called Counseling and Psychological Services (CAPS). For example, at the University of Virginia, CAPS primarily utilizes a brief psychotherapy treatment approach with students. Duration of psychotherapy is generally 6 to 10 sessions. Clinical efforts are focused on assisting students to returning to the level of functioning required for successful academic achievement. In most instances in which students’ needs do not fit a brief therapy approach, referrals are made to alternate clinic sites or to psychotherapists within the Charlottesville community. In situations in which a community therapist referral may be problematic or contraindicated, exceptions to a brief treatment approach are made on a case-by-case basis.⁴

In the referral process, LGBTQ Resource Centers and Safe Zones play an important role by helping students identify services, programs, and allies that may support them in their unique challenges. Therefore, it is vital for LGBTQ Resource Centers and Safe Zones to correctly identify a student’s sexual identity and/or orientation so they can be linked to a competent professional that can help them reach their goals. While it appears that the needs of lesbian, gay, bisexual, and transgender (LGBT) students are being adequately served in Virginia university LGBTQ Resource Centers and Safe Zones, there exists a population of individuals that are either questioning their sexual orientation and/or have unwanted same-sex attraction (SSA) that may not be receiving equivalent support.

Students that experience homosexual feelings but do not identify as LGBT may be questioning their sexual identity or have unwanted same-sex attractions (QU). It is inappropriate to label such students LGBT or refer them to churches, programs, organizations, or counselors that adhere only to a gay affirming approach. Such mislabeling may be offensive and harmful, and

should be avoided. Alternatively, QU students may self-identify as a former homosexual or ex-gay. In 2009, the Superior Court in the District of Columbia ruled that ex-gays or former homosexuals are a protected class against sexual orientation discrimination.⁵ Because Virginia is located in a neighboring jurisdiction to Washington, D.C., it is especially appropriate for state-funded universities to recognize such individuals as separate and distinct from the LGBT population, and therefore, provide information and services that are sensitive to their values and unique needs.

Due to the nature of state-funded services, LGBTQ Resource Centers and Safe Zones are obligated to provide QU students competent referrals and assistance that are sensitive to their values and unique needs. Because LGBTQ Resource Centers and Safe Zones are publicly funded entities, they are considered a limited public forum, and as such, must provide equal access to views and/or organizations that may serve the unique needs of QU students.

By forming an LGBTQ Resource Center and/or Safe Zone, Virginia universities have established a limited public forum for the purpose of providing non-university resources for issues surrounding sexual orientation. These universities provide resources from and web links to organizations espousing the belief that an individual should express his or her same-sex attractions. Therefore, they cannot discriminate against the viewpoint of those who have provided resources to the university for those questioning their homosexual attractions and feelings and/or offer sexual orientation change services.

Since government may not regulate speech based on its substantive content or the message it conveys, in the realm of private speech or expression, government regulation may not favor one speaker over another. Discrimination against speech because of its message is presumed to be unconstitutional...when government targets not subject matter but particular views taken by speakers on a subject, the violation of the First Amendment is all the more blatant. Viewpoint discrimination is thus an egregious form of content discrimination. The government must abstain from regulating speech when the specific motivating ideology or the opinion or perspective of the speaker is the rationale for the restriction.⁶ When a government opens a forum for literature distribution, it must treat all persons and groups seeking to use the forum equally, regardless of their viewpoint.⁷

The actions of the universities that will be described in this report, in their refusal to mention the existence of ex-gay resources or offer appropriate therapy and/or competent referrals, when repeatedly requested by an individual ostensibly experiencing confusion over his sexuality, or conflict between his sexuality and his faith, demonstrate that the universities favor the speech of the LGBT community over the ex-gay community. The universities have thus suppressed and deemed the viewpoints of ex-gays on human sexuality and sexual orientation as unworthy of exhibition and distribution, while the viewpoints of the LGBT community are favored and deemed worthy by the university.

In this context, presenting only one viewpoint on the issue of sexual orientation not only constitutes viewpoint discrimination, but it may also constitute sexual orientation discrimination (see conclusion for more discussion on this concept). Additionally, it may also be harmful to the student's self-identity, as it presents a scenario of isolation (versus intimacy),

described above in Erikson's developmental model. This in turn could lead to feelings of anxiety, depression, and hopelessness (among others) at the thought of having to live in such a way that is incongruent with the individual's spiritual/religious values and/or moral ideals.

Despite the suggestion by several counselors and administrators in Virginia university LGBTQ Resource Centers, Sexual Orientation Change Effort (SOCE) therapy is neither illegal in Virginia, nor is it unethical or harmful for clients that voluntarily take part in such therapeutic processes. Professional psychological associations have varying opinions as to the efficacy of such interventions.

The American Psychological Association (APA) formed a Task Force in 2009 that issued a report on the outcomes of SOCE therapy in the research literature. In their systematic review of SOCE literature, they concluded that "research on SOCE (psychotherapy, mutual self-help groups, religious techniques) has not answered basic questions of whether it is safe or effective and for whom," and that there are "no scientifically rigorous studies of recent SOCE that would enable a statement to be made about whether recent SOCE (interventions) are safe or harmful and for whom."⁸ However, this report has been criticized for insisting that SOCE outcome research exhibit high methodological research standards while not demanding the same criteria be used to evaluate the efficacy of gay-affirmative therapy, which the Task Force (as well Virginia universities) recommend for all clients who experience homosexual feelings, whether LGBT or QU identified.⁹

Another comprehensive review of SOCE literature by the National Association for Research and Therapy of Homosexuality (NARTH) in 2009 came to a diametrically opposed conclusion. Reviewing 100 years of research and clinical literature, the report concluded that it is possible for some men and women to change from homosexuality to heterosexuality, and that efforts to change do not invariably result in harm.¹⁰

PROJECT OVERVIEW:

Common Misstatements By LGBTQ Resource Center Counselors

In order to assess the climate of Virginia University LGBTQ Resource Center's attitudes and services towards QU students, we selected seven state-funded four-year higher education institutions, including George Mason University, James Madison University, University of Virginia, Virginia Commonwealth University, Old Dominion University, Christopher Newport University, and the College of William and Mary.

In September 2013, two representatives from Voice of the Voiceless (VoV) visited these campuses over a 2 ½ week period to document the services rendered by LGBTQ Resource Center counselors and information given or provided in the LGBTQ Resource Center. We documented each meeting by using concealed audio or video equipment, and have made these recordings available on our website (www.VoiceoftheVoiceless.info) and via YouTube. We also took notes and photos to document the materials in each LGBTQ Resource Center to determine what, if any, information was made available for QU students. As a note of caution, these universities do not represent a random sample nor should be viewed as representative of all LGBTQ Resource Centers in Virginia or across the United States.

In some universities, the locations that assist sexual minority students are not specifically called LGBTQ Resource Centers. At Virginia Commonwealth University, the Office of Multicultural Student Affairs houses their LGBTQ concerns. At Old Dominion University, sexual minority issues are given space within the Division of Student Engagement and Enrollment Services, called the ODU Safe Space program or ODU Out. At the College of William and Mary, the Center for Student Diversity is the home for LGBTQ activities. Nonetheless, all of these offices provide anonymous counseling and guidance to sexual minority students in need of assistance and/or resources. The offices also maintain a website where LGBT-affirming weblinks are available for students seeking referrals, constituting an additional (limited) public forum for the purpose of providing non-university resources for issues surrounding sexual orientation.

Additionally, Christopher Newport University did not maintain an actual LGBTQ Resource Center staffed by university employees, nor did they host LGBT-affirming resources on a public website available for students. While we did meet with the President of their Gay-Straight Student Union on-campus, as well as speak with a counselor at their Health and Wellness Services program, these meetings did not constitute a limited public forum. However, we have included the recordings of our meetings with them and their statements for the purpose of documentation. Liberty Counsel, the litigation firm representing VoV, did not send a letter to this university due to the fact that one counselor and student-run group did not qualify as a limited public forum.

In addition to inaccurate statements about the legality, efficacy, potential harm, and ethicality of SOCE therapy, LGBTQ Resource Center counselors and administrators also made a number of common misstatements about the nature of SOCE therapy, ex-gay organizations and religious ministries, as well as the etiology of homosexuality.

Specific statements will be examined in detail in this report, and include:

- **Improper terms for SOCE therapy, including names such as “conversion” and “reparation” therapy.** Such expressions are used pejoratively by those who oppose SOCE, are offensive, and should be avoided in a value neutral setting where public funds are utilized.
- **Simplified explanations of the nature of SOCE therapeutic interventions.** Explanations of SOCE therapy ranged from being described as “not valid” or an “invalid” form of therapeutic treatment, while others referred to it as an attempt to “pray away the gay” that relies on purely behavioral methods of distraction and/or suppression. Such descriptions are based on negative portrayals by activists and opponents of SOCE, and do not reflect the work of licensed mental health practitioners who practice SOCE therapy.
- **Inaccurate outcomes of clients that undergo SOCE, including the use of scare tactics as a means of discouragement.** Some counselors went so far as to suggest that SOCE therapy is inherently harmful and will ultimately cause a client to become anxious, depressed, and/or commit suicide. Such statements are inaccurate and rely on anecdotal evidence and/or studies that have used convenience samples.¹¹ While SOCE therapy carries with it a level of risk, so does any form of medical or psychological treatment; and there is no scientific evidence that suggests it is more harmful than other forms of psychotherapy.
- **SOCE therapy is illegal and unethical.** While laws have recently been passed to prohibit minors from undergoing SOCE therapy in California and New Jersey, it is still legal for adults to undergo SOCE therapy in these two states and is permitted for all clients in the other forty-eight states. Although some professional trade associations (i.e., American Psychological Association, American Counseling Association) caution and/or discourage the use of SOCE, none of these organizations have gone as far as to regard the practice as unethical. Additionally, organizations such as the American Association of Christian Counselors (AACC) and the National Association for Research and Therapy of Homosexuality (NARTH), which comprise over 50,000 licensed mental health practitioners collectively, support a client’s right to pursue SOCE therapy.
- **Parents force their homosexual-oriented children to undergo SOCE therapy, and in some cases, isolate them by requiring them to attend “conversion therapy camps” in order to become heterosexual.** Some anti-ex-gay activists have made accusations that parents have forced their homosexual children to undergo SOCE interventions, which include camps that rely on aversive (i.e., electroshock) methods for conversion.¹² Such claims are myths and have been investigated and disproven, yet nonetheless were repeated by some LGBTQ Resource Center counselors as scare tactics to discourage students from pursuing SOCE therapy.

- **Individuals who claim they have experienced sexual orientation change have only changed their behavior. SOCE therapy does not change an individual’s sexual attractions and desires.** Such statements are not scientific and are impossible to verify. Research has demonstrated that some homosexual-oriented individuals can and do experience change, on a continuum, in their homosexual feelings and develop heterosexual attractions and desires.¹³ Thus, counselors who stated this are making unsubstantiated claims that are not grounded in science and is in direct violation of the APA’s “Leona Tyler Principle.”^{14, 15}

- **Homosexual feelings are biological and/or genetic.** While there may be some biological pre-dispositions to the development of same-sex attractions, scientists have not been able to determine a simple biological explanation for the development of same-sex attractions. In 2008, the APA said:

*There is no consensus among scientists about the exact reasons that an individual develops a heterosexual, bisexual, gay, or lesbian orientation. Although much research has examined the possible genetic, hormonal, developmental, social, and cultural influences on sexual orientation, no findings have emerged that permit scientists to conclude that sexual orientation is determined by any particular factor or factors. Many think that nature and nurture both play complex roles; most people experience little or no sense of choice about their sexual orientation.*¹⁶

- **Homosexual feelings are hard-wired and impossible to change.** While no one simply chooses to experience homosexual feelings, they are not hard-wired and research indicates that some individuals may experience change or fluidity.¹⁷ For example, a recent comprehensive bibliographic review of literature spanning over 100 years summarized the research documenting successful outcomes of SOCE therapy. These interventions resulted in changing clients’ homosexual behaviors, attractions, identification, and/or feelings to various degrees of heterosexual adaptations, including exclusivity.¹⁸ A recent study indicated that while heterosexual feelings are more stable in both genders, women might have even more fluidity in their same-sex attractions than men.¹⁹ Similarly, previous research has found that heterosexual attractions are 17 times more stable in men and 30 times more stable in women than homosexual attractions.²⁰
- **Homosexual sexual activity is no more risky than heterosexual sexual activity as long individuals practice “safe sex”.** Data from the Centers for Disease Control and Prevention found that in 2011, 94.9 percent of HIV diagnoses among young men ages 13-19 were linked to men that have sex with men (MSM) and 94.1 percent of HIV cases among young men ages 20-24 were from MSM.²¹ While condoms may reduce the risk of contracting and spreading HIV through anal sex, the Food and Drug Administration has advised the following on their website: “Condoms provide some protection, but anal intercourse is simply too dangerous to practice . . . condoms may be more likely to break during anal intercourse than during other types of sex because of the greater amount of friction and other stresses involved. Even if the condom doesn’t break, anal intercourse is very risky because it can cause tissue in the rectum to tear and bleed. These tears allow disease germs to pass more easily from one partner to the other.”²²

GEORGE MASON UNIVERSITY



Figure 1. Photo of GMU's LGBTQ Resource Center

George Mason University (GMU) is located Fairfax, VA. As the largest university in Virginia, GMU boasts a total enrollment of over 32,000 students spanning five campuses in northern Virginia. Their LGBTQ Resource Center is directed by Ric Chollar (see figure 1).²³ Mr. Chollar previously corresponded with Parents and Friends of Ex-Gays (PFOX) in 2006 over brochures and resources that PFOX requested be made available to students in their LGBTQ Resource Center. At the time, PFOX suspected these resources were not being made available to QU students and submitted a Freedom of Information Act (FOIA) request to obtain correspondence that might provide information on their suspicion that the materials were being suppressed. The content of that FOIA is listed under Appendix A.

On September 4, 2013 VoV President Christopher Doyle met with Mr. Chollar, presenting as a graduate student with conflicts over his unwanted same-sex attraction due to his Christian beliefs. Mr. Chollar did not readily offer the brochures provided by PFOX during the session, nor did the LGBTQ Resource Center make them available alongside the many gay-affirming pamphlets and magazines offered. As a result, Liberty Counsel determined there was evidence to suggest that the actions of GMU's LGBTQ Resource Center constituted viewpoint discrimination (See Appendix B). During the session, Mr. Chollar also made a number of troubling statements, which are described in detail below.



Figure 2. Photo of several "Out" magazines inside GMU's LGBTQ Resource Center

- **The statement:** "It no longer makes sense, necessarily, that there has to be a reason" why someone experiences specific sexual feelings towards another person is troubling. [Click here to listen.](#)
 - This dismisses the student's feelings and convictions over not acting out on certain sexual impulses that may be rooted in dysfunction or trauma. By stating, "we see that as a basic part of them" is to suggest that someone has an inborn tendency to be attracted, or not attracted, towards a specific person or object. This is not scientifically correct.

- **Presenting only three options** for a person struggling to reconcile their Christian faith and homosexual feelings as: 1) Stay in the conservative/fundamentalist Christian environment and have another part of their life as a place where they let themselves be gay, or essentially, live a double life; 2) Deny one part of themselves (faith) and allow the other part of themselves to take primary importance (sexuality); and 3) Look for another form of Christianity that upholds all of your basic values and embraces homosexuality. [Click here to listen.](#)
 - His statement, “every protestant denomination, catholic...every organized religion has within it groups and dogma, and thinking and beliefs that accept one’s homosexuality. Its every bit as possible, even to interpret the Bible as being ‘okay with us’ as it is not” is inaccurate in the sense that the official theology and doctrine of these religions does not accept homosexual behavior as God’s natural design. While some sects of Christianity/Judaism accept homosexual behavior as equivalent to heterosexuality, this is the exception, not the norm.
 - Mr. Chollar is also placing his own bias and worldview instead of empathizing with the student’s values and supporting him in his goals. A more appropriate option would be to ask the student: “What does your faith tell you how you should behave in the context of sexuality?” and “Let me find a counselor, organization, or resource that can help you stay true to your faith while expressing your sexuality in a way that is honoring towards your beliefs.”
- **The statement:** “There are definitely several organizations that believe they could help you to do that (change sexual orientation) . . . they could either call it ‘conversion therapy’ or ‘reparation therapy’ as if you’re repairing something.” [Click here to listen.](#)
 - This statement is inaccurate and a misunderstanding of the nature of SOCE therapy. The term ‘Reparative Therapy’ was coined by Dr. Joseph Nicolosi, and is a specific type of SOCE therapy that derives its meaning from the homosexual-oriented person’s reparative drive to fulfill unmet love needs through sexual eroticization of the same gender.²⁴ This therapy does not attempt to repair or fix someone with same-sex attraction, as Mr. Chollar stated. Suggesting that a therapeutic intervention is an attempt to fix someone or something about a person that is broken, as he accused SOCE therapy of doing, may deter a student from considering this option.
- **The statement:** “I wouldn’t talk someone out of trying (SOCE) if that is really what they wanted to do” is contraindicated by his assertion that “every psychological organization, every medical, organization, every psychiatric organization has taken a real strong stand that sexual orientation is something that is built into your body, and not something that can be changed (it’s right in there with eye color, and left handed/right handed/skin tone) . . . most of us in the counseling field have stopped looking into what is causing anything, because cause implies there is something wrong. . .and whatever is causing me to be gay, has caused someone else to be straight . . . the choice you have is what to do about it. My

own experience and professional expertise tells me that you do not choose who you are attracted to, you could not choose to stop having gay attraction. My understanding of what these reparation therapies do is behavioral change, so you can stop acting out sexually.”

- These statements are inaccurate in that he implies that same-sex attractions are an immutable characteristic like skin tone/eye color. He also incorrectly characterizes SOCE therapy as merely a behavioral therapy that helps people to not act out on sexual impulses. Further, professional psychological organizations such as AACC and NARTH affirm the belief that sexual orientation can change and support a client’s right to self-determination.
- **The statement:** “Why would God give us a set of wiring or feelings or whatever if that wasn’t intended . . . now I get it that maybe you want to use God as your highest authority? That is still (having same-sex attractions) God moving through your life, so you’ll still be making decisions around ‘how do I interpret what God wants of me’ . . . there are lots of folks on this campus that identify as Christian and gay.” [Click here to listen.](#)
 - This statement implies that individuals are born with same-sex attractions and assumes that having homosexual feelings means that one must live as a gay Christian. This statement excludes the possibility that a student may want to seek out counseling to understand why they have homosexual feelings and the possibility that these may be resolved by addressing the underlying issues that are causing the feelings.
- **The statement:** “What psychiatry, what psychology, what mental health say is that these attempts to change somebody actually do much more harm because they add more layers of shame. Imagine if you had a goal of stopping these feelings and you went to every class and did everything you were supposed and it still didn’t happen. People end up blaming themselves, feeling even more ashamed than when they started. It leads to greater depression, greater stress, suicide, it’s a mess . . . and again, I wouldn’t stop you from trying it if that’s the path you decide.”
 - This dialogue is based on a number of statements that are inaccurate and unscientific. Mr. Chollar resorts to psychological manipulation in the effort to discourage the student from seeking out SOCE therapy. It is disingenuous to believe that a student would want to take part in a treatment after the counselor says it will cause shame, depression, and suicide.
- **While Mr. Chollar** was sensitive to ask what Christian denomination the student adhered to, he only offers a place of worship (a gay-affirming church called the Metropolitan Community Church), and resources (“The Lord is My Shepherd and He Knows I’m Gay”) that are gay affirming. [Click here to listen.](#)
 - The student specifically asks if the church is a place for someone that is questioning whether he or she wants to embrace their same-sex attractions, and

Mr. Chollar indicated it would be a good place. A more appropriate referral for such a student in this situation would be a religious ministry or organization that supports individuals who do not wish to act on their homosexual impulses (Regeneration of Northern Virginia/Baltimore²⁵ or an affiliate of Restored Hope Network²⁶ are a couple of options).

- **The statement:** “A number of states have actually made it illegal for therapists to practice that (SOCE therapy), so this is how potentially damaging it can be,” coupled with his reluctance to give out ex-gay brochures or provide a complete and comprehensive list of resources for those seeking SOCE is indicative of viewpoint discrimination and a failure to accurately meet the needs of students who may desire to change sexual orientation. [Click here to listen.](#)
 - Instead of helping the student find a referral through AACC, NARTH, or Restored Hope Network, he pointed to the disbanded Exodus International organization to further discourage the student. He also failed to explain that California and New Jersey’s laws prohibit SOCE therapy for minors only, suggesting that SOCE therapy is banned altogether in these states.

Recommendations for Policy Reforms

In order to make GMU’s LGBTQ Resource Center more welcoming and safe for QU students, we recommend a number of policy reforms that will help rectify the viewpoint discrimination that has occurred and the troubling statements that were made by Ric Chollar on September 4, 2013. It would be appropriate for GMU to set aside a reasonable amount of funding from the LGBTQ Resource Center budget for the following:

1. Tolerance and sensitivity training for LGBTQ Resource Center, CAPS, and other professional counseling staff to better understand the needs of QU students.
2. Professional development training for LGBTQ Resource Center, CAPS, and other professional counseling staff in order to provide competent counseling and/or referrals for QU students.
3. Production and distribution of educational resources for QU students in LGBTQ Resource and counseling centers. The university should work with Voice of the Voiceless and Parents and Friends of Ex-Gays and Gays to ensure that resources do not contain anti-ex-gay bias and include appropriate information, including a list of referrals that are sensitive to the needs of QU students.
4. Periodic compliance checks from neutral university administrators to ensure that resources for QU students are prominently and properly displayed in LGBTQ Resource Center and counseling centers for distribution.
5. A list of online resources and referrals on the GMU Lesbian, Gay, Bisexual, Transgender, Queer and Questioning Resources website that provide counseling, support, and legal assistance for former homosexuals and students with unwanted same-sex attractions.

JAMES MADISON UNIVERSITY



Figure 3. A photo from JMU's Safe Zone program from the university website

James Madison University is located in Harrisonburg, VA and has a total enrollment of just under 20,000 students. Their LGBTQ Resource Center is co-coordinated by Dr. Tammy Gilligan (see figures 3-4).²⁷ JMU has a history of anti-ex-gay sentiment within their faculty and LGBT advocacy programs,^{28,29} and in the past has refused to display educational brochures offered by PFOX in their LGBTQ Resource Center. A FOIA request from 2009 obtained from PFOX indicated that faculty members of JMU were conspiring with other university LGBT activists and anti-ex-gay organizations such as Truth Wins Out and Lambda Legal to keep ex-gay information out of their LGBTQ Resource Center (See Appendix C).

On September 12, 2013, VoV President Christopher Doyle met with Dr. Gilligan, presenting as a graduate student with conflicts over his unwanted same-sex attraction due to his Christian beliefs ([click here to watch the video](#)). Dr. Gilligan did not offer any referrals for SOCE therapy during the session, nor did the LGBTQ Resource Center make them available alongside the many gay-affirming pamphlets and magazines offered. As a result, Liberty Counsel determined there was evidence to suggest that the actions of JMU's LGBTQ Resource Center constituted viewpoint discrimination (See Appendix D). During the session, Dr. Gilligan also made a number of troubling statements, which are described in detail below.



Figure 4. JMU's University Health Center, which houses the LGBTQ Resource Center

- **The question:** “Information wise, what do you think would help you” was appropriate. However, she quickly suggests a campus support group called “Queer to Questioning” that may not be acceptable for a student that is QU. It would have been more appropriate for Dr. Gilligan to explore the student’s values around sexuality and then determine a suitable referral. [Click here to watch the video.](#)
- **The statement:** “New Jersey is one of the first states to outlaw that, what they call conversion therapy. Because in a lot of ways it can be very traumatic and very psychologically detrimental to people. A lot of times parents will put their children in

conversion therapy at young ages. If that's something that people do as adults on their own accord, that's one thing. When parents do that to children who really are essentially born that way, and acting that way, 2-3 years old. There's a lot of different opinions." [Click here to watch the video.](#)

- Dr. Gilligan misstates that SOCE is outlawed in New Jersey, rather than distinguishing the fact that a law was just passed to prohibit the therapy for minors only. She also incorrectly asserts that SOCE therapy (which she pejoratively calls 'conversion therapy') is traumatic and detrimental, which is scientifically incorrect. Additionally, her claims that many parents put their children in SOCE therapy against their will is impossible to verify, yet is stated as a fact. Finally, she suggests that children who exhibit homosexual tendencies at young ages are born with same-sex attraction, which is an oversimplification and is scientifically incorrect.³⁰
- **The statement:** "It would be difficult (to have same-sex attractions) and be married to a woman, because you would be living a lie, and that's why you see it happen in the media, with certain politicians who, like, have affairs on the side with men, because they weren't truly being themselves" assumes that no one can live a heterosexual life while having unwanted same-sex attraction, and that doing so is not being true to oneself. [Click here to watch the video.](#)
 - This statement is offensive to individuals that may experience unwanted same-sex attractions and desire to remain true to their religious convictions and engage only in heterosexual behavior. It also ignores the fact that some individuals can and do experience change in sexual orientation through SOCE therapy.³¹ For such individuals, SOCE therapy and ex-gay organizations provide important guidance, support, and assistance.
- **The statement:** "A lot of people who choose to live that way, like I said, (living a heterosexual life with same-sex attractions) but they're fundamentally unhappy. Think about the partner that you choose and how you're lying to them for most of your life." [Click here to watch the video.](#)
 - The student then goes onto share about his fear of emotional intimacy with women, to which Dr. Gilligan seems unable to provide any insight. Never does she consider that perhaps this is may be the result of emotional trauma from women, or suggest to the student that he might want to explore the origins of these feelings. Further, to make a statement that people with unwanted SSA that live heterosexual lives are "fundamentally unhappy" is offensive, impossible to verify, and assumes that acting on same-sex attractions and not staying faithful to one's deeply held religious convictions will make a person happy.
- **The response** to the question: "What would it be like if I were to 'come out' to my church" was discouraging. Rather than encouraging the student to seek help from his religious community, which plays a very important role in his life, Dr. Gilligan encourages

the student to come out in other, more accepting places first and build support before attempting to tell people in the church. [Click here to watch the video.](#)

- This response is disrespectful to the student's faith and values in the sense that it may be more important that he seeks guidance from clergy and leaders in the church rather than develop a gay identity in secret and not integrate his sexuality with his faith. It also suggests that no one in the church can provide guidance, assistance, or support to those struggling with sexual orientation.
- **The statements** about SOCE therapy: "That it comes from the perspective that having homosexual feelings is wrong and that the therapy is essentially brainwashing . . . some of them are way more intense than others. I think a lot of times when they are a lot more religious, when they talk about those feelings not being natural, and not feelings, but the devil. They used to (use electroshock therapy) but I don't know if they do now . . . yeah, yeah, can you believe that someone would shock your brain into like, being straight . . . and a lot of them are very isolating, because sometimes they, like, take you away, isolate you for weeks or like months, like a camp, not all of them, but some of them are like that, yeah. So that's why, especially the ones with the kids, the parents would ship their kids away for like, a month. Yeah, that in and of itself is like 'hey I'm gonna ship you away and you're gonna come back straight' . . . so you know, it's not really something that advocates in the LGBT (community) support, for sure, and it's not something that's healthy really anyway. It does a lot of stigmatizing and treating it as a disease that can be cured." [Click here to watch the video.](#)
 - There are a number of statements made in this dialogue that are inaccurate and are based on stereotypes, including the assertion that religious SOCE programs suggest that homosexual feelings are from the devil. The counselor also cites a myth that kids are shipped away to "conversion therapy camps" to become straight.³² It is also incorrect to say that SOCE therapy is stigmatizing. For individuals that have unwanted SSA, SOCE therapy and ex-gay organizations provide support, guidance, and assistance to help clients meet their goals. Competent SOCE therapists respect the dignity of all clients, do not shame or stigmatize clients, nor do they treat their client's homosexual feelings as a disease.³³
- **The statements:** "There are health risks within (all) sexual activity . . . you always want to have protected sexual activity (wear a condom), and beyond that it's not really any more risky (gay sex) than sexual activity with a female. I mean, if this were the 80's than maybe I'd say, 'yes, the risk of HIV is higher' unless you have a partner that you know is engaged in other risky behaviors, just like if you had a female partner that you knew was in other risky behaviors. I guess you can say the risk is a little bit higher, because, I guess sometimes people will say it's easier for males to transmit things than it is necessarily for a female to give something to a male, because essentially males are always, like, depositing things as opposed to a female who is not ever really depositing something in a male, but really as long as you're using a condom and you're not with somebody who's an IV drug user . . . alcohol always is a risk, because when people are drunk and they're having sex

than they're usually less careful about using a condom and asking for consent. But yeah, you're not like 'Oh my God you're having gay sex you're super risky'." [Click here to watch the video.](#)

- The above statements are medically inaccurate. Data from the Centers for Disease Control and Prevention found that in 2011, 94.9 percent of HIV diagnoses among young men ages 13-19 were linked to men that have sex with men (MSM) and 94.1 percent of the HIV cases among young men ages 20-24 were from MSM.³⁴ While condoms may reduce the risk of contracting and spreading HIV through anal sex, the Food and Drug Administration has advised the following on their website: "Condoms provide some protection, but anal intercourse is simply too dangerous to practice . . . condoms may be more likely to break during anal intercourse than during other types of sex because of the greater amount of friction and other stresses involved. Even if the condom doesn't break, anal intercourse is very risky because it can cause tissue in the rectum to tear and bleed. These tears allow disease germs to pass more easily from one partner to the other."³⁵
- **The statements:** "There is not a lot of research that shows (sexual orientation) change. The research leads to being born that way, and also that there is a genetic component. I just saw something, I forgot, oh crap, I just saw it. There was a study that just came out saying that an older brother who's gay, obviously it wasn't like causation, but something about an older brother's who's gay raises the risk of a sibling, not a risk, but chances that a younger brother being gay . . . I don't know, it's a genetic link as well. But yeah, it's really interesting the genetic component . . . yeah it's biological. It would be nice if we could just like prove it, it would be great. Look it's just genetic, but that would also kind of be bad, because then there would be somebody who's like, 'let's take care of that gene' and like, you know erase it or something." [Click here to watch the video.](#)
 - While no one simply chooses to experience homosexual feelings, they are not hard-wired and research indicates that some individuals may experience change or fluidity.³⁶ A recent study indicated that while heterosexual feelings are more stable in both genders, women might have even more fluidity in their same-sex attractions than men.³⁷ Similarly, previous research has found that heterosexual attractions are 17 times more stable in men and 30 times more stable in women than homosexual attractions.³⁸
 - While there have been many studies attempting to find genetic and/or biological causes to same-sex attractions, the APA has stated that scientists cannot conclude that people are born homosexual.³⁹ Further, researchers have reviewed the many biological theories surrounding homosexuality and have concluded that the evidence is not strong enough to support genetic, hormonal, or otherwise biological associations.⁴⁰

Recommendations for Policy Reforms

In order to make JMU's LGBTQ Resource Center more welcoming and safe for QU students, we recommend a number of policy reforms that will help to rectify the viewpoint discrimination that has occurred and the troubling statements that were made by Dr. Gilligan on September 12, 2013. It would be appropriate for JMU to set aside a reasonable amount of funding from their LGBTQ Resource Center budget for the following:

1. Tolerance and sensitivity training for LGBTQ Resource Center, CAPS, and other professional counseling staff to better understand the needs of QU students.
2. Professional development training for LGBTQ Resource Center, CAPS, and other professional counseling staff in order to provide competent counseling and/or referrals for QU students.
3. Medical accuracy training for LGBTQ Resource Center, CAPS, and other professional counseling staff, especially as it relates to contraception failure rates and the increased risk of HIV for men who have sex with men.
4. Production and distribution of educational resources for QU students in LGBTQ Resource and counseling centers. The university should work with Voice of the Voiceless and Parents and Friends of Ex-Gays and Gays to ensure that resources do not contain anti-ex-gay bias and include appropriate information, including a list of referrals that are sensitive to the needs of QU students.
5. Periodic compliance checks from neutral university administrators to ensure that resources for QU students are prominently and properly displayed in LGBTQ Resource Centers and counseling centers on campus.
6. A list of online resources and referrals on the JMU & Community LGBTQIQA Resources/Safe Zone website that provide counseling, support, and legal assistance for former homosexuals and students with unwanted same-sex attractions.

UNIVERSITY OF VIRGINIA

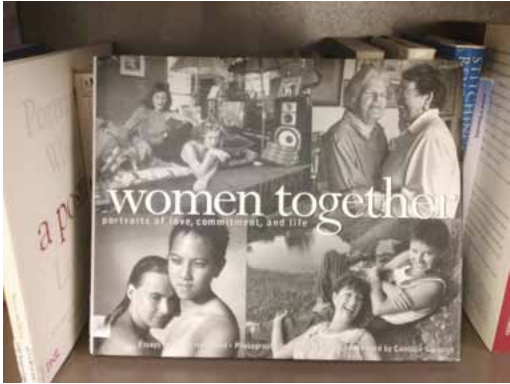


Figure 5. Gay-affirming literature in UVA's LGBTQ Resource Center

The University of Virginia (UVA) is located in Charlottesville, VA and has a total enrollment of approximately 21,000 students. Their LGBTQ Resource Center is coordinated by Scott Rheinheimer (see figure 5).⁴¹ In 2012-2013 PFOX corresponded with Mr. Rheinheimer to request that understanding and tolerance brochures for former homosexuals and individuals with unwanted same-sex attractions be placed in the LGBTQ Resource Center, and asked if Mr. Rheinheimer would include PFOX on a printable list of resources that is handed out to students when requesting information and/or referrals (see Appendix E).

On September 9, 2013 VoV President Christopher Doyle met with Mr. Rheinheimer, presenting as a graduate student with conflicts over his unwanted same-sex attraction due to his Christian beliefs. Upon visiting the LGBTQ Resource Center and Mr. Rheinheimer's office, it was discovered that not only were the PFOX materials not being displayed in his office or LGBTQ Resource Center (as he previously indicated in his e-mail exchange with PFOX) but that he was also not telling the truth when he stated that a printable list of resources and/or referrals did not exist. When Christopher Doyle met with Mr. Rheinheimer, he provided a printable list of resources that did not include any referrals to ex-gay organizations. He only wrote down Parents and Friends of Ex-Gays and Gays after a specific request for ex-gay resources from Christopher Doyle (see Appendix F). It is unlikely that students who were not aggressive in their request for ex-gay resources would have been directed or given PFOX's brochures (or website), which Mr. Rheinheimer was unable to provide during the session (he said there was not enough to distribute).



Figure 6. A photo of the rotunda near UVA's LGBTQ Resource Center

As a result, Liberty Counsel determined there was evidence to suggest that the actions of UVA's LGBTQ Resource Center constituted viewpoint discrimination (see Appendix G). During the session, Mr. Rheinheimer also made a number of troubling statements, which are described in detail below. Unfortunately, the recording for this session was damaged during electronic transfer and only a few minutes exist. [Click here to listen.](#)

- **The response** Mr. Rheinheimer provided when asked if sexual orientation change was an option for someone with unwanted same-sex attractions, was that SOCE therapy is “damaging (and) would potentially cause suicide.” He also referred to SOCE therapy as “reparative therapy” in that it seeks to “repair” or “correct” homosexuality.
 - There is no scientific evidence to suggest that SOCE therapy is inherently damaging, harmful, or causes suicide. Additionally, the term ‘Reparative Therapy’ was coined by Dr. Joseph Nicolosi, and is a specific type of SOCE therapy that derives its meaning from the homosexual-oriented person’s reparative drive to fulfill unmet love needs through sexual eroticization of the same gender.⁴² This therapy does not attempt to repair or fix someone with same-sex attraction, as Mr. Rheinheimer insinuated. Suggesting that a therapeutic intervention is an attempt to fix someone or something about a person that is broken, as he suggested SOCE therapy of doing, may deter a student from considering this option.
- **The response** Mr. Rheinheimer provided to the question: “What causes homosexuality” was that he believed people are born gay and that the studies generally point to a biological foundation.
 - While there have been many studies attempting to find genetic and/or biological causes to same-sex attractions, the APA has stated that scientists cannot conclude that people are born homosexual.⁴³ Further, researchers have reviewed the many biological theories surrounding homosexuality and have concluded that the evidence is not strong enough to support genetic, hormonal, or otherwise biological associations.⁴⁴
- **The response** to the question: “Where could one find resources on the different theories surrounding the development of same-sex attractions,” Mr. Rheinheimer indicated that the best resource he knew of was The Huffington Post, which often publishes articles that cite studies on the various biological theories of homosexuality. When asked where a conservative with unwanted same-sex attractions might find information on homosexuality that is not influenced by liberal bias, Mr. Rheinheimer suggested the Log Cabin Republicans.
 - A more appropriate response would be to refer to the various professional psychological associations that are an authority on homosexuality, including the APA and NARTH. Referring to a partisan media outlet such as The Huffington Post or a political association such as the Log Cabin Republicans, which is gay affirming and anti-ex-gay, is not appropriate in this context.
- **The response** to the question: “Where could one find support on campus, either religious support or professional counseling, to change sexual orientation” was answered with a referral to a bisexual/gay men’s counseling group. Mr. Rheinheimer stated that this group follows the model of the APA, which has found that SOCE therapy is “ineffective, damaging, and harmful.”

- Mr. Rheinheimer's reluctance to give out ex-gay brochures or provide a complete and comprehensive list of resources for those seeking SOCE therapy is indicative of viewpoint discrimination and a failure to accurately meet the needs of students who may desire to change sexual orientation. Instead of providing a referral through the American Association of Christian Counselors (AACC), the National Association for Research and Therapy of Homosexuality (NARTH), or Restored Hope Network, he made a referral to a gay affirming counseling group that would not be supportive of sexual orientation change.
- **The response**, when asked for specific referrals for counselors and organizations offering help for sexual orientation change, was: "Most of the counselors are religious and not therapists, and while there are some organizations out there who do this work, I'm not sure who they are and couldn't tell you where to go." Mr. Rheinheimer also described SOCE therapy as suppressing sexual urges that only utilized behavioral methods.
 - Such descriptions are based on negative portrayals by activists and opponents of SOCE, and does not reflect the work of licensed mental health practitioners who practice SOCE therapy. Additionally, organizations such as the AACC and NARTH, which comprise over 50, 000 licensed mental health practitioners collectively, support the self-determination of clients who seek sexual orientation change. These practitioners are highly qualified, licensed by the state, and are not just religious advisors, as Mr. Rheinheimer suggested.

Recommendations for Policy Reforms

In order to make UVA's LGBTQ Resource Center more welcoming and safe for QU students, we recommend a number of policy reforms that will help to rectify the viewpoint discrimination that has occurred and the troubling statements that were made by Mr. Rheinheimer on September 9, 2013. It would be appropriate for UVA to set aside a reasonable amount of funding from their LGBTQ Resource Center budget for the following:

1. Tolerance and sensitivity training for LGBTQ Resource Center, CAPS, and other professional counseling staff to better understand the needs of QU students.
2. Professional development training for LGBTQ Resource Center, CAPS, and other professional counseling staff in order to provide competent counseling and/or referrals for QU students.
3. Production and distribution of educational resources for QU students in LGBTQ Resource and counseling centers. The university should work with Voice of the Voiceless and Parents and Friends of Ex-Gays and Gays to ensure that resources do not contain anti-ex-gay bias and include appropriate information, including a list of referrals that are sensitive to the needs of QU students.
4. Periodic compliance checks from neutral university administrators to ensure that resources for QU students are prominently and properly displayed in the LGBTQ Resource Center and counseling centers for distribution.
5. A list of online resources and referrals on the UVA Lesbian Gay Bisexual Transgender (LGBT) Resource Center website that provide counseling, support, and legal assistance for former homosexuals and students with unwanted same-sex attractions.

VIRGINIA COMMONWEALTH UNIVERSITY



Figure 7. VCU's Office of Multicultural Student Affairs

Virginia Commonwealth University (VCU) is located in Richmond, the capital of Virginia. As one of the largest universities in Virginia, VCU boasts a total enrollment of almost 32,000 students. Ms. Lorin Hoisington, Graduate Assistant for LGBT & Women's Services, is the co-director of VCU's Office of Multicultural Student Affairs, which supports the university Safe Zone (See figure 7).⁴⁵

On September 13, 2013 VoV President Christopher Doyle met with Ms. Hoisington, presenting as a graduate student with conflicts over his unwanted same-sex attraction due to his Christian beliefs. Ms. Hoisington was unable to provide any resources, organizations, or counselors that would assist him in the goal of changing sexual orientation. She also could not provide any guidance or direction, other than referrals for gay affirming counseling, nor did she provide, after specific requests, any list of organizations that could assist someone who desired to leave homosexuality (see Appendix H). As a result, Liberty Counsel determined there was evidence to suggest that the actions of VCU's Office of Multicultural Student Affairs constituted viewpoint discrimination (see Appendix I). During the session, Ms. Hoisington also made a number of troubling statements, which are described in detail below.

On September 13, 2013 VoV President Christopher Doyle met with Ms. Hoisington, presenting as a graduate student with conflicts over his unwanted



Figure 8. University Student Commons, which houses VCU's Office of Multicultural Student Affairs and Safe Zone

- **The response**, when asked for resources for Christian individuals that are conflicted over their homosexual feelings, was to recommend the gay affirming Metropolitan Community Church. [Click here to listen.](#)
 - The student specifically states: "In my faith, I don't know if I could go to a new church just because they accept homosexuality." A more appropriate referral for such a student in this situation would be a religious ministry or organization that supports individuals who do not wish to act on their homosexual impulses (Set Free Richmond⁴⁶ or an affiliate of Restored Hope Network⁴⁷ are a couple of appropriate referrals).

- **The response:** “I’ve struggled with my own (sexual) identity . . . for me it was just like, at the end of the day, I’ve got to make myself happy before I can make others happy, and I feel that’s what God would want you to do” is inappropriate. [Click here to listen.](#)
 - Ms. Hoisington is inserting her own bias and worldview instead of empathizing with the student’s values and supporting him in his goals. A more appropriate response would be to ask: “What does your faith tell you how you should behave in the context of sexuality?” and “Is it more important for you to please God before yourself?” and “Let me find a counselor, organization, or resource that can help you stay true to your faith while expressing your sexuality in a way that is honoring towards it.”
- **The response** that was offered when the student asked, have you ever met or known someone who said they’ve changed sexual orientation: “The only thing I can think of, is like, we used to have a billboard on (Route) 95 in Richmond for a church that said that they could change feelings, but I believe that they took it down, because it made a lot of people upset . . . I guess because they felt like what they were feeling is wrong if people are telling them they can fix it . . . it was kind of controversial.” [Click here to listen.](#)
 - What Ms. Hoisington is probably referring to is a billboard campaign by PFOX in the mid-2000’s that advocated for the acceptance and civil rights of ex-gays (see Appendix J). Unfortunately, it’s very typical for those who are ignorant towards former homosexuals to assume that advocacy campaigns are motivated or sponsored by religious organizations. Additionally, to state that the billboard said a church could “fix it” (referring to sexual orientation) is irresponsible and a misrepresentation of the campaign by PFOX.
- **The response** when talking about transgender issues, the etiology of homosexuality, and how changing sexual orientation is similar to changing gender: “What if I woke up and had a penis and was a man . . . that would be weird . . . (about changing sexual orientation) ummm. . . I don’t know about that one, I feel like it might be kind of hard.” Ms. Hoisington then denies having ever having heard about Exodus International but later admits to having watched the Lisa Ling “Our America” episode with Alan Chambers and Exodus International and later goes on to say, again, that she doesn’t know anything about organizations that help individuals leave homosexuality. [Click here to listen.](#)
 - Listening to the entire session, it is clear that Ms. Hoisington has heard of ex-gay organizations and is withholding information from the student. When discussing transgender issues, she doesn’t seem to think that changing one’s gender would pose any problems, but claims that changing sexual orientation would be “kind of hard.” All of her statements in this regard are misleading. She is also withholding medically accurate information on the health risks of changing one’s gender.⁴⁸

Recommendations for Policy Reforms

In order to make VCU's Office of Multicultural Student Affairs more welcoming and safe for QU students, we recommend a number of policy reforms that will help to rectify the viewpoint discrimination that has occurred and the troubling statements that were made by Ms. Hoisington on September 13, 2013. It would be appropriate for VCU to set aside a reasonable amount of funding from their Office of Multicultural Student Affairs budget for the following:

1. Tolerance and sensitivity training for the Office of Multicultural Student Affairs, Safe Zone, CAPS, and other professional counseling staff to better understand the needs of QU students.
2. Professional development training for the Office of Multicultural Student Affairs, Safe Zone, CAPS, and other professional counseling staff in order to provide competent counseling and/or referrals for QU students.
3. Medical accuracy training for the Office of Multicultural Student Affairs, CAPS, and other professional counseling staff, especially as it relates to the health risks for transgender persons and those who seek sexual reassignment surgery to change gender.
4. Production and distribution of educational resources for QU students in LGBTQ Resource and counseling centers. The university should work with Voice of the Voiceless and Parents and Friends of Ex-Gays and Gays to ensure that resources do not contain anti-ex-gay bias and include appropriate information, including a list of referrals that are sensitive to the needs of QU students.
5. Periodic compliance checks from neutral university administrators to ensure that resources for QU students are prominently and properly displayed in the Office of Multicultural Student Affairs, Safe Zone, and other counseling centers on campus.
6. A list of online resources and referrals on the VCU Division of Student Affairs University Counseling Services/Safe Zone website that provide counseling, support, and legal assistance for former homosexuals and students with unwanted same-sex attractions.

OLD DOMINION UNIVERSITY

Old Dominion University (ODU) is located in Norfolk, VA with a total enrollment approaching 25,000 students. Mr. Ian McGowan is the leader of the ODU Out Student Alliance (see figure 9).⁴⁹ According to their promotional material, “ODU Out is a student based organization that seeks to create a more accepting environment for LGBTQA individuals at ODU as well as the surrounding communities. We hope to accomplish this by hosting fun, engaging events that also help to promote education of LGBTQA issues (see Appendix K).”



Figure 9. A Safe Space sign from ODU’s website

On September 20, 2013 VoV Advisory Board Member Chuck Peters called the ODU Division of Student Engagement and Enrollment Services “ODU Safe Space” program, presenting as a questioning student seeking anonymous counseling for unwanted homosexual feelings. Enrollment Services referred Mr. Peters to Ian McGowan of the ODU Out Student Alliance. Mr. McGowan provided him with medically inaccurate advice, biased counseling, and failed



Figure 10. A photo from ODU’s website depicting Leather Culture, which denotes practices and styles of dress organized around sexual activities and eroticism (“kink”)

to provide him with any ex-gay resources. ODU provides a wealth of information on the many practices and sub-cultures within the LGBT community, including a webpage of symbols that depicts flags such as the “Bear Culture” flag (attraction to hairy individuals) and “Leather Culture” flag (see figure 10).⁵⁰

As a result, Liberty Counsel determined there was evidence to suggest that the actions of ODU’s Out Student Alliance constituted viewpoint discrimination (see Appendix L). During the session, Mr. McGowan and other student members of ODU Out made a number of troubling statements, which are described in detail below.

- **The statements:** “It’s up to you, it’s your life. You have the power to go out and see and be with people. Because you’ve been with guys for kind of a long time, it doesn’t mean you can’t see what the other side is like . . . here we really look at sexuality as fluid, and it can change, and it can develop over time . . . and is not set in stone” was a very positive way for ODU Out to support the student in his goals of exploring his sexuality and desire to change sexual orientation. [Click here to watch.](#)
 - The one negative aspect of this dialogue is ODU Out’s phrase, “it’s not really change” but a “shift”—meaning, it’s really just about sexual preference. They

go on to cite an example of someone who was in a heterosexual marriage that decided later in life that he/she was really gay, as proof that people shift in their sexual orientation. It would have been more appropriate, in this context, to support the student's goal by citing an example of a person who lived a gay life and then decided later that he/she really believe they were straight and decided to pursue heterosexuality, as well as citing some research that shows sexual orientation change.⁵¹

- **The statements,** being homosexuality is a part of your “genetic code” and your “personality” is inaccurate. The assertions that “it doesn’t matter why someone is attracted to the same-sex” and that is it “natural” are also subjective statements to make without scientific evidence to back up these claims. [Click here to watch.](#)
 - Although there is much speculation about why someone experiences same-sex attractions, scientists cannot conclude the exact causes. While there have been many studies attempting to find genetic and/or biological causes to same-sex attractions, the APA has stated that scientists cannot conclude that people are born homosexual.⁵² Further, researchers have reviewed the many biological theories surrounding homosexuality and have concluded that the evidence is not strong enough to support genetic, hormonal, or otherwise biological associations.⁵³
- **The statements:** “Conversion therapy is essentially when people are sent away or go away to see a therapist or whatever, and it’s kind of like ‘praying away the gay’ . . . but some people feel that’s what they need. If you want to start dating women, you can . . . but you don’t need therapy to change . . . it’s all about figuring out what your brain wants . . . there’s some groups that feel conversion therapy is wonderful and it works, but then there’s some that actually say it’s inhumane. So there’s no consensus on it . . . some of the more opposition to it say ‘it’s a brainwashing type thing’ because you can make a person under any kind of extreme conditions (do something) to avoid pain . . . in ODU Out, we’ve (and I) have looked at the ‘pray away the gay’ camps. I don’t personally agree with it because I feel it’s brainwashing . . . I feel like a lot of people think being gay is a sickness, and I feel that’s what a lot of those camps are.” [Click here to watch.](#)
 - There are a number of statements in this dialogue that are inaccurate, including the assertion that religious SOCE programs suggest that homosexual feelings are a sickness. ODU Out also cites a myth that people are sent away to “conversion therapy camps” to become straight and that organizations to help those change sexual orientation are just “praying away the gay” and brainwashing participants.⁵⁴ For individuals that have unwanted SSA, SOCE therapy and ex-gay organizations provide support, guidance, and assistance to help clients meet their goals. Competent SOCE therapists respect the dignity of all clients and do not treat their client’s homosexual feelings as a sickness or a disease.⁵⁵

- **The statements** about what the APA says about sexual orientation change are confusing and inaccurate. ODU Out refers to Margaret Cho (a comedian) and states that “people can identify whatever they want to identify as, but you don’t need to do all these things in order to change . . . some people call themselves ‘pan-sexual’.” [Click here to watch.](#)
 - In this segment, ODU Out is clearly uninformed about the science around sexual orientation. Citing references to pop culture and comedians who say, “I’m not bi, I’m I” is inappropriate and not helpful to the student in this context. If this student were really looking for accurate information about sexual orientation, he would have come out of this session extremely confused.
 - The statement: “You don’t need to do these things (counseling) in order to change” is troubling in the sense that the student is interested in why he experiences specific sexual feelings towards another person. Their response dismisses the student’s feelings and convictions over not behaving in certain ways that may be rooted in dysfunction, trauma, and/or are uncomfortable to him.
 - The APA formed a Task Force in 2009 that issued a report on the outcomes of SOCE therapy in the research literature. In their systematic review of SOCE literature, they concluded that “research on SOCE (psychotherapy, mutual self-help groups, religious techniques) has not answered basic questions of whether it is safe or effective and for whom,”⁵⁶ and that there are “no scientifically rigorous studies of recent SOCE that would enable a statement to be made about whether recent SOCE (interventions) are safe or harmful and for whom.” Another comprehensive review of SOCE literature by the National Association for Research and Therapy of Homosexuality (NARTH) in 2009 came to a diametrically opposed conclusion. Reviewing 100 years of research and clinical literature, the report concluded that it is possible for some men and women to change from homosexuality to heterosexuality, and that efforts to change do not invariably result in harm.⁵⁷
- **The response** to the question: “Am I wrong in trying to change my sexual orientation” is troubling. ODU Out says: “I think you’re coming from ‘how am (going to do this) I need to change, I need to change!’ But when it comes down to it, if you feel you need to change, you’ve already done it. You don’t have to go through a process, and there’s no ‘alright come out you’ve changed’ . . . and a lot of research says because this is on a personal level, and everybody’s different in the way they come out and identify, you know, the mental processes of it, there’s not a lot of research because it’s very difficult to gather that research and put things in categories . . .” [Click here to watch.](#)

^ This report has been criticized for insisting that SOCE outcome research exhibit high methodological research standards while not demanding the same criteria be used to evaluate the efficacy of gay affirmative therapy, which the Task Force (as well as Virginia universities) recommended for all clients who experience homosexual feelings, whether LGBT or QU identified. For more information, see: Phelan, J.E., Goldberg, A. & Doyle, C. (2012). A Critical Evaluation of the Report of the Task Force on Appropriate Therapeutic Responses to Sexual Orientation, Resolutions, and Press Release. *Journal of Human Sexuality*, 4, 41-69.

- The existential approach taken by one of the members of ODU Out by saying: “But when it comes down to it, if you need you need to change, you’ve already done it” is not helpful. It is simplistic to say that just by deciding to change sexual orientation, one can achieve it. Sexual orientation change involves multiple levels of transformation that may occur through therapeutic support, including: 1) Change in sexual identification; 2) Change in sexual behavior; 3) Change in sexual desires; 4) Change in sexual feelings; and 5) Change in sexual arousal patterns.※
- **The response** to the question: “Are there any resources or pamphlets that talk about change at all” is not helpful. They point the student to the off-campus LGBT Resource Center and a Parents and Friends of Lesbians and Gays (PFLAG) meeting. [Click here to watch.](#)
 - It would have been appropriate at this point to give out ex-gay brochures or provide a complete and comprehensive list of resources for a student seeking SOCE therapy. Instead of providing a referral through Parents and Friends of Ex-Gays and Gays (PFOX), American Association of Christian Counselors (AACC), National Association for Research and Therapy of Homosexuality (NARTH), or Restored Hope Network, they made a referral to a gay affirming counseling group (PFLAG) that would not be supportive of sexual orientation change.

Recommendations for Policy Reforms

In order to make the ODU Out Student Alliance more welcoming and safe for QU students, we recommend a number of policy reforms that will help to rectify the viewpoint discrimination that has occurred and the troubling statements that were made by Mr. McGowan on September 20, 2013. It would be appropriate for ODU to set aside a reasonable amount of funding from their ODU Out Student Alliance budget for the following:

1. Tolerance and sensitivity training for the ODU Out Student Alliance, Safe Zone, CAPS, and other professional counseling staff to better understand the needs of QU students.
2. Professional development training for the ODU Out Student Alliance, Safe Zone, CAPS, and other professional counseling staff in order to provide competent counseling and/or referrals for QU students.
3. Production and distribution of educational resources for QU students in the ODU Out Student Alliance and counseling centers. The university should work with Voice of the Voiceless and Parents and Friends of Ex-Gays and Gays to ensure that resources do not contain anti-ex-gay bias and include appropriate information, including a list of referrals that are sensitive to the needs of QU students.
4. Periodic compliance checks from neutral university administrators to ensure that resources for QU students are prominently and properly displayed in the ODU Out Student Alliance, Safe Zone, and other counseling centers on campus.
5. A list of online resources and referrals on the ODU Division of Student Engagement & Enrollment Services website that provide counseling, support, and legal assistance for former homosexuals and students with unwanted same-sex attractions.

※ This is the author’s opinion, based on clinical practice with clients undergoing SOCE.

CHRISTOPHER NEWPORT UNIVERSITY



Figure 11. CNU's Paul and Rosemary Tribble Library

Christopher Newport University (CNU) is one of the smallest and youngest universities in Virginia. Located in Newport News, VA (see figure 11) it has an enrollment of just over 5,000 students. CNU does not maintain an actual Resource Center staffed by university employees, nor do they host LGBT-affirming resources on a public website available for students. VoV Advisory Board Member Chuck Peters did, however, meet with members of their Gay-Straight Student Union (GSSU) on-campus, and Christopher Doyle spoke with a counselor at the university Health and Wellness Services program.

However, these meetings did not constitute viewpoint discrimination because CNU has not established a limited public forum. Therefore, Liberty Counsel did not send a letter to CNU due to the fact that a student on-campus group and counselor does not qualify as a limited public forum. However, we have included their statements in this report for the purposes of documentation.

Meeting with the CNU Gay-Straight Student Union

- **The first segment** of Chuck Peter's meeting with members of the GSSU focused on sexual orientation, self-identification, and gender expression. One of the students identified as "Gender Queer" which was described as gender-fluent or androgynous. Although appearing as a female, the self-identification given by this student was "they" and not "he or she". "They" is sexually attracted to "male-presenting" individuals. The other student identified as bisexual and described how he initially thought for the first sixteen years of his life that he was gay, but then developed opposite sex attractions as he became older. This student also talked about how bisexuality is stigmatized and frowned upon in the LGBT community because some view bisexuals as "greedy" and just wanting to be (sexually) with a lot of different people. "They" also commented that generally, women's sexuality is more fluid than men's sexuality, and bisexuality is more accepted among women in the LGBT community. [Click here to watch.](#)



Figure 12. CNU's Athletic Logo

- The experiences and opinions of these students are consistent with recent research, which indicates that while heterosexual feelings are relatively stable in both genders, women might have even more fluidity in their same-sex attractions than men.⁵⁸ Similarly, previous research has found that heterosexual attractions are 17 times more stable in men and 30 times more stable in women than homosexual attractions.⁵⁹
- **The response**, when asked if there is a “gay gene” and “do you think I was born with an attraction towards guys” is incorrect. The male student remarks, “I’ve always viewed it as something you’re born with” and then both discuss that there is no choice in sexual orientation, while there is some choice in gender expression. “They” states, “It’s primarily nature and not nurture.” [Click here to watch.](#)
 - While there may be some biological pre-dispositions to the development of same-sex attraction, scientists have not been able to determine a simple biological explanation for the development of homosexuality. In 2008, the APA said: “There is no consensus among scientists about the exact reasons that an individual develops a heterosexual, bisexual, gay, or lesbian orientation. Although much research has examined the possible genetic, hormonal, developmental, social, and cultural influences on sexual orientation, no findings have emerged that permit scientists to conclude that sexual orientation is determined by any particular factor or factors. Many think that nature and nurture both play complex roles; most people experience little or no sense of choice about their sexual orientation.”⁶⁰ Further, researchers have reviewed the many biological theories surrounding homosexuality and have concluded that the evidence is not strong enough to support genetic, hormonal, or otherwise biological associations.⁶¹
- **The response**, when asked about therapy to help change sexual orientation, was discouraging and biased. The students referred to “pray away the gay camps” and referred to SOCE therapy in simplistic terms (i.e., classical operant conditioning). When asked about research on SOCE therapy, the students were unable to provide any specifics and referred to opinions of LGBT advocates. [Click here to watch.](#)
 - The APA formed a Task Force in 2009 that issued a report on the outcomes of SOCE therapy in the research literature. In their systematic review of SOCE literature, they concluded that “research on SOCE (psychotherapy, mutual self-help groups, religious techniques) has not answered basic questions of whether it is safe or effective and for whom,” and that there are “no scientifically rigorous studies of recent SOCE that would enable a statement to be made about whether recent SOCE (interventions) are safe or harmful and for

whom.”⁶²⌘ Another comprehensive review of SOCE literature by the National Association for Research and Therapy of Homosexuality (NARTH) in 2009 came to a diametrically opposed conclusion. Reviewing 100 years of research and clinical literature, the report concluded that it is possible for some men and women to change from homosexuality to heterosexuality, and that efforts to change do not invariably result in harm.⁶³

- The students were also influenced by the myth that children are sent to “pray away the gay conversion therapy camps” to become straight and that organizations to help those change are just “praying away the gay” and brainwashing participants.⁶⁴

Phone Consultation with CNU Psychologist Julie Langdal

On Thursday, September 26, 2013 VoV President Christopher Doyle contacted CNU’s university Health and Wellness Services,⁶⁵ presenting as a Christian student with unwanted same-sex attractions, in order to determine what kind of response he would receive for his request for help. Below is the transcript of the phone consultation.

- **When asking** for general information for support, Ms. Langdal referred to an LGBT Center in Norfolk, VA which has a lot of information on their website (AccessAIDS.org). “If you’re looking for social support, The GSSU is a resource, a student organization that is open to anyone who identifies as LGBT. They do some outreach and promote awareness of LBGT issues and they also try to be a safe and welcome environment.”
- **When asked:** “What if my faith says I shouldn’t act out on these (homosexual) feelings?” Ms. Langdal said: “That’s a tough spot to be in, I can empathize with that. You kind of hit on one of my passionate pieces...I went to seminary and have a master’s degree (in theology) and I believe that equality is for everyone. Sometimes you talk to be people who are completely anti-gay Christians. I would say it’s important to find people who are accepting of you no matter what - having social support is really important. Perhaps find a church in this area that is accepting and supporting (of your homosexuality).”
- **When asked:** “Can I change my homosexual feelings?” Ms. Langdal stated: “That’s a very hard question...I don’t know how to answer that. If you don’t want to have any sexual feelings...you can certainly train yourself on how not to do that. I have to tell you that my bias here is that I do not want to help someone repress something that is a part of them.”

⌘ This report has been criticized for insisting that SOCE outcome research exhibit high methodological research standards while not demanding the same criteria be used to evaluate the efficacy of gay affirmative therapy, which the Task Force (as well as Virginia universities) recommended for all clients who experience homosexual feelings, whether LGBT or QU identified. For more information, see: Phelan, J.E., Goldberg, A. & Doyle, C. (2012). A Critical Evaluation of the Report of the Task Force on Appropriate Therapeutic Responses to Sexual Orientation, Resolutions, and Press Release. *Journal of Human Sexuality*, 4, 41-69.

- **When asked:** “Would you help me or can someone on campus help me change sexual orientation?” Ms. Langdal stated: “I couldn’t do that - that would go against everything I believe in. Some people do it - you wouldn’t find people at this counseling center that do that. What people do all the time . . . it’s unfair. It damages them in an intro-psychic way. It can lead to more inner conflict. People who repress that often become depressed, anxious, angry, and bitter and resentful of the choices they make. If anyone represses a part of themselves it leads to psychological distress.”
- **When asked:** “Where would I find resources on campus or online...do you know of anything?” Ms. Langdal stated: “Kind of...I don’t know a lot about it. I know it’s not empirically supportive; there is no scientific data to prove that it works. In the field of psychology, it’s not a legitimate practice. Maybe conditioning, when you train yourself to do something and condition yourself. But I honestly don’t know a lot of what is done. I am a psychologist and I can’t support it - I am a person who wants you to be able to explore your options.”
- **When asked:** “What would be the best path for me?” Ms. Langdal stated: “You just want to figure out who you are. You have gay attractions and it’s freaking you out and you need to talk to someone about it. Again, I would be careful because if someone is conservative they might try to convince you that your feelings are wrong or sinful. When people say that homosexuality is sinful, you have to read Leviticus, it says a lot of people should be put to death for certain practices. I fully believe that it is 100 percent okay to be gay and it’s not a sin. These problems in the Bible are about interpretation. I can’t abide by a belief system that claims to love all, yet hate some.”
- **When asked:** Are there any resources or referrals for SOCE therapy, Ms. Langdal stated: “I don’t know of anything on campus - some of the Christian groups might know. I think it’s called ‘Reparative Therapy’ it’s also known as ‘conversion therapy’ and I don’t know of any place on campus that has information on that.”
- **When asked:** “Was I born this way?” Ms. Langdal stated: “I think people are born gay, that’s what the evidence and data from all types of studies suggest, that it’s an innate thing. There is a spectrum ...people fall in the middle. Part of it is innate because it’s not a choice and not a product of environment.”

The advice Ms. Langdal offered on the phone consultation was biased and scientifically incorrect. She relied on stereotypes of SOCE therapy, described SOCE therapy in simplistic terms, made unfounded claims that it causes damage and is harmful, and espoused the discredited belief that people are born homosexual. She also failed to keep the interests of the client first and insisted he accept his homosexual feelings, regardless of his spiritual and religious values that tell him he should not act out on these impulses. When asked for specific referrals for counseling and/or support, she refused to offer any ex-gay resources or information for SOCE therapy. Instead, she referred to strictly gay affirming student organizations and community resources.

Recommendations for Policy Reforms

In order to make the CNU's GSSU more welcoming and safe for QU students, we recommend a number of policy reforms that will help to rectify the marginalization towards students that experience unwanted same-sex attraction. We also believe that specific reforms should occur at the CNU counseling center, based on troubling statements that were made by Ms. Langdal on September 26, 2013. It would be appropriate for CNU to set aside a reasonable amount of funding from the GSSU and counseling center for the following:

1. Tolerance and sensitivity training for the CNU GSSU, Safe Zone, CAPS, and university Health and Wellness Services staff to better understand the needs of QU students.
2. Professional development training for the CNU GSSU, Safe Zone, CAPS, and university Health and Wellness Services staff in order to provide competent counseling and/or referrals for QU students.
3. Production and distribution of educational resources for QU students in the CNU GSSU, Safe Zone, and CAPS/Health and Wellness Services counseling center. The university should work with Voice of the Voiceless and Parents and Friends of Ex-Gays and Gays to ensure that resources do not contain anti-ex-gay bias and include appropriate information, including a list of referrals that are sensitive to the needs of QU students.
4. Periodic compliance checks from neutral university administrators to ensure that resources for QU students are prominently and properly displayed in the GSSU, Safe Zone, CAPS/Health and Wellness Services counseling center.

COLLEGE OF WILLIAM AND MARY

The College of William and Mary (W&M) is located in Williamsburg, Virginia. As one the smaller higher education institutions in Virginia, W&M has a total enrollment of just over 8,000 students. Ms. Margie Cook is the Assistant Director of the Center for Student Diversity (See figure 13).⁶⁶ Connected to the this office is W&M’s Safe Zone Ally program, which



Figure 13. A photo from W&M’s Safe Zone Ally webpage, which provides a number of resources and referrals for LGBTQ students

“foster a campus environment where lesbian, gay, bisexual, transgender, queer and questioning (LGBTQ) members of our community feel safe, welcome, respected and supported.”⁶⁷

On September 20, 2013 VoV Advisory Board Member Chuck Peters met with Ms. Cook, presenting as a graduate student with conflicts over his unwanted same-sex attractions. Ms. Cook was unable to provide any resources, organizations, or counselors that would assist him in the goal of changing sexual orientation. She also could not provide any guidance or direction, other than referrals for gay affirming counseling, nor did she provide, after specific requests, any lists or organizations that could assist someone who desired to leave homosexuality. As a result, Liberty Counsel determined there was evidence to suggest that the actions of W&M’s Center for Student Diversity constituted viewpoint discrimination (see Appendix M). During the session, Ms. Cook also made a number of troubling statements, which are described in detail below.



Figure 2. A photo from the College of William and Mary, located in historic Williamsburg, VA

[Click here to listen.](#)

- **The response** to the question, are people born that way (homosexual): “On the science end of things, what I know, is that we don’t really know what causes anybody’s sexual orientation. Sexuality is difficult to understand; physiologically what’s going on, we don’t have it all sorted out yet. People make arguments all the time about people are born one way or chose one way, but in reality, we don’t exactly know. It’s been studied, obviously, and the studies that have been done that I am aware of, I think, are showing some results that there is a biological factor, a genetic component, but those studies aren’t so conclusive that we know perhaps with certainty. Because we haven’t been able to identify where in somebody’s DNA is the gene that determines someone’s sexual orientation. We don’t know that. We don’t know where the little switch is, or what’s going on exactly that, I guess makes anybody in their sexual orientation. We don’t know why and we don’t know where to look . . . the difference is just that for people who are heterosexual, we assume that they were born that way, right, and when people are not heterosexual that’s when the question comes up. Were you born this

way or did you choose it . . . so although scientifically, we don't know if we're absolute certain, I think, there's preliminary indication, there's something genetic or biological going on."

- Ms. Cook's response was accurate when she said that "we don't know with certainty what causes homosexuality" based on what the APA said in 2008.⁶⁸ While there may be some biological pre-dispositions to the development of same-sex attraction, researchers have reviewed the many biological theories surrounding homosexuality and have concluded that the evidence is not strong enough to support genetic, hormonal, or otherwise biological associations.⁶⁹
- Ms. Cook then states her opinion that because heterosexuals, just like homosexuals, grow up feeling sexual certain sexual feelings with no sense of choice, this indicates that both heterosexuality and homosexuality is biological. However, there exist many types of sexual preferences, orientations, interests, and paraphilia. Some theories have indicated that certain sexual interests, whether heterosexual or homosexual, occur during critical developmental periods, and are not the result of pre-natal or biological influences.^{70,71}
- **The response** to the question, is there some kind of therapy that you can go to, to possibly change? "This is a very controversial idea. There are people out there who offer a therapy, usually with the idea of helping people to not be gay. That practice is pretty widely condemned in the American Psychological Association . . . the APA takes the stance that sexual orientation is not a disease, not a mental illness, not a disorder, so there is nothing that needs to be cured, so to speak, right, and that to try to encourage the idea that somebody can change their sexual orientation is ultimately unhealthy for that person. I think their stance is, that whether or not someone is born with a sexual orientation, it's something that is in place very early in life, before you can make a conscious choice about it, so the idea of therapy that can change somebody, even the organizations that have done that, most of them have said, we can't change anybody's sexual orientation, we can only change their behavior. So what they will say is, we can't help you not to be gay or bisexual or whatever, but we can work with you to not act on your feelings. So that's the distinction, and unfortunately most of the people who take that approach, trying to change sexual orientation, I think do it for ethically dubious reasons, because they place a value judgment on sexual orientation, that it's a sin, and abnormal, and therefore needs to be changed. So I would say in terms of therapy to change, personally I don't believe and I think most of the professional world doesn't believe it's possible. What you do, I think, is decide for yourself how to be comfortable with whatever sexual orientation you have . . . people can make choices on what type of relationships they want to pursue."
- Ms. Cook's assertion that the APA's official stance on sexual orientation change is that it is "ultimately unhealthy" is scientifically incorrect and a misrepresentation of their stance. The APA formed a Task Force in 2009 that issued a report on the outcomes of SOCE therapy in the research literature. In their systematic review of SOCE literature, they concluded that "research on SOCE (psychotherapy, mutual self-help groups, religious techniques) has not

answered basic questions of whether it is safe or effective and for whom,” and that there are “no scientifically rigorous studies of recent SOCE that would enable a statement to be made about whether recent SOCE (interventions) are safe or harmful and for whom.”^{72**} Another comprehensive review of SOCE literature by the National Association for Research and Therapy of Homosexuality (NARTH) in 2009 came to a diametrically opposed conclusion. Reviewing 100 years of research and clinical literature, the report concluded that it is possible for some men and women to change from homosexuality to heterosexuality, and that efforts to change do not invariably result in harm.⁷³

- Ms. Cook’s statement that SOCE therapy only helps change sexual behavior, not feelings or attractions, is scientifically incorrect. While activists and opponents of SOCE make this claim, there is no scientific evidence to support it. Thus, her recommendation in this situation is based on unsubstantiated claims that are not grounded in science and is in direct violation of the APA’s “Leona Tyler Principle.”^{74,75}
- Ms. Cook’s claim, that most people who seek sexual orientation change do so for “ethically dubious reasons” that is based on the idea that homosexuality is a “sin” and “abnormal” is offensive to individuals who are guided by their religious/spiritual values and seek to make choices on their sexuality based on their faith values. To suggest that this is “ethically dubious” is to insult the student, and does not respect their right to self-determination.
- **The statement:** “What happens unfortunately for a lot of people is that they, either feel, they are not accepting of their own gay identity or gay feelings towards members of the same sex or other people are not accepting of them, they feel compelled to have relationships with the opposite sex, but because the feelings don’t go away they end up in a situation where they publicly have a relationship with somebody of the opposite sex, but because the feelings are still there, they end up having same-sex people on the side, and that’s not healthy for anyone.”
 - It appears that Ms. Cook’s lesbian sexual identity and opinion that people cannot change or diminish homosexual feelings have created a biased view, and therefore she is speaking only from her own experience while ignoring the fact that many people do experience change through SOCE therapy and go on to live heterosexual, faithful lives to their opposite-sex spouse. While it

** This report has been criticized for insisting that SOCE outcome research exhibit high methodological research standards while not demanding the same criteria be used to evaluate the efficacy of gay affirmative therapy, which the Task Force (as well as Virginia universities) recommended for all clients who experience homosexual feelings, whether LGBT or QU identified. For more information, see: Phelan, J.E., Goldberg, A. & Doyle, C. (2012). A Critical Evaluation of the Report of the Task Force on Appropriate Therapeutic Responses to Sexual Orientation, Resolutions, and Press Release. *Journal of Human Sexuality*, 4, 41-69.

is impossible to verify the exact numbers of faithfulness, her suggestion that most people with homosexual feelings that marry an opposite sex partner will ultimately be unfulfilled in their heterosexual relationships and end up with same-sex relationships on the side is unscientific, offensive, and impossible to verify.

- **Her response**, to the question, is SOCE therapy unhealthy? “That’s the consensus, the professional consensus. The APA has actually come out with a statement that this is not an ethical or accepted form of mental health treatment, because it’s essentially trying to encourage somebody to change something that even the people practicing that therapy acknowledge can’t change . . . it can trap people into the phenomenon of publicly, outwardly having a relationships with people of the opposite sex, but because the desires for people of the same-sex don’t go away, they end up acting on those covertly, having affairs, so it’s harmful in that it can lead a person into a life that isn’t congruent with one’s values . . . it’s not mentally healthy to cheat on a partner . . . and the harm is just that instead of leading a person, a mental health treatment, that can help someone come to terms with (their sexuality) . . . it leads a person to deny a part of themselves.”
 - These statements are offensive to the individual’s right of self-determination. It is the student’s right to determine what is and is not healthy for their lives, not a professional association or counselor that holds a different world view. While Ms. Cook talks about congruency and living a life according to certain values, she ignores the fact that it might be incongruent for a student with certain religious/spiritual to pursue a homosexual life. While she states her opinions about the potential harm that can come from SOCE therapy, she also ignores the health risks of gay sex and the increased risk for HIV among men who have sex with men.⁷⁶
 - Although some professional trade associations (i.e., American Psychological Association, American Counseling Association) caution and/or discourage the use of SOCE therapy, none of these organizations have gone as far as to regard the practice as unethical. Additionally, organizations such as the American Association of Christian Counselors (AACC) and the National Association for Research and Therapy of Homosexuality (NARTH), which comprise over 50,000 licensed mental health practitioners collectively, support a client’s right to pursue SOCE therapy.
- **The response**, to the question on resources to help change sexual orientation, Ms. Cook referred the student to the counseling center, which would take the approach that change in sexual orientation is not possible, and only help him accept his same-sex attractions.
 - This response is inappropriate and unethical. Ms. Cook’s reluctance to provide a complete and comprehensive list of resources for those seeking SOCE therapy is indicative of viewpoint discrimination and a failure to accurately meet the needs of students who may desire to change sexual orientation. Instead of providing a referral through AACC, NARTH, or Restored Hope Network,

she made a referral to the gay affirming counseling center that would not be supportive of sexual orientation change.

Recommendations for Policy Reforms

In order to make W&M's Center for Student Diversity more welcoming and safe for QU students, we recommend a number of policy reforms that will help to rectify the viewpoint discrimination that has occurred and the troubling statements that were made by Ms. Cook on September 20, 2013. It would be appropriate for W&M to set aside a reasonable amount of funding from their Center for Student Diversity budget for the following:

1. Tolerance and sensitivity training for the Center for Student Diversity, Safe Zone, CAPS, and other professional counseling staff to better understand the needs of QU students.
2. Professional development training for the Center for Student Diversity, Safe Zone, CAPS, and other professional counseling staff in order to provide competent counseling and/or referrals for QU students.
3. Medical accuracy training for the Center for Student Diversity, CAPS, and other professional counseling staff, especially as it relates to the increased health risks for men who have sex with men.
4. Production and distribution of educational resources for QU students in Center for Student Diversity and counseling centers. The university should work with Voice of the Voiceless and Parents and Friends of Ex-Gays and Gays to ensure that resources do not contain anti-ex-gay bias and include appropriate information, including a list of referrals that are sensitive to the needs of QU students.
5. Periodic compliance checks from neutral university administrators to ensure that resources for QU students are prominently and properly displayed in the Center for Student Diversity, Safe Zone, and other counseling centers on campus.
6. A list of online resources and referrals on the W&M Center for Student Diversity website that provide counseling, support, and legal assistance for former homosexuals and students with unwanted same-sex attractions.

CONCLUSION:

The Importance of Equality and Justice for All Sexual Orientations

As this report demonstrated, QU students were marginalized and discriminated against at every university we visited in Virginia. While some LGBTQ Resource Centers simply lacked the necessary knowledge and information to offer students who might want to pursue SOCE therapy, others, unfortunately, were actively suppressing ex-gay resources and discouraging QU students by using scare tactics, misrepresenting the facts of SOCE, and portraying those who have experienced sexual orientation change in a negative light. For the LGBTQ Resource Centers that made a concerted effort to suppress information, misrepresent SOCE therapy, and portray those who have experienced sexual orientation change in a negative light, not only are they engaging in viewpoint discrimination, but sexual orientation discrimination as well.

While former homosexuals have existed as a sexual minority for quite some time, only within the last five years have they been recognized as a distinct sexual orientation that needs protection from harassment and discrimination under nondiscrimination laws.⁷⁷ When an LGBTQ Resource Center staff favors certain sexual orientations (i.e., LGBT) over others that may be unpopular or politically incorrect, such as former homosexuals or ex-gays, this is unlawful. For example, transgender individuals are celebrated by the university centers for changing their gender identity, but ex-gays who change their sexual orientation from homosexual to heterosexual are disfavored, maligned, and discredited. This conduct may also be against the university's policies on sexual orientation nondiscrimination, because such actions defeat their own mission statements on sexual orientation diversity, tolerance, and inclusion.

Some university LGBTQ Resource Center employees may feel justified in suppressing information on SOCE therapy due to their beliefs that SOCE is harmful, damaging, and/or ineffective. While those beliefs may not be grounded in scientific fact, it is understandable why they may feel justified in withholding this information. However, it is important to note that the PFOX brochures that were rejected by many of these university centers were not even about SOCE therapy, but rather, discussed anti-bullying ([click here to view](#)), tolerance, and respect for former homosexuals ([click here to view](#)). Regardless of one's viewpoint regarding SOCE therapy, reasonable individuals can still agree that tolerance, respect, and bullying prevention for former homosexuals and individuals with unwanted same-sex attractions is a worthy goal that promotes diversity and appreciation of sexual orientation. Yet, many of the LGBTQ Resource Center employees still refused to make these brochures readily available for interested students. Instead, they contributed to the intolerance and bullying of former homosexuals by saying negative things and repeating stereotypes in the effort to discredit the ex-gay community and discourage QU students from seeking resources that aligns with their spiritual/religious values.

In a paper titled "Hate Speech on Campus", the American Civil Liberties Union provides an excellent discussion on the problem of censoring unpopular and/or politically incorrect viewpoints on college campuses:

Many universities, under pressure to respond to the concerns of those who are the objects of hate, have adopted codes or policies prohibiting speech that offends any group based on race, gender, ethnicity, religion or sexual orientation. That's the wrong response, well-meaning or not. The First Amendment to the United States Constitution protects speech no matter how offensive its content. Speech codes adopted by government-financed state colleges and universities amount to government censorship, in violation of the Constitution. And the ACLU believes that all campuses should adhere to First Amendment principles because academic freedom is a bedrock of education in a free society. How much we value the right of free speech is put to its severest test when the speaker is someone we disagree with most. Speech that deeply offends our morality or is hostile to our way of life warrants the same constitutional protection as other speech because the right of free speech is indivisible: When one of us is denied this right, all of us are denied. Since its founding in 1920, the ACLU has fought for the free expression of all ideas, popular or unpopular. That's the constitutional mandate. Where racist, sexist and homophobic speech is concerned, the ACLU believes that more speech—not less—is the best revenge. This is particularly true at universities, whose mission is to facilitate learning through open debate and study, and to enlighten. Speech codes are not the way to go on campuses, where all views are entitled to be heard, explored, supported or refuted. Besides, when hate is out in the open, people can see the problem. Then they can organize effectively to counter bad attitudes, possibly change them, and forge solidarity against the forces of intolerance. College administrators may find speech codes attractive as a quick fix, but as one critic put it: "Verbal purity is not social change." Codes that punish bigoted speech treat only the symptom: The problem itself is bigotry. The ACLU believes that instead of opting for gestures that only appear to cure the disease, universities have to do the hard work of recruitment to increase faculty and student diversity; counseling to raise awareness about bigotry and its history, and changing curricula to institutionalize more inclusive approaches to all subject matter.⁷⁸

LTBTQ Resource Centers routinely hold campus wide events in order to educate students on sexual orientation. Accordingly, their bias and outright discrimination against the ex-gay community reaches the student population at large and affects the entire student body. Thus, it is clear that this discrimination and marginalization goes beyond assisting QU students and offering them resources and referrals for SOCE therapy. Through the recordings and descriptions in this report and the FOIA's listed in the appendices, it is evident that discrimination at the hands of Virginia LGBTQ Resource Centers is very broad-based and affects the entire university, including those students who do not have same-sex attractions but are educated by LGBTQ Resource Centers, their campus wide events, and additional educational programs. Therefore, in addition to the specific policy recommendation changes suggested for each LGBTQ Resource Center in this report, tolerance training for the entire university campus staff and student body is necessary in order to achieve meaningful reform on Virginia university campuses.

References

- 1 Erikson's Psychosocial Stages Summary Chart. Retrieved 10/31/13 online from: http://psychology.about.com/library/bl_psychosocial_summary.htm
- 2 <http://commonground.richmond.edu/programs/safe-zone/index.html>
- 3 http://www.vt-lgbtcaucus.org/docs/safe_zone_resource_manual_2006.pdf
- 4 <http://www.virginia.edu/studenthealth/internCAPSdescr.html>
- 5 http://pfox.org/Judge_Ross%27_Memorandum_Opinion.pdf
- 6 Rosenberger v. Rector and Visitors of the University of Virginia, 515 U.S. 819, 828-29 (1995)
- 7 Good News Club v. Milford Central School District, 533 U.S. 98 (2001)
- 8 APA Task Force on Appropriate Therapeutic Responses to Sexual Orientation. (2009). *Report of the Task Force on Appropriate Therapeutic Responses to Sexual Orientation*. Washington, DC: American Psychological Association, pp. 83-89.
- 9 Phelan, J.E., Goldberg, A. & Doyle, C. (2012). A Critical Evaluation of the Report of the Task Force on Appropriate Therapeutic Responses to Sexual Orientation, Resolutions, and Press Release. *Journal of Human Sexuality*, 4, 41-69.
- 10 Phelan, J.E., Whitehead, N. & Sutton, P.M. (2009). What Research Shows: NARTH's Response to the APA Claims on Homosexuality. *Journal of Human Sexuality*, 1, 1-94.
- 11 Shidlo, A. & Schroeder, M. (2002). Changing sexual orientation: A consumers' report. *Professional Psychology: Research and Practice*, 33(3), 249-259.
- 12 Doyle, C. (March 18, 2013). *Transgender 'Woman' Lies About Therapy 'Torture'*. Retrieved 10/31/2013 online at: <http://www.wnd.com/2013/03/transgendered-woman-lies-about-therapy-torture>
- 13 Phelan, J.E., Whitehead, N. & Sutton, P.M. (2009). What Research Shows: NARTH's Response to the APA Claims on Homosexuality. *Journal of Human Sexuality*, 1, 1-94.
- 14 Tyler, L. (1969). An approach to public affairs: Report of the Ad Hoc Committee on Public Affairs. *American Psychologist*, 24, 1-4.
- 15 Fowler, R.D. (1993). Social issues stances: Why APA takes them. *APA Monitor on Psychology*, April, 2.
- 16 American Psychological Association. (2008). *Homosexuality and Sexual Orientation: Answers to Your Questions For a Better Understanding*. Retrieved 10/31/2013 from: <http://www.apa.org/topics/sexuality/orientation.aspx?item=4>
- 17 Phelan, J.E., Whitehead, N. & Sutton, P.M. (2009). What Research Shows: NARTH's Response to the APA Claims on Homosexuality. *Journal of Human Sexuality*, 1, 1-94.
- 18 Phelan, J.E. (2014). *Successful Outcomes of Sexual Orientation Change Efforts: An Annotated Bibliography*. Charleston, SC: Practical Application Publications.
- 19 Mock, S.E. & Eibach, R.P. (2011). Stability and Change in Sexual Orientation Identity Over a 10-Year Period in Adulthood. *Archives of Sexual Behavior*. Retrieved 10/31/2013 online at: <http://midus.wisc.edu/findings/pdfs/1153.pdf>
- 20 Kinnish K.K., Strassberg D.S., & Turner C.W. (2005). Sex differences in the flexibility of sexual orientation: a multidimensional retrospective assessment. *Archives of Sexual Behavior*, 34, 175-83.
- 21 Centers for Disease Control and Prevention (2013). *HIV Surveillance in Adolescents and*

- Young Adults*. Retrieved 10/31/2013 at: http://www.cdc.gov/hiv/pdf/statistics_surveillance_Adolescents.pdf
- 22 U.S. Food and Drug Administration: Protecting and Promoting Your Health.(1990). *Condoms and Sexually Transmitted Diseases, Brochure*. Retrieved 10/31/2013 online at: <http://www.fda.gov/ForConsumers/byAudience/ForPatientAdvocates/HIVandAIDSActivities/ucm126372.htm#strong>
 - 23 <http://lgbtq.gmu.edu>
 - 24 Nicolosi, J. (1991). Reparative therapy of male homosexuality: A new clinical approach. Jason Aronson.
 - 25 <http://regenerationministries.org>
 - 26 <http://www.restoredhopenetwork.com>
 - 27 <http://www.jmu.edu/safezone/area.shtml>
 - 28 Robinson, C.M. (no date). *Ex-Gay Politics on Campus*. Retrieved 11/3/2013 online from: <http://www.campuspride.org/tools/ex-gay-politics-on-campus>
 - 29 JMU - Educate Yourself! Retrieved online October 31, 2013 from: http://www.jmu.edu/safezone/wm_library/Sexual%20Orientation%20Fact%20Sheet.pdf
 - 30 American Psychological Association. (2008). *Homosexuality and Sexual Orientation: Answers to Your Questions For a Better Understanding*. Retrieved 10/31/2013 online from: <http://www.apa.org/topics/sexuality/orientation.aspx?item=4>
 - 31 Phelan, J.E., Whitehead, N. & Sutton, P.M. (2009). What Research Shows: NARTH's Response to the APA Claims on Homosexuality. *Journal of Human Sexuality, 1*, 1-94.
 - 32 Doyle, C. (March 18, 2013). *Transgender 'Woman' Lies About Therapy 'Torture'*. Retrieved 10/31/2013 online at: <http://www.wnd.com/2013/03/transgendered-woman-lies-about-therapy-torture/>
 - 33 National Association for Research and Therapy of Homosexuality, Task Force on Practice Guidelines for the Treatment of Unwanted Same-Sex Attractions and Behavior. (2010). Practice Guidelines for the Treatment of Unwanted Same-Sex Attractions and Behavior. *Journal of Human Sexuality, 2*, 5-65.
 - 34 Centers for Disease Control and Prevention (2013). *HIV Surveillance in Adolescents and Young Adults*. Retrieved online 10/31/2013 from: http://www.cdc.gov/hiv/pdf/statistics_surveillance_Adolescents.pdf
 - 35 U.S. Food and Drug Administration: Protecting and Promoting Your Health. (1990). *Condoms and Sexually Transmitted Diseases, Brochure*. Retrieved 10/31/2013 online at: <http://www.fda.gov/ForConsumers/byAudience/ForPatientAdvocates/HIVandAIDSActivities/ucm126372.htm#strong>
 - 36 Phelan, J.E., Whitehead, N. & Sutton, P.M. (2009). What Research Shows: NARTH's Response to the APA Claims on Homosexuality. *Journal of Human Sexuality, 1*, 1-94.
 - 37 Mock, S.E. & Eibach, R.P. (2011). Stability and Change in Sexual Orientation Identity Over a 10-Year Period in Adulthood. *Archives of Sexual Behavior*. Retrieved 10/31/2013 online at: <http://midus.wisc.edu/findings/pdfs/1153.pdf>
 - 38 Kinnish K.K., Strassberg D.S., & Turner C.W. (2005). Sex differences in the flexibility of sexual orientation: a multidimensional retrospective assessment. *Archives of Sexual Behavior, 34*, 175-83.
 - 39 American Psychological Association. (2008). *Homosexuality and Sexual Orientation:*

- Answers to Your Questions For a Better Understanding*. Retrieved 10/31/2013 from: <http://www.apa.org/topics/sexuality/orientation.aspx?item=4>
- 40 Whitehead, N.E. & Whitehead, B.K. (2010). My Genes Made Me Do It! Retrieved 10/31/2013 online from: <http://www.mygenes.co.nz/download.htm>
- 41 <http://www.virginia.edu/newcomb/facilities/lgbt.html>
- 42 Nicolosi, J. (1991). Reparative therapy of male homosexuality: A new clinical approach. Jason Aronson.
- 43 American Psychological Association. (2008). *Homosexuality and Sexual Orientation: Answers to Your Questions For a Better Understanding*. Retrieved 10/31/2013 from: <http://www.apa.org/topics/sexuality/orientation.aspx?item=4>
- 44 Whitehead, N.E. & Whitehead, B.K. (2010). My Genes Made Me Do It!. Retrieved 10/31/2013 online at: <http://www.mygenes.co.nz/download.htm>
- 45 http://www.students.vcu.edu/counseling/safe_zone.html
- 46 <http://setfreerichmond.org>
- 47 <http://www.restoredhopenetwork.com>
- 48 Vanderbilt University School of Medicine. Program for LGBTI Health. Retrieved November 1, 2013 at: <https://medschool.vanderbilt.edu/lgbti/health/transgender>
- 49 <http://ww2.studentaffairs.odu.edu/safespace>
- 50 <http://studentaffairs.odu.edu/safespace/resources/symbols.shtml>
- 51 Phelan, J.E., Whitehead, N. & Sutton, P.M. (2009). What Research Shows: NARTH's Response to the APA Claims on Homosexuality. *Journal of Human Sexuality, 1*, 1-94.
- 52 American Psychological Association. (2008). *Homosexuality and Sexual Orientation: Answers to Your Questions For a Better Understanding*. Retrieved 10/31/2013 from: <http://www.apa.org/topics/sexuality/orientation.aspx?item=4>
- 53 Whitehead, N.E. & Whitehead, B.K. (2010). My Genes Made Me Do It!. Retrieved 10/31/2013 online at: <http://www.mygenes.co.nz/download.htm>
- 54 Doyle, C. (March 18, 2013). *Transgender 'Woman' Lies About Therapy 'Torture'*. Retrieved 10/31/2013 online at: <http://www.wnd.com/2013/03/transgendered-woman-lies-about-therapy-torture/>
- 55 National Association for Research and Therapy of Homosexuality, Task Force on Practice Guidelines for the Treatment of Unwanted Same-Sex Attractions and Behavior. (2010). Practice Guidelines for the Treatment of Unwanted Same-Sex Attractions and Behavior. *Journal of Human Sexuality, 2*, 5-65.
- 56 APA Task Force on Appropriate Therapeutic Responses to Sexual Orientation. (2009). *Report of the Task Force on Appropriate Therapeutic Responses to Sexual Orientation*. Washington, DC: American Psychological Association, pp. 83-89.
- 57 Phelan, J.E., Whitehead, N. & Sutton, P.M. (2009). What Research Shows: NARTH's Response to the APA Claims on Homosexuality. *Journal of Human Sexuality, 1*, 1-94.
- 58 Mock, S.E. & Eibach, R.P. (2011). Stability and Change in Sexual Orientation Identity Over a 10-Year Period in Adulthood. *Archives of Sexual Behavior*. Retrieved 10/31/2013 online at: <http://midus.wisc.edu/findings/pdfs/1153.pdf>
- 59 Kinnish K.K., Strassberg D.S., & Turner C.W. (2005). Sex differences in the flexibility of sexual orientation: a multidimensional retrospective assessment. *Archives of Sexual Behavior, 34*, 175-83.
- 60 American Psychological Association. (2008). *Homosexuality and Sexual Orientation:*

- Answers to Your Questions For a Better Understanding*. Retrieved 10/31/2013 from: <http://www.apa.org/topics/sexuality/orientation.aspx?item=4>
- 61 Whitehead, N.E. & Whitehead, B.K. (2010). My Genes Made Me Do It!. Retrieved 10/31/2013 online at: <http://www.mygenes.co.nz/download.htm>
- 62 APA Task Force on Appropriate Therapeutic Responses to Sexual Orientation. (2009). *Report of the Task Force on Appropriate Therapeutic Responses to Sexual Orientation*. Washington, DC: American Psychological Association, pp. 83-89.
- 63 Phelan, J.E., Whitehead, N. & Sutton, P.M. (2009). What Research Shows: NARTH's Response to the APA Claims on Homosexuality. *Journal of Human Sexuality, 1*. 1-94.
- 64 Doyle, C. (March 18, 2013). *Transgender 'Woman' Lies About Therapy 'Torture'*. Retrieved 10/31/2013 online from: <http://www.wnd.com/2013/03/transgendered-woman-lies-about-therapy-torture/>
- 65 <http://cnu.edu/studentclinic>
- 66 <http://www.wm.edu/offices/studentdiversity/Diversity%20Resources/index.php>
- 67 College of William and Mary. *Safe Zone All Program*. Retrieved 11/7/2013 online from: <http://wmpeople.wm.edu/site/page/safezone>
- 68 American Psychological Association. (2008). *Homosexuality and Sexual Orientation: Answers to Your Questions For a Better Understanding*. Retrieved 10/31/2013 from: <http://www.apa.org/topics/sexuality/orientation.aspx?item=4>
- 69 Whitehead, N.E. & Whitehead, B.K. (2010). My Genes Made Me Do It!. Retrieved 10/31/2013 online at: <http://www.mygenes.co.nz/download.htm>
- 70 Hickey, E. W. (Ed.). (2006). *Sex crimes and paraphilia*. Upper Saddle River, NJ: Pearson, Prentice Hall.
- 71 Klein, R. M. (1999). The Hebb legacy. *Canadian Journal of Experimental Psychology, 53*(1), 1-3.
- 72 APA Task Force on Appropriate Therapeutic Responses to Sexual Orientation. (2009). *Report of the Task Force on Appropriate Therapeutic Responses to Sexual Orientation*. Washington, DC: American Psychological Association, pp. 83-89.
- 73 Phelan, J.E., Whitehead, N. & Sutton, P.M. (2009). What Research Shows: NARTH's Response to the APA Claims on Homosexuality. *Journal of Human Sexuality, 1*. 1-94.
- 74 Tyler, L. (1969). An approach to public affairs: Report of the Ad Hoc Committee on Public Affairs. *American Psychologist, 24*, 1-4.
- 75 Fowler, R.D. (1993). Social issues stances: Why APA takes them. *APA Monitor on Psychology*, April, 2.
- 76 Centers for Disease Control and Prevention (2013). *HIV Surveillance in Adolescents and Young Adults*. Retrieved online 10/31/2013 from: http://www.cdc.gov/hiv/pdf/statistics_surveillance_Adolescents.pdf
- 77 http://pfox.org/Judge_Ross%27_Memorandum_Opinion.pdf
- 78 American Civil Liberties Union. (December 31, 1994). *Hate Speech on Campus*. Retrieved 11/29/2013 from: <https://www.aclu.org/print/free-speech/hate-speech-campus>

Appendix A

-----Original Message-----

From: owner-consortium@lists.uoregon.edu
[mailto:owner-consortium@lists.uoregon.edu] On Behalf Of Ric Chollar
Sent: Monday, March 09, 2009 12:30 PM
To: consortium@lists.uoregon.edu
Subject: consortium: Follow-up contact with PFOX - website inclusion?

Hello Everyone,

I'm writing to see whether any other institutions have received follow-up contact from the ex-gay groups (in our case PFOX and Liberty Counsel) further pushing them toward use of PFOX info materials (brochures) and their links on university websites. I apologize if this has already been addressed recently - we've looked back at the consortium listserv archives (we've looked through the relevant 2006 messages), and unfortunately we haven't been able to attend Creating Change or other in-person gatherings recently, so I don't know if this topic has been covered in recent discussion.

Back in 2006, many of us LGBTQ offices received requests from PFOX, and in our case at George Mason University (public institution in Virginia), while we at first attempted to ignore their requests, we ultimately agreed to receive brochures. They did indeed send us a package of approx 25 each of two or three of their brochures, which we kept hold of. We're pretty sure that we've been visited over the past two years by people checking to see if ex-gay materials were actually

RE: co.sottina: Follow-up contact with PFOX - website inclusion?

available - a complicated story that ended with two folks at our office whom we showed a whole bunch of our office materials as well as the PFOX stuff.

Back at that time in 2006 we stated to PFOX that at some time in the future we would review and update our website, at that time we would consider whether and how best to include their info. (And we haven't added their info to the site since then).

Forward to last Friday: a fax was sent from Liberty Counsel to our VP of University Life (with email attachments of the copy of the fax to our university president, legal counsel, board of visitors, and myself) stating that she (our VP) had ten days to reply to their request to direct us to include PFOX info on the website. Their correspondence included the details of 2006's email exchanges, and specific references to our current website - including the fact that we have updated the website in 2008 without adding PFOX info. They are claiming that refusing their info on the website is both unconstitutional and discriminates on the basis of sexual orientation (against ex-gays). They make reference to a "limited public forum" we've created that unlawfully excludes them.

We know to take this seriously; we know that PFOX advocates with active litigation.

There is so much we don't know: have any of you decided to include their info on your sites? If so, have you given some kind of disclaimer/caveat to the information, and has that been challenged? For the many of you who were asked by PFOX, but who have NOT put up info on your sites, have any of you heard back from PFOX? Have you received helpful guidance from your legal offices? What would you do if your legal counsel (working from the perspective of protecting the university from lawsuits) told you to post the PFOX info? Have any of us gotten advice from Lambda Legal or other non-university-specific LGBT-affirming legal sources?

Best I can tell, this is specific to state institutions in terms of where they are targeting. I would really appreciate your thoughts - please direct to me specifically, and I'll compile for the list. I seem to remember we also had raised the question of how safe it was to have an open forum about this topic on the list serv - from the perspective of how emails can be accessed and used legally-. Thanks in advance for any help/suggestions/experience you can offer-

Peace and Pride,
Ric

--
Ric Chollar, LCSW
Associate Director for LGBTQ Resources
Diversity Programs & Services - University Life
George Mason University
4400 University Dr, MSN 2F6
Fairfax, VA 22030
(703) 993-2702
lgbtq.gmu.edu
odps.gmu.edu

JpCste on Ex-Gay Org: [Remember PFOX? Well.....]

Subject: Update on Ex-Gay Org: [Remember PFOX? Well.....]

From: Ric Chollar <rchollar@gmu.edu>

Date: Thu, 03 May 2007 19:13:33 -0400

To: Shaoxian Yu <syu6@gmu.edu>, Rebecca A Walter <rwalter@gmu.edu>, Rose Pascarell <rpascare@gmu.edu>, Mark Kidd <mkidd1@gmu.edu>, [REDACTED], Dennis Webster <dwebster@gmu.edu>, Matthew Bruno <thirdbruno@gmail.com>, Ric Chollar <rchollar@gmu.edu>, "Mario A. Ascencio" <mascenci@gmu.edu>, [REDACTED], Sharon Coogan <scoogan2@hotmail.com>, Jen Barnard <jbarnard@gmu.edu>, Kara Danner <kdanner@gmu.edu>, Rachel Lindsey <rlindsey@gmu.edu>, [REDACTED], [REDACTED], [REDACTED], [REDACTED], Corrine House <chouse1@gmu.edu>, [REDACTED], [REDACTED], Susan Stahley <sstahley@gmu.edu>, tdorough <tdorough59@yahoo.com>, Rachel Martin <rmartink@gmu.edu>, [REDACTED], [REDACTED], Adrienne Douglass <adougla5@gmu.edu>, Arling Cofresi <acofresi@gmu.edu>

Hi Folks - Remember in the last year or two we tried to come up with the best response to PFOX, who asked us (at Mason's LGBTQ Office) to receive and distribute their literature? After some limited research and checking in with our administrative chain, we decided to say yes to their request and receive their stuff (materials which then were sent to us). We can talk off-line about the distribution (and in what context it's made available) of their material -

But here's an update of what the group has done since - expensive lawsuits that both bring lots of attention to the group, and cost the institution (currently it's happening in Arlington, several years ago it was a county in Maryland) tons of money.

Happy Reading!! Peace,
Ric

[Fwd: consortium: New "ex-gay" initiative]

Subject: [Fwd: consortium: New "ex-gay" initiative]
From: Ric Chollar <rchollar@gmu.edu>
Date: Wed, 19 Apr 2006 11:57:42 -0400
To: Dennis Webster <dwebster@gmu.edu>

Dennis - Lots of things I could update you on, if there was the time.

Here's one, in the forwarded email and article written from the ex-gay perspective.

BTW, I never responded to the request WE received from PFOX, in part because you and I never have talked more about it. I've heard nothing back from them either-

Peace,
Ric

Subject: consortium: New "ex-gay" initiative
From: Luke Jensen <ljensen@umd.edu>
Date: Mon, 17 Apr 2006 10:01:02 -0400
To: Consortium <consortium@lists.uoregon.edu>

See news item below. I smell baiting for lawsuits. My sense is that public institutions are more vulnerable due in part to state level politics.

Don't forget great Task Force report, "Youth in the Crosshairs: The Third Wave of Ex-Gay Activism" available at <http://www.thetaskforce.org/downloads/crosshairs.pdf>.

BTW: Those of you who remember that Regina Griggs contacted us about donating to our resource library - she followed up by asking how many brochures she should send. I told her I thought one copy of each would suffice. I haven't heard a peep from her since. I wish she had sent their materials. I would much rather our students saw them first in the context we would provide.

luke

Luke Jensen, PhD
Director, Office of LGBT Equity
0119 Cole Student Activities Bldg
University of Maryland
College Park, MD 20742
<http://www.umd.edu/lgbt/>

from <http://www.montanasnews.com/articles.php?mode=view&id=4232>

LIBERTY COUNSEL AND PARENTS AND FRIENDS OF EX-GAYS AND GAYS LAUNCH THE 'CHANGE IS POSSIBLE CAMPAIGN'

by MONTANA NEWS ASSOCIATION

Virginia - April 13, 2006--/mna press/--Today, Liberty Counsel and Parents and Friends of Ex-Gays and Gays ("PFOX") kicked off their joint "Change Is Possible Campaign." Liberty Counsel is a national public interest law firm with offices in Florida and Virginia and hundreds of affiliate attorneys in all fifty states. PFOX is a national organization that supports families touched by homosexuality, advocates for the ex-gay community, and educates the public on sexual orientation.

In the past several years, as "tolerance" and "diversity" have become popular buzzwords, there has been a corresponding increase in discrimination and intolerance toward those who have made the decision to leave

Re: [Fwd: Ex-gay inclusion]

Subject: Re: [Fwd: Ex-gay inclusion] .
From: Ric Chollar <rchollar@gmu.edu>
Date: Wed, 08 Mar 2006 14:00:03 -0500
To: Dennis Webster <dwebster@gmu.edu>

1) So here are the national professional associations that have made policy statements regarding conversion therapy, or reparation therapy, or working with people to change their sexual orientation:

- a) American Psychiatric Association
- b) American Psychological Association - they have an EXCELLENT web-based resource listing on LGBT youth called something like "Safe Healthy Schools" where there are reviews of research literature
- c) National Association of Social Workers
- d) whatever the Counselor's national professional association is called American Counseling Association?
- e) American Academy of Pediatrics (I think that's their name)
- f) whatever the nurse's professional association is called

2) To find the (limited in number) research studies on changing sexual orientation, someone could do a research data search using the terms, "reparation therapy", "conversion therapy", "ex-gay"

In former jobs, I located references in both #1 and #2 but it would take me an hour or two to put that together - If you'd like that, let me know, and I'll do that search-

3) From lgbtcampus.org: a resource is the video:
"One Nation Under God"

This film explores the variety of funny, bizarre and often terrifying methods that have been used over the decades in attempts to "cure" gay men and lesbians of their homosexuality. It visits "ex-gay" ministries and focuses on the former leaders of one such ministry that happened to fall in love."

4) Some websites to explore: <http://www.exgaywatch.com/blog/index.html>

<http://qrd.org/qrd/www/RRR/exgay.html>

<http://www.hatecrime.org/exgay.html>

www.hrc.org/Content/ContentGroups/Publications1/Mission_Impossible/change.pdf

<http://www.counterbias.com/478.html>

OK, on to our Vision Awards meeting, part 2
Peace,
Ric

Dennis Webster wrote:

Rc: [Fwd: Ex-gay inclusion]

Ric Please provide me with the information you are referencing in the comments below so that I am properly informed before responding to this request.

Thanks,

I'm sure that each of you knows that every credible, professional,
> > health and mental health profession and association state
> > unequivocally that "exgay" treatment is ineffective, unethical,
> and
> > often damaging.
> > And my thinking is that for the sake of "inclusion," or
> "offering a
> > range of choices," we would be offering to collude with student's
> > internalized self hate, oppression or homophobia for them to consider
> > these ex-gay programs.
> >
> > And also my worry is that any negative response to this organization
> > will bring on heightened attention from them.
> >

ekasse@gmu.edu wrote:

Ric, I think what the student mentioned would be a very appropriate response. its respectful and avoids getting into intellectual debate which can be perceived as antagonistic. sounds good to me, let us know how they respond :) Eryca

Eryca Kasse
Program Coordinator
GMU Multicultural Research and Resource Center
703-993-4003
www.gmu.edu/student/mrrc

----- Original Message -----
From: rwalter@gmu.edu
Date: Tuesday, March 7, 2006 9:34 am
Subject: Re: [Fwd: Ex-gay inclusion]

> if making sure that the dignity of our marginalized populations as
> well as improving cultural competencies is our mission, this
> certainly undermines it, doesn't it?
>

> Rebecca A. Walter, Assistant Director
> Faculty Partnerships & Curriculum Development
> Multicultural Research & Resource Center
>

> ----- Original Message -----
> From: Ric Chollar <rchollar@gmu.edu>
> Date: Monday, March 6, 2006 7:51 pm
> Subject: [Fwd: Ex-gay inclusion]
>

> > Oboy! Just in case our work wasn't already interesting enough!!!
> >

> > I may want/need to check in with a couple of you before
> responding (or
> > seeing if it's OK not to respond, as one option).
> >

> > What I hope to avoid, if possible, is an escalating, negative,

Re: [Fwd: Ex-gay inclusion]

> heated, > ugly (without insight or or compassion) controversy - It
> just
> > tires me
> > out to consider dialoguing with these folks- (and I do realize
> > that much
> > of our work IS about dialogue). And, we ARE in Virginia.
> >
> > One of the students in the CDPS-LGBTQ office tonite suggested
> > responding with something simple and clear, like - "Thanks for
> the
> > offer. Since
> > including info about ex-gay programs or services would violate our
> > objective of a safe space for LGBTQ folks, we respectfully
> decline
> > . . .
> > ."
> >
> > I'm sure that each of you knows that every credible, professional,
> > health and mental health profession and association state
> > unequivocally that "exgay" treatment is ineffective, unethical,
> and
> > often damaging.
> > And my thinking is that for the sake of "inclusion," or
> "offering a
> > range of choices," we would be offering to collude with student's
> > internalized self hate, oppression or homophobia for them to consider
> > these ex-gay programs.
> >
> > And also my worry is that any negative response to this organization
> > will bring on heightened attention from them.
> >
> > Anyway, this is my first reaction. Hope to talk with several of you
> > about this. THANKS!!! (In the meantime, I'll do a QUICK - as in,
> I
> > have no time for this - check to see if other campuses have dealt
> > with this
> > and how/if they've responded).
> >
> > BTW - Today's Safe Zone training went GREAT - you'll get my
> thank-you
> > email tomorrow-
> >
> > Talk with you soon-
> > Ric
> >
>

Subject: Ex-gay inclusion

Date: Mon, 06 Mar 2006 12:06:46 -0500

From: PFOX ExGays <pfox_exgays@carthlink.net>

To: rchollar@gmu.edu

Greetings!

We would like to donate ex-gay brochures and books for inclusion in the MRRC.

Please advise us of procedures. We also request that you include our link of

www.pfox.org

in your GLBT Community Resources web page of links. There are no ex-gay links included there. Thank you, Regina Griggs Exec. Dir. Parents and Friends of Ex-Gays & Gays

PFOX

Re: Fwd: Book list for Ric

Box Note: George Mason Univ. accepts gay book donations ~~for~~ but will not accept ex-gay books.

Subject: Re: Fwd: Book list for Ric
From: Ric Chollar <rchollar@gmu.edu>
Date: Wed, 29 Oct 2008 20:00:51 -0400
To: [REDACTED]
CC: Matthew Bruno <mbruno@gmu.edu>

Hi [REDACTED] and Matt,

I vote we receive all of them - This is the first time I actually looked at the group of titles, and while not every one is focused on queer stuff (ie, Drama of Gifted Child and Necessary Losses) they are all in my mind potentially relevant, and several of them (the Edmund White and Bauer books in particular) are "classics" at least in terms of gay male popular best sellers- Plus, the list is very do-able in terms of the number of books-

Thanks [REDACTED] both for your patience and for you being this thorough (with the titles and descriptions). And especially thanks to [REDACTED] for the donations-

See you all-
Peace,
Ric

[REDACTED] wrote:

Hi Matt:
I'm forwarding you the list of books [REDACTED] wanted to donate to The LGBTQ resources room. Let me know if any of them would be good to have (or you think would be appropriate to have) at the Office.
Thanks,
[REDACTED]

Subject:
Fwd: Book list for Ric
From: [REDACTED]
Date: Wed, 29 Oct 2008 19:45:34 -0400
To: [REDACTED]
To: [REDACTED]

----- Forwarded message -----
From: [REDACTED]
Date: Tue, Sep 23, 2008 at 10:54 PM
Subject: Fwd: Book list for Ric
To: [REDACTED]

①

Appendix B



Post Office Box 540774
Orlando, FL 32854-0774
Telephone: 800•671•1776
Facsimile: 407•875•0770
www.LC.org

122 C St. N.W., Ste. 640
Washington, DC 20005
Telephone: 202•289•1776
Facsimile: 202•216•9656

Post Office Box 11108
Lynchburg, VA 24506-1108
Telephone: 434•592•7000
Facsimile: 434•592•7700
liberty@LC.org

Reply to: Virginia

September 25, 2013

Via U.S. Mail and E-Mail

Angel Cabrera
Office of the President
George Mason University
4400 University Drive, Ste D103
Fairfax, VA 22030
CABRERAA@GMU.EDU

RE: Viewpoint discriminatory conduct by LGBTQ Center

Dear President Cabrera:

Liberty Counsel writes on behalf of Voice of the Voiceless ("VOV") and Christopher Doyle, President and Co-Founder of VOV. Mr. Doyle met with Ric Chollar of the Department of LGBTQ Resources, presenting as an LGBT student seeking anonymous counseling for unwanted homosexual feelings. Mr. Doyle documents Mr. Chollar as having provided him with medically-inaccurate advice and biased counseling, and having refused to provide him with ex-gay resources. We write to urge the University to include all viewpoints on this issue and remind it and Mr. Chollar that presenting only one viewpoint is not only wrong, but can cause harm to students.

By way of brief introduction, Liberty Counsel is a civil liberties litigation, education and policy organization with headquarters in Orlando, Florida, and offices in Washington, D.C., California and Virginia. Much of our work involves defending First Amendment rights for distribution of literature in public places. We have had much success in litigating access to literature distribution forums where access has been denied by public officials, especially in public education institutions.

The mission of Voice of the Voiceless is to defend the rights of former homosexuals, individuals with unwanted same-sex attraction, and their families. VOV also supports the faith-based community and works actively in the United States to

Angel Cabrera
George Mason University
September 25, 2013
Page 2

defend the constitutional rights of all Americans to share their views of homosexuality in the public forum. VOV supports similar international efforts and provides assistance, whenever possible, to individuals and organizations abroad who align with VOV's mission and goals.

As I understand it, the University has established an LGBTQ Center that seeks to foster the development of LGBTQ students, faculty, staff, alumni, and allies. Among other things, the center offers counseling and literature regarding sexual orientation. Mr. Doyle recently visited the University's LGBTQ Center, presenting as a graduate student seeking anonymous counseling for unwanted homosexual feelings at the Center, and Mr. Chollar refused to provide an ex-gay resources or informational materials. Mr. Chollar told Mr. Doyle that he may "become depressed and commit suicide because many people go through change therapy and don't change and then become disillusioned," although there is no data that says this. He quoted Exodus International to Mr. Doyle, saying they "harmed" people and that people don't really change sexual orientation, just their sexual behavior. Mr. Chollar went further, stating that "rather than changing, it would be better for you to change churches, change policy in your church and take part in activism." Alternatively, Mr. Chollar told Mr. Doyle he could live with his same-sex attraction, and remain married, but it would be like living a double life. Despite the fact that the LGBTQ center had been given brochures by ex-gay organizations such as PFOX, they were not displayed, Mr. Chollar refrained from offering them, and only after Mr. Doyle had to aggressively seek them.

By establishing the Center (and a brochure rack in the Center), the University has established a limited public forum for the purpose of distributing non-University literature concerning sexuality in general, and gay, lesbian, bi-sexual, and transgender sexuality in particular. In so doing, it has permitted literature expressing viewpoints on those matters to be distributed at this location in a public building. Mere disagreement with the content of speech or literature is an insufficient reason to deny access to a limited forum. It is axiomatic that the government may not regulate speech based on its substantive content or the message it conveys. Other principles follow from this precept.

In the realm of private speech or expression, government regulation may not favor one speaker over another. Discrimination against speech because of its message is presumed to be unconstitutional...when government targets not subject matter but particular views taken by speakers on a subject, the violation of the First Amendment is all the more blatant. Viewpoint discrimination is thus an egregious form of content discrimination. The government must abstain from regulating speech when the specific motivating ideology or the opinion or perspective of the speaker is the rationale for the restriction. *Rosenberger v. Rector and Visitors of the University of Virginia*, 515 U.S. 819, 828-29 (1995). When a government opens a forum for literature distribution, it must

Angel Cabrera
George Mason University
September 25, 2013
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treat all persons and groups seeking to use the forum equally, regardless of their viewpoint. *Good News Club v. Milford Central School District*, 533 U.S. 98 (2001). The actions of the University, as carried out by Mr. Chollar in refusing to even mention the existence of ex-gay resources when repeatedly requested by an individual ostensibly experiencing confusion over his sexuality, or conflict between his sexuality and his faith, demonstrate that the University favors the speech of the LGBT community over the ex-gay community. The University has suppressed and deemed the viewpoints of ex-gays on human sexuality and sexual orientation as unworthy of exhibition and distribution by the University, while the viewpoints of gays and others are favored and deemed worthy by the University.

Liberty Counsel urges the University to include viewpoints from the ex-gay community - those individuals and organizations who have transcended the LGBT identification - on the same basis that it provides viewpoints from those currently identifying as LGBT. Not only does prohibiting ex-gay information at the Center harm students, it could lead to the University's exposure to unnecessary liability for civil rights violations.

For these reasons, we are asking you to **please respond to this letter in writing by October 25, 2013**, with assurances that materials provided by Mr. Doyle and other ex-gay individuals and organizations will be given equal treatment in the Center's literature distribution forum, on the same basis as those currently identifying as LGBT. If we do not receive such a response, we will conclude that the above-stated facts are an accurate representation of the positions and practices of the University, and will take further steps to prevent irreparable harm to the rights of our clients.

We appreciate your immediate attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard L. Mast, Jr.', with a large, stylized initial 'R' and 'M'.

Richard L. Mast, Jr.[†]

RLM:jml
CC
Via Email
Ric Chollar

rchollar@gmu.edu

[†] Licensed in Virginia

Appendix C

Re: consortium: PFOX response update

Subject: Rc: consortium: PFOX response update
From: "Christine M. Robinson" <robin2cm@jmu.edu>
Date: Fri, 13 Mar 2009 13:16:14 -0400 (EDT)
To: Amit Taneja <ataneja@syr.edu>, Consortium Listserve <consortium@lists.uoregon.edu>
(consortium@lists.uoregon.edu)

Wonderful work, Amit. Wayne Besen, and his organization, Truth Wins Out (truthwinsout.org), need to be kept informed about when ex-gay groups and individuals (like PFOX, JONAH, etc, that have been reported on this list) contact campus LGBT programs/centers. Everyone on this list who is directly connected to an LGBT Campus Center/Program should keep up with the status of this since these groups will very likely try to use litigation to intimidate, as they have done repeatedly in the past.

Truth Wins Out is the main not-for-profit organization that monitors and directly counters the increasingly politicized and litigious ex-gay movement. I brought Wayne Besen to speak about the ex-gay movement at JMU a few years ago - he was and is tremendous. Wayne and Truth Wins Out can help us prevent these groups from interfering with our work. I urge you to read and take seriously Truth Wins Out's publication: <http://www.truthwinsout.org/pressreleases/ex-gay-and-the-law/>

It is worth your time and money to bring Wayne (or another representative of Truth Wins Out) to your campus to educate (and consult your administration) on these matters. There is no other organization that does the kind of work that Truth Wins Out does.

Christine

Hi:

If "ex-gay" groups have contacted you, please let me know. Truth Wins Out can help.

The first thing you can do is have us ship you copies of "Ex-Gay & The Law", a new booklet by Truth Wins Out and Lambda Legal. Our booklet offers legal advice to those who may have been harmed by these groups. If your school would like copies of this publication, please let me know.

<http://www.truthwinsout.org/pressreleases/ex-gay-and-the-law/>

Second, no school is obligated to carry PFOX's material - so don't be intimidated by them.

Third, any group that has been contacted by ex-gay organizations should contact me immediately. I need to get a handle on how many campuses PFOX and Liberty Counsel have reached out to. And, what they are saying. If they have sent you any written material, please also forward it to me.

Best Wishes,

Wayne Besen
Founder and Executive Director
Truth Wins Out
917.691.5118 cell
347.463.9582 land
wbesen@truthwinsout.org

Christine M. Robinson, Ph.D.

re: consortium: PFOX response update

Assistant Professor of Sociology & Interdisciplinary Liberal Studies
Department of Sociology and Anthropology
208 Sheldon Hall, MSC 7501
James Madison University
Harrisonburg, VA 22807
www.jmu.edu/sociology/socio_faculty_robinsonc.html
ID.S Program: www.jmu.edu/idls

From: PFOX [<mailto:PFOX@pfox.org>]
Sent: Wednesday, January 25, 2012 6:27 PM
To: jmulgbta@gmail.com
Subject: FW: Diversity and inclusion
Importance: High

SECOND REQUEST! PLEASE RESPOND!!!

From: PFOX [<mailto:PFOX@pfox.org>]
Sent: Tuesday, November 29, 2011 6:16 PM
To: 'jmulgbta@gmail.com'
Subject: Diversity and inclusion
Importance: High

To:
James Madison University
Lesbian, Gay, Bisexual, Transgender (LGBT) and Ally Education Program
LGBT Resource Library

Greetings! We are Parents and Friends of Ex-Gays & Gays (PFOX), a non-profit organization supporting families and the ex-gay community.

PFOX provides educational materials on same sex attractions, gender confusion, anti-bullying, and tolerance. We request that you include our brochures on these topics in your LGBT Resource Library and make them available to the students in a positive manner.

We also request that you include our website www.pfox.org on your website list of resources.

Your LGBT Resource Library and program do not provide any resources for students with unwanted same sex attractions or gender confusion. Nor are there any positive resources on the ex-gay community. Your web links recommend gay affirming religions but no ex-gay ministries.

Therefore, in addition to our brochures, which have been distributed across the country, we would also like to donate ex-gay books for the students' use. Copies of the brochures we wish to donate are at the below links:

<http://pfox.org/Tolerance-for-Ex-Gay-Community.pdf>

<http://pfox.org/Feelings-Change-Get-the-Facts%202009-01-19.pdf>

<http://pfox.org/Prevent-Bullying-at-School.pdf>

http://pfox.org/Can-Sexual-Origintation_Change.pdf

<http://pfox.org/Gender-Identity-Disorder-brochure-teens.pdf>

Please advise us to the number of brochures we can mail you.

Our best wishes for a successful school year.

Sincerely,

Regina

Regina Griggs

Executive Director

Parents and Friends of E-Gays & Gays

PFOX

pfox@pfox.org

Appendix D



Post Office Box 540774
Orlando, FL 32854-0774
Telephone: 800-671-1776
Facsimile: 407-875-0770
www.LC.org

122 C St. N.W., Ste. 640
Washington, DC 20005
Telephone: 202-289-1776
Facsimile: 202-216-9656

Post Office Box 11108
Lynchburg, VA 24506-1108
Telephone: 434-592-7000
Facsimile: 434-592-7700
liberty@LC.org

Reply to: Virginia

September 25, 2013

Via U.S. Mail and E-Mail

Jonathan R. Alger
Office of the President
James Madison University
MSC 7608
Harrisonburg, Virginia 22807
ALGERJR@JMU.EDU

RE: Viewpoint discriminatory conduct at Office of Student Activities and
Involvement

Dear President Alger:

Liberty Counsel writes on behalf of Voice of the Voiceless ("VOV") and Christopher Doyle, President and Co-Founder of VOV. Mr. Doyle met with Dr. Tammy Gilligan of the Office of Student Activities and Involvement, presenting as an LGBT student seeking anonymous counseling for unwanted homosexual feelings. Mr. Doyle documents Dr. Gilligan as having provided him with medically-inaccurate advice and biased counseling, and having refused to provide him with ex-gay resources. We write to urge the University to include all viewpoints on this issue and remind it and Dr. Gilligan that presenting only one viewpoint is not only wrong, but can cause harm to students.

By way of brief introduction, Liberty Counsel is a civil liberties litigation, education and policy organization with headquarters in Orlando, Florida, and offices in Washington, D.C., California and Virginia. Much of our work involves defending First Amendment rights for distribution of literature in public places. We have had much success in litigating access to literature distribution forums where access has been denied by public officials, especially in public education institutions.

Jonathan R. Alger
James Madison University
September 25, 2013
Page 2

The mission of Voice of the Voiceless is to defend the rights of former homosexuals, individuals with unwanted same-sex attraction, and their families. VOV also supports the faith-based community and works actively in the United States to defend the constitutional rights of all Americans to share their views of homosexuality in the public forum. VOV supports similar international efforts and provides assistance, whenever possible, to individuals and organizations abroad who align with VOV's mission and goals.

As I understand it, the University has established the LGBTQ student center at the Office of Student Activities and Involvement, seeking to foster the development of LGBTQ students, faculty, staff, alumni, and allies. Among other things, the center offers counseling and literature regarding sexual orientation. Mr. Doyle recently visited the University's LGBTQ center, presenting as a graduate student seeking anonymous counseling and resources for unwanted homosexual feelings, and Dr. Gilligan refused to provide ex-gay resources or informational materials. When Mr. Doyle asked about changing his attractions, Dr. Gilligan said that 'conversion therapy' is motivated by religious extremists, that it's very "isolating" and sometimes parents "ship their kids off for months at a time" to "make them straight." When Mr. Doyle asked about the health risks of gay sex, she said it was "perfectly safe as long as you wear a condom," despite the fact that there is no condom approved by the Food and Drug Administration (FDA) for anal sex, and in spite of the fact that the Centers for Disease Control and Prevention recently reported that 94.9 percent of HIV diagnoses among teenage boys (13-19-years-old) were linked to gay sex and 94.1 percent of the cases among young men ages 20-24 were from gay sex. When Mr. Doyle said that he was not comfortable identifying as "gay," and would be interested in change, Dr. Gilligan said the "queer to questioning" group would be appropriate for him, implying that therapy or counseling for the purposes of change would be very harmful. Dr. Gilligan heavily discouraged Mr. Doyle from trying any therapy to reduce or eliminate any unwanted same-sex attractions. No resources were offered or made available, even after Mr. Doyle asked for brochures. Dr. Gilligan did, however, suggest that reading sports celebrities stories of "coming out of the closet" would help Mr. Doyle accept his homosexual feelings.

By establishing the LGBT Center at the Office of Student Activities and Involvement (and a brochure rack in the Center), the University has established a limited public forum for the purpose of distributing non-University literature concerning sexuality in general, and gay, lesbian, bi-sexual, and transgender sexuality in particular. In so doing, it has permitted literature expressing viewpoints on those matters to be distributed at this location in a public building. Mere disagreement with the content of speech or literature is an insufficient reason to deny access to a limited forum. It is axiomatic that the government may not regulate speech based on its substantive content or the message it conveys. Other principles follow from this precept.

Jonathan R. Alger
James Madison University
September 25, 2013
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In the realm of private speech or expression, government regulation may not favor one speaker over another. Discrimination against speech because of its message is presumed to be unconstitutional...when government targets not subject matter but particular views taken by speakers on a subject, the violation of the First Amendment is all the more blatant. Viewpoint discrimination is thus an egregious form of content discrimination. The government must abstain from regulating speech when the specific motivating ideology or the opinion or perspective of the speaker is the rationale for the restriction. *Rosenberger v. Rector and Visitors of the University of Virginia*, 515 U.S. 819, 828-29 (1995). When a government opens a forum for literature distribution, it must treat all persons and groups seeking to use the forum equally, regardless of their viewpoint. *Good News Club v. Milford Central School District*, 533 U.S. 98 (2001). The actions of the University, as carried out by Mr. Rheinheimer in refusing to mention the existence of ex-gay resources when repeatedly requested by an individual ostensibly experiencing confusion over his sexuality, or conflict between his sexuality and his faith, demonstrate that the University favors the speech of the LGBT community over the ex-gay community. The University has suppressed and deemed the viewpoints of ex-gays on human sexuality and sexual orientation as unworthy of exhibition and distribution by the University, while the viewpoints of gays and others are favored and deemed worthy by the University.

Liberty Counsel urges the University to include viewpoints from the ex-gay community - those individuals and organizations who have transcended the LGBT identification - on the same basis that it provides viewpoints from those currently identifying as LGBT. Not only does prohibiting ex-gay information at the Center harm students, it could lead to the University's exposure to unnecessary liability for civil rights violations.

For these reasons, we are asking you to **please respond to this letter in writing by October 25, 2013**, with assurances that materials provided by Mr. Doyle and other ex-gay individuals and organizations will be given equal treatment in the Center's literature distribution forum, on the same basis as those currently identifying as LGBT. If we do not receive such a response, we will conclude that the above-stated facts are an accurate representation of the positions and practices of the University, and will take further steps to prevent irreparable harm to the rights of our clients.

Jonathan R. Alger
James Madison University
September 25, 2013
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We appreciate your immediate attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard L. Mast, Jr.', with a large, stylized initial 'R' and 'M'.

Richard L. Mast, Jr.[†]

RLM:jml
CC
Via Email
Dr. Tammy Gilligan

gilligtd@jmu.edu

[†] Licensed in Virginia

Appendix E

From: Rheinheimer, Scott (smr9s) [<mailto:smr9s@eservices.virginia.edu>]
Sent: Friday, April 19, 2013 12:18 PM
To: PFOX
Subject: RE: Diversity and Inclusion

Hi Regina,

I currently have your material in my office available with other national and regional resources. We also have some PFOX general information material in the Center. I also read through this email chain and looked for a printable list of resources in my office (or the Center). I cannot find a list like that, however, I have a folder of a variety of resources (national and regional) that PFOX is included in. This summer, I will be working to condense and review a lot of these resources as some look out-of-date (or even defunct). After that, I may try to develop that list or update the website to reflect the approach I will take to information distribution.

As for books, I am checking into our procedure for collecting items for the library as I had another person offer to donate books earlier this month, too. I've only been in the position for 2 and a half months and am learning the process for such tasks.

I apologize for the wait on that, but I'll be in touch soon.

Scott

Scott Rheinheimer
Coordinator for the Lesbian, Gay, Bisexual, and Transgender Resource Center
University of Virginia
Newcomb Hall 164A
(434) 924-7447

From: PFOX [<mailto:PFOX@pfox.org>]
Sent: Friday, April 12, 2013 3:04 PM
To: Warwick, Edward (esw4f)
Cc: smr9s@virginia.edu
Subject: RE: Diversity and Inclusion

I have looked at your updated website for this school year and it does indeed show that the Center distributes a list of resources at http://www.virginia.edu/deanofstudents/lgbt/?page_id=19 (For a list of additional LGBTQ Resources (Virginia and National), please contact **Scott Rheinheimer**.)

We would like PFOX to be included in that list of resources.

We would also like ex-gay books to be included in the LGBT Resource Center Library. Currently, none are listed there. We would like to donate some ex-gay books for the students.

Thank you,

Regina

Regina Griggs
Executive Director
Parents and Friends of Ex-Gays & Gays
PFOX
pfox@pfox.org
804-453-4737

~ Supporting Equal Rights for the Ex-Gay Community ~

This message is intended for the individual(s) or entity(ies) named in the header that appears either at the beginning or at the conclusion of all material in this message (depending on your email software). This message may contain material that is privileged or confidential. If you are not the intended recipient, please do not read, copy, use or disclose this communication to others; also please notify the sender by replying to this message, and then delete it from your system. Thank you.

From: Warwick, Edward (esw4f) [<mailto:esw4f@eservices.virginia.edu>]
Sent: Wednesday, February 29, 2012 2:21 PM
To: PFOX
Subject: RE: Diversity and Inclusion

Ms. Griggs,

Sorry I overlooked your e-mail of January 25 until recently. In response to your questions and concerns, the LGBT Resource Center does not distribute a list of resources. We do make available on site brochures and information including yours.

Sincerely,

Ed Warwick

Edward S. Warwick
Program Coordinator, LGBT Student Services
Office of the Dean of Students
UNIVERSITY OF VIRGINIA
P.O. Box 400708
Charlottesville, VA 22904
p: 434.924.7133
f: 434.924.3889
e: edwarwick@virginia.edu

From: PFOX [<mailto:PFOX@pfox.org>]
Sent: Wednesday, January 25, 2012 6:10 PM
To: Warwick, Edward (esw4f)
Subject: RE: Diversity and Inclusion

Dear Mr. Warwick,

Thank you for your response.

Please list PFOX on your UVA list of additional LGBTQ Resources (Virginia and National), and please email us a copy of that list.

Again, we are concerned that none of UVA's resources provide any information for students with unwanted same sex attractions or gender confusion. How do students access such information or are made aware that it is available?

Sincerely,

Regina

Regina Griggs
Executive Director
Parents and Friends of E-Gays & Gays
PFOX
pfox@pfox.org

From: Warwick, Edward (esw4f) [<mailto:esw4f@eservices.virginia.edu>]
Sent: Tuesday, December 13, 2011 2:57 PM
To: PFOX
Subject: RE: Diversity and Inclusion

Dear Ms. Griggs,

I write in response to your email dated November 30 2001. Our Resource Center includes PFOX literature for access on the same basis as other information generally. You have requested that the updated PFOX literature be made available in the Center, and we will do so. Please send us your standard shipment of brochures and materials. We have recently revamped our web site, which entailed the removal of external links including the PFLAG link. Thank you for taking the time to write to us.

Sincerely,
Ed Warwick

Edward S. Warwick
Program Coordinator, LGBT Resource Center
Office of the Dean of Students
UNIVERSITY OF VIRGINIA
P.O. Box 400708
Charlottesville, VA 22904
p: 434.924.7133
f: 434.924.3889
e: edwarwick@virginia.edu

“Give Hope” through the 2011 Commonwealth of Virginia Campaign
www.virginia.edu/cvc

From: PFOX [<mailto:PFOX@pfox.org>]
Sent: Tuesday, November 29, 2011 6:31 PM
To: odos@virginia.edu; esw4f@virginia.edu
Subject: Diversity and Inclusion
Importance: High

University of Virginia
Office of the Dean of Students
Lesbian Gay Bisexual Transgender (LGBT)
c/o Mr. Edward Warwick
Coordinator for the LGBT Resource Center

Greetings! We are Parents and Friends of Ex-Gays & Gays (PFOX), a non-profit organization supporting families and the ex-gay community.

PFOX provides educational materials on same sex attractions, gender confusion, anti-bullying, and tolerance. We request that you include our updated brochures on these topics in your LGBT Resource Center and make them available to the students in a positive manner.

We also request that you include our website www.pfox.org on your website list of resources.

Your LGBT Resource Center does not provide any resources for students with unwanted same sex attractions or gender confusion. Nor are there any positive resources on the ex-gay community.

Therefore, in addition to our brochures, which have been distributed across the country, we would also like to donate ex-gay books and videos for the students' use. Copies of the brochures we wish to donate are at the below links:

<http://pfox.org/Tolerance-for-Ex-Gay-Community.pdf>
<http://pfox.org/Feelings-Change-Get-the-Facts%202009-01-19.pdf>
<http://pfox.org/Prevent-Bullying-at-School.pdf>
http://pfox.org/Can-Sexual-Origintation_Change.pdf
<http://pfox.org/Gender-Identity-Disorder-brochure-teens.pdf>

Please advise us to the number of brochures we can mail you.

Our best wishes for a successful school year.

Sincerely,

Regina

Regina Griggs
Executive Director
Parents and Friends of E-Gays & Gays
PFOX
pfox@pfox.org

Appendix F

FURTHER LGBTQ DEVELOPMENT

For your convenience, these resources are divided into categories according based on location. All internet sites for reading are under the national category. Organizations that have regional offices are listed under state resources.

University of Virginia/Charlottesville:

1. LGBTQ Center: <http://www.virginia.edu/deanofstudents/lgbt/>, (434)-982-2843
a. Scott Rheinheimer: scottr@virginia.edu 434-924-7447
2. Queer Student Union: <http://www.queeratuva.com/>
3. Queer and Allied Activism: <http://quaa.student.virginia.edu/>
4. Sigma Omicron Rho (Queer and Allied Fraternity):
<http://atuva.student.virginia.edu/organization/sigmaomicronrhoalphachapter>
5. Serpentine Society (LGBTQ Alumni):
<https://hoosonline.virginia.edu/site/c.jkITLcMTJtE/b.2806139/k.BEF9/Home.htm>
6. HELP Line: <http://www.student.virginia.edu/~madison/students/programs/helpline/index.html> 434-925-HELP
7. UVA Women's Center: <http://womenscenter.virginia.edu/> (434)-982-2361
8. Counseling and Psychological Services (CAPS): <http://www.virginia.edu/studenthealth/caps.html> (434)-243-5150 - *Bill Anderson - Gay + Bisexual Men's Support Group*
9. Planned Parenthood, Charlottesville: <http://www.plannedparenthood.org/health-center/centerDetails.asp?f=2815> (434)-296-1000
10. AIDS Services Group (ASG), Charlottesville: <http://www.aidservices.org/> (434)-979-7714
11. Sexual Assault Resource Agency (SARA): <http://www.sexualassaultresources.org/> Hotline: (434)-977-7273.
12. PFLAG Charlottesville/Blue Ridge: www.pflagblueridge.org (434)-923-9950

Virginia:

1. Equality Virginia: www.equalityvirginia.org (804)-643-4618
2. Richmond Organization of Sexual Minority Youth (ROSMY): www.rosmy.org (804)-644-4800, youth emergency hotline 888-644-4390
3. Fan Free Clinic (located in Richmond, offering low cost LGBTQ healthcare): 804-358-6343
4. Coalition for Transgender Rights in VA: <http://groups.yahoo.com/group/TransRightsVA/>
5. Lambda Legal Southern Regional Office (located in GA): <http://www.lambdalegal.org/states-regions/southern-regional-office.html> (404)-897-1880
6. Gay Community Center (Richmond): (804)-353-8890

National:

1. Human Rights Campaign (HRC): www.hrc.org
2. Parents, Friends and Family of Lesbians and Gays (PFLAG): www.pflag.org
3. Gay, Lesbian, and Straight Education Network (GLSEN): www.glsen.org
4. Campus Climate Index (Ranks Colleges/Universities according to LGBT accommodations):
www.campusclimateindex.org
5. American Bar Association, Commission on Sexual Orientation and Gender Identity:
http://www.americanbar.org/groups/sexual_orientation/contact_us.html
6. Gay and Lesbian Alliance Against Defamation (GLAAD): www.glaad.org
7. Human Rights Watch (HRW): www.hrw.org
8. Immigration Equality: www.immigrationequality.org
9. American Civil Liberties Union (ACLU): <http://www.aclu.org/lgbt-rights>
10. National Center for Transgender Equality: www.ntcequality.org
11. Transgender Law Center: www.transgenderlawcenter.org
12. National Gay and Lesbian Task Force (NGLT): www.thetaskforce.org

Pfox - Parents + Friends of exgays + gays - pfox.org

Appendix G



Post Office Box 540774
Orlando, FL 32854-0774
Telephone: 800-671-1776
Facsimile: 407-875-0770
www.LC.org

122 C St. N.W., Ste. 640
Washington, DC 20005
Telephone: 202-289-1776
Facsimile: 202-216-9656

Post Office Box 11108
Lynchburg, VA 24506-1108
Telephone: 434-592-7000
Facsimile: 434-592-7700
liberty@LC.org

Reply to: Virginia

September 25, 2013

Via U.S. Mail and E-Mail

Teresa Sullivan
Office of the President
University of Virginia
P.O. Box 400224
Charlottesville, VA 22904-4224
TAS6N@VIRGINIA.EDU

RE: Viewpoint discriminatory conduct by LGBTQ Student Services

Dear President Sullivan:

Liberty Counsel writes on behalf of Voice of the Voiceless ("VOV") and Christopher Doyle, President and Co-Founder of VOV. Mr. Doyle met with Scott Rheinheimer, Coordinator for LGBTQ Student Services, presenting as an LGBT student seeking anonymous counseling for unwanted homosexual feelings. Mr. Doyle documents Mr. Rheinheimer as having provided him with medically-inaccurate advice and biased counseling, and having refused to provide him with ex-gay resources. We write to urge the University to include all viewpoints on this issue and remind it and Mr. Rheinheimer that presenting only one viewpoint is not only wrong, but can cause harm to students.

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The mission of Voice of the Voiceless is to defend the rights of former homosexuals, individuals with unwanted same-sex attraction, and their families. VOV

Teresa Sullivan
University of Virginia
September 25, 2013
Page 2

also supports the faith-based community and works actively in the United States to defend the constitutional rights of all Americans to share their views of homosexuality in the public forum. VOV supports similar international efforts and provides assistance, whenever possible, to individuals and organizations abroad who align with VOV's mission and goals.

As I understand it, the University has established the LGBTQ Student Services center seeking to foster the development of LGBTQ students, faculty, staff, alumni, and allies. Among other things, the center offers counseling and literature regarding sexual orientation. Mr. Doyle recently visited the University's LGBTQ center, presenting as a graduate student seeking anonymous counseling and resources for unwanted homosexual feelings, and Mr. Rheinheimer refused to provide ex-gay resources or informational materials. When Mr. Doyle asked about changing his attractions, Mr. Rheinheimer said it could be harmful, and that he didn't recommend it. Mr. Rheinheimer also said the research shows that people are "born gay." Mr. Doyle asked multiple times for resources and information on change, and Mr. Rheinheimer could not provide any information. Mr. Doyle asked him where a conservative Christian with unwanted same-sex attractions would go to get information from a conservative perspective, and he said "Log Cabin Republicans." When Mr. Doyle asked about resources discussing the science and research about homosexuality, Mr. Rheinheimer said "go to The Huffington Post, which leads you to studies on the biology of homosexuality." When he gave Mr. Doyle a printed resource list of resources, no ex-gay organizations were on it, and as an afterthought, scribbled PFOX at the end (but it was not included on their list.) Mr. Rheinheimer also said he has no PFOX brochures because he didn't have enough to hand out. Last year, Mr. Rheinheimer told Regina Griggs from PFOX that the brochures were displayed in his office and in the Resource Center, yet when Mr. Doyle visited, they were nowhere to be found.

By establishing the Center (and a brochure rack in the Center), the University has established a limited public forum for the purpose of distributing non-University literature concerning sexuality in general, and gay, lesbian, bi-sexual, and transgender sexuality in particular. In so doing, it has permitted literature expressing viewpoints on those matters to be distributed at this location in a public building. Mere disagreement with the content of speech or literature is an insufficient reason to deny access to a limited forum. It is axiomatic that the government may not regulate speech based on its substantive content or the message it conveys. Other principles follow from this precept.

In the realm of private speech or expression, government regulation may not favor one speaker over another. Discrimination against speech because of its message is presumed to be unconstitutional...when government targets not subject matter but particular views taken by speakers on a subject, the violation of the First Amendment is

Teresa Sullivan
University of Virginia
September 25, 2013
Page 3

all the more blatant. Viewpoint discrimination is thus an egregious form of content discrimination. The government must abstain from regulating speech when the specific motivating ideology or the opinion or perspective of the speaker is the rationale for the restriction. *Rosenberger v. Rector and Visitors of the University of Virginia*, 515 U.S. 819, 828-29 (1995). When a government opens a forum for literature distribution, it must treat all persons and groups seeking to use the forum equally, regardless of their viewpoint. *Good News Club v. Milford Central School District*, 533 U.S. 98 (2001). The actions of the University, as carried out by Mr. Rheinheimer in refusing to mention the existence of ex-gay resources when repeatedly requested by an individual ostensibly experiencing confusion over his sexuality, or conflict between his sexuality and his faith, demonstrate that the University favors the speech of the LGBT community over the ex-gay community. The University has suppressed and deemed the viewpoints of ex-gays on human sexuality and sexual orientation as unworthy of exhibition and distribution by the University, while the viewpoints of gays and others are favored and deemed worthy by the University.

Liberty Counsel urges the University to include viewpoints from the ex-gay community - those individuals and organizations who have transcended the LGBT identification - on the same basis that it provides viewpoints from those currently identifying as LGBT. Not only does prohibiting ex-gay information at the Center harm students, it could lead to the University's exposure to unnecessary liability for civil rights violations.

For these reasons, we are asking you to **please respond to this letter in writing by October 25, 2013**, with assurances that materials provided by Mr. Doyle and other ex-gay individuals and organizations will be given equal treatment in the Center's literature distribution forum, on the same basis as those currently identifying as LGBT. If we do not receive such a response, we will conclude that the above-stated facts are an accurate representation of the positions and practices of the University, and will take further steps to prevent irreparable harm to the rights of our clients.

We appreciate your immediate attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard L. Mast, Jr.', with a horizontal line underneath.

Richard L. Mast, Jr.[†]

[†] Licensed in Virginia

Teresa Sullivan
University of Virginia
September 25, 2013
Page 4

RLM:jml
CC
Via Email
Scott Rheinmeir

scottr@virginia.edu

Appendix H

LGBTQ Organizations:

*Queer Action is a student organization that is not only a social group but is also involved in activism as well. They are involved in both campus and off campus events promoting awareness and participating in community activities. They meet every Thursday in the Commons- Forum Room from 8-10pm. Facebook page: <https://www.facebook.com/groups/QAVCU/> and e-mail: queeractionvcu@gmail.com

*Equality VCU is comprised of students, faculty, and staff as well as allies and friends who are working towards promoting inclusivity at VCU. If you would like more information or to join you can e-mail them at equality@vcu.edu. Their next meeting is on September 17th in the Commons- Shockoe Room from 12-1pm. Or check out their Facebook page: <https://www.facebook.com/groups/vculgbt/>

*Student Equality is a student organization that involves a social community among the VCU LGBTQIA community and allies. They also work to raise awareness of LGBTQIA issues and seek equality. They meet every other week at 7pm, in the Office of Multicultural Student Affairs, Suite 215. (Next meeting is September 25th). Facebook page: <https://www.facebook.com/groups/StudentEqualityVCU/> and e-mail: vcustudentequality@gmail.com

*LGBTQIA & Allied Social Work Group provides a safe space to discuss LGBTQIA topics and engage in advocacy efforts. This organization also seeks to promote awareness of LGBTQIA topics within the VCU social work community through advocacy, curricula building, education and social events. They meet the last Thursday of every month at 7pm in the Commons-Forum Room. Facebook page: <https://www.facebook.com/pages/Lgbtqia-and-Allied-Social-Work-Group-VCU/265089666970180> and e-mail: lgbtqiaavcu@outlook.com

OMSA Services:

* LGBT Group Discussions-

- Every Wednesday from 3-5pm in the Metro Room in the Commons starting September 18th.

LGBT Film Discussions-

- Every Friday from ~~8-9~~¹²⁻²pm in the Shockoe Room in the Commons starting September 20th.

Safe and welcoming environment for students to discuss topics, current events, and issues that the LGBT community face as well as provide an opportunity to share experiences, explore ones' identity and express problems or concerns.

For questions contact OMSA at omsa@vcu.edu or

the LGBT & Women's Services Graduate Assistant, Lorin Hoisington at hoisingtonle@vcu.edu

Appendix I



Post Office Box 540774
Orlando, FL 32854-0774
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www.LC.org

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Post Office Box 11108
Lynchburg, VA 24506-1108
Telephone: 434•592•7000
Facsimile: 434•592•7700
liberty@LC.org

Reply to: Virginia

September 26, 2013

Via U.S. Mail and E-Mail

Michael Rao, Ph.D.
Office of the President
Virginia Commonwealth University
P.O. Box 842512
Richmond, Virginia 23284-2512
RAO1M@VCU.EDU

RE: Viewpoint discriminatory conduct by LGBTQ center

Dear Mr. Rao:

Liberty Counsel writes on behalf of Voice of the Voiceless ("VOV") and Christopher Doyle, President and Co-Founder of VOV. Mr. Doyle met with Lorin Hoisington, Graduate Assistant for LGBT & Women's Services, as a student seeking anonymous counseling for unwanted homosexual feelings. Mr. Doyle documents Ms. Hoisington as having provided him with medically-inaccurate advice and biased counseling, and having refused to provide him with ex-gay resources for students who experience unwanted homosexual feelings. We write to urge the University to include all viewpoints on this issue and remind it and Ms. Hoisington that presenting only one viewpoint is not only wrong, but can cause harm to students.

By way of brief introduction, Liberty Counsel is a civil liberties litigation, education and policy organization with headquarters in Orlando, Florida, and offices in Washington, D.C., California and Virginia. Much of our work involves defending First Amendment rights for distribution of literature in public places. We have had much success in litigating access to literature distribution forums where access has been denied by public officials, especially in public education institutions.

The mission of Voice of the Voiceless is to defend the rights of former homosexuals, individuals with unwanted same-sex attraction, and their families. VOV

Michael Rao, Ph.D.
Virginia Commonwealth University
September 26, 2013
Page 2

also supports the faith-based community and works actively in the United States to defend the constitutional rights of all Americans to share their views of homosexuality in the public forum. VOV supports similar international efforts and provides assistance, whenever possible, to individuals and organizations abroad who align with VOV's mission and goals.

As I understand it, the University has established as part of the multicultural center an LGBTQ center that seeks to foster the development of LGBTQ students, faculty, staff, alumni, and allies. Among other things, the center offers counseling and literature regarding sexual orientation. Mr. Doyle visited the University's LGBTQ center, presenting as a graduate student seeking anonymous counseling for unwanted homosexual feelings, and Ms. Hoisington, the co-director of the center, refused to provide an ex-gay referrals or materials. Ms. Hoisington talked casually about transgender issues and gender change as if it were no problem, but said changing sexual orientation would be difficult and claimed not to know anything about it. Despite his requests for referrals to materials consistent with his desires for self-expression, she only offered Mr. Doyle gay-affirming counseling referrals and gay-affirming groups to attend on campus.

By establishing a brochure rack in the Center, the University has established a limited public forum for the purpose of distributing non-University literature concerning sexuality in general, and gay, lesbian, bi-sexual, and transgender sexuality in particular. In so doing, it has permitted literature expressing viewpoints on those matters to be distributed at this location in a public building. Mere disagreement with the content of speech or literature is an insufficient reason to deny access to a limited forum. It is axiomatic that the government may not regulate speech based on its substantive content or the message it conveys. Other principles follow from this precept.

In the realm of private speech or expression, government regulation may not favor one speaker over another. Discrimination against speech because of its message is presumed to be unconstitutional...when government targets not subject matter but particular views taken by speakers on a subject, the violation of the First Amendment is all the more blatant. Viewpoint discrimination is thus an egregious form of content discrimination. The government must abstain from regulating speech when the specific motivating ideology or the opinion or perspective of the speaker is the rationale for the restriction. *Rosenberger v. Rector and Visitors of the University of Virginia*, 515 U.S. 819, 828-29 (1995). When a government opens a forum for literature distribution, it must treat all persons and groups seeking to use the forum equally, regardless of their viewpoint. *Good News Club v. Milford Central School District*, 533 U.S. 98 (2001). The actions of the University, as carried out by Ms. Hoisington in refusing to even mention the existence of ex-gay resources when requested by an individual ostensibly

Michael Rao, Ph.D.
Virginia Commonwealth University
September 26, 2013
Page 3

experiencing confusion over his sexuality, or conflict between his sexuality and his faith, demonstrate that the University favors the speech of the LGBT community over the ex-gay community. The University has suppressed and deemed the viewpoints of ex-gays on human sexuality and sexual orientation as unworthy of exhibition and distribution by the University, while the viewpoints of gays and others are favored and deemed worthy by the University.

Liberty Counsel urges the University to include viewpoints from the ex-gay community - those individuals and organizations who have transcended the LGBT identification - on the same basis that it provides viewpoints from those currently identifying as LGBT. Not only does prohibiting ex-gay information at the Center harm students, it could lead to the University's exposure to unnecessary liability for civil rights violations.

For these reasons, we are asking you to **please respond to this letter in writing by October 26, 2013**, with assurances that Mr. Doyle and other ex-gay individuals and organizations will be given access to the Center's literature distribution forum, on the same basis as those currently identifying as LGBT. If we do not receive such a response, we will conclude that the above-stated facts are an accurate representation of the positions of the University, and will take further steps to prevent irreparable harm to the rights of our clients.

We appreciate your immediate attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard L. Mast, Jr.", with a stylized flourish at the end.

Richard L. Mast, Jr.[†]

RLM:jml

CC

Via Email

Lorin Hoisington

hoisingtonle@vcu.edu

[†] Licensed in Virginia

Appendix J

“It’s My Choice To Change”

IF SOMEONE CHANGES THEIR ADDRESS,
 MAYBE CHANGES AN ATTITUDE,
 OR EVEN CHANGES THEIR JOB,
 YOU’D STILL RESPECT THEM, RIGHT?
 SO WHY NOT RESPECT ME WHEN
 I DECIDE TO LEAVE HOMOSEXUALITY?
 I CHOSE TO CHANGE FROM GAY TO STRAIGHT.
 IF THAT CHOICE ISN’T FOR YOU,
 AT LEAST CHANGE YOUR MIND
 ABOUT ME.

— Amy



PFOX: PARENTS AND FRIENDS OF GAYS CHOOSING CHANGE
 FOR MORE INFORMATION OR QUESTIONS ABOUT CHANGE CALL 703-360-2225 WWW.PFOX.ORG

CFC #7582
 COMBINED
 FEDERAL
 CAMPAIGN

This space is provided by WMATA as a public service. WMATA does not endorse any product, service, event or ideology conveyed in this message.

“I Chose To Change.”

I make choices everyday...
 Where to eat. What to wear. Who to see.
 But as a gay man I never thought
 I could change WHO I was.
 Until I realized change was a choice...
 and I chose to change from gay to straight.

It may not be a decision
 you want to make,
 but you should know
 thousands of us already have.

Please respect our choice.

Chris ~ Tennessee



PFOX: PARENTS AND FRIENDS OF GAYS CHOOSING CHANGE
 FOR MORE INFORMATION OR QUESTIONS ABOUT CHANGE CALL 703-360-2225 WWW.PFOX.ORG

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 CAMPAIGN

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Appendix K



Contact us at: 757 683 4328
or oduout@oduour.com

Stop by and visit our office in
Webb's Ucenter: Room 1059

Like us on Facebook at
www.facebook.com/oduour

ODU OUT is a student based organization that seeks to create a more accepting environment for LGBTQA individuals on Old Dominion University's Campus as well as the surrounding communities. We hope to accomplish this by hosting fun, engaging events that also help to promote education of LGBTQA issues.



Appendix L



Post Office Box 540774
Orlando, FL 32854-0774
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Post Office Box 11108
Lynchburg, VA 24506-1108
Telephone: 434•592•7000
Facsimile: 434•592•7700
liberty@LC.org

Reply to: Virginia

September 27, 2013

Via U.S. Mail and E-Mail

John R. Broderick
Office of the President
Old Dominion University
200 Koch Hall
Norfolk , VA 23529
JBRODERI@ODU.EDU

RE: Viewpoint discriminatory conduct at ODU Safe Space and Out Student Alliance

Dear President Broderick:

Liberty Counsel writes on behalf of Voice of the Voiceless ("VOV") and Christopher Doyle, President and Co-Founder of VOV. Recently, a VOV representative, Chuck Peters, called the ODU Division of Student Engagement and Enrollment Services' "ODU Safe Space" program, presenting as an LGBT student seeking anonymous counseling for unwanted homosexual feelings. Enrollment Services referred Mr. Peters to Ian McGowan of the ODU Out Student Alliance¹. Mr. Peters reports that upon meeting with Mr. McGowan, Mr. McGowan provided him with medically-inaccurate advice and biased counseling, and refused to provide him with ex-gay resources. We write to urge the University to be inclusive of all viewpoints on this issue, and to also require ODU's Safe Space to provide students conflicted about their sexuality with resources of and referrals to organizations like PFoX, in addition to placing links to PFoX and other ex-gay resources and organizations on the ODU LGBTQ Community Diversity Resources² and ODU Safe Space³ webpages.

¹ <http://odu.orgsync.com/org/oduout/Officers>

² <http://www.odu.edu/life/diversity/resources/lgbtqa>

³ <http://ww2.studentaffairs.odu.edu/safespace/>

John R. Broderick
Old Dominion University
September 27, 2013
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By way of brief introduction, Liberty Counsel is a civil liberties litigation, education and policy organization with headquarters in Orlando, Florida, and offices in Washington, D.C., California and Virginia. Much of our work involves defending First Amendment rights for distribution of literature in public places. We have had much success in litigating access to literature distribution forums where access has been denied by public officials, especially in public education institutions.

The mission of Voice of the Voiceless is to defend the rights of former homosexuals, individuals with unwanted same-sex attraction, and their families. VOV also supports the faith-based community and works actively in the United States to defend the constitutional rights of all Americans to share their views of homosexuality in the public forum. VOV supports similar international efforts and provides assistance, whenever possible, to individuals and organizations abroad who align with VOV's mission and goals.

As I understand it, the University established the ODU LGBTQ Community Diversity Resources and ODU Safe Space to provide resources and an open, safe, and accepting space for individuals with minority sexual orientations, in addition to those who are questioning their sexual orientation. The ODU Safe Space offers a variety of resources regarding sexual orientation, but as of the writing of this letter, only from organizations espousing one viewpoint on homosexuality.

Having found no links on the above ODU webpages to organizations for ex-gays or organizations assisting individuals with unwanted same-sex attractions, Mr. Peters sought out the ODU Safe Space for counseling related to Mr. Peters' ostensible unwanted homosexual feelings, and was referred to the ODU Out Student Alliance. Mr. Peters visited ODU Out and met with Ian McGowan, presenting as a graduate student seeking anonymous counseling and resources for unwanted homosexual feelings. Mr. McGowan implied Mr. Peters' sexual orientation couldn't be changed; stated that efforts to change were "brainwashing" and just "praying away the gay;" and stated that therapy to help people change is "not valid." Mr. Peters and Mr. Doyle were concerned by this apparent bias, and contacted Liberty Counsel.

By establishing the ODU LGBTQ Community Diversity Resources and the ODU Safe Space, the University has established a limited public forum for the purpose of providing non-University resources for issues surrounding sexual orientation. The University provides resources from and links to organizations espousing the belief that an individual should express his or her same-sex attractions. Therefore, ODU cannot discriminate against the viewpoint of those who have provided resources to the ODU Safe Space for those questioning their homosexual attractions and feelings.

John R. Broderick
Old Dominion University
September 27, 2013
Page 3

Since government may not regulate speech based on its substantive content or the message it conveys, in the realm of private speech or expression, government regulation may not favor one speaker over another. Discrimination against speech because of its message is presumed to be unconstitutional...when government targets not subject matter but particular views taken by speakers on a subject, the violation of the First Amendment is all the more blatant. Viewpoint discrimination is thus an egregious form of content discrimination. The government must abstain from regulating speech when the specific motivating ideology or the opinion or perspective of the speaker is the rationale for the restriction. *Rosenberger v. Rector and Visitors of the University of Virginia*, 515 U.S. 819, 828-29 (1995). When a government opens a forum for literature distribution, it must treat all persons and groups seeking to use the forum equally, regardless of their viewpoint. *Good News Club v. Milford Central School District*, 533 U.S. 98 (2001). The actions of the University, as carried out by ODU Safe Space in refusing to mention the existence of ex-gay resources when repeatedly requested by an individual ostensibly experiencing confusion over his sexuality, or conflict between his sexuality and his faith, demonstrate that the University favors the speech of the LGBT community over the ex-gay community. The University has suppressed and deemed the viewpoints of ex-gays on human sexuality and sexual orientation as unworthy of exhibition and distribution by the University, while the viewpoints of gays and others are favored and deemed worthy by the University.

Liberty Counsel urges the University to include viewpoints from the ex-gay community - those individuals and organizations who have transcended the LGBT identification - on the same basis that it provides viewpoints from those currently identifying as LGBT. Not only does prohibiting ex-gay information through ODU's Safe Space harm students, it could lead to the University's exposure to unnecessary liability for civil rights violations.

For these reasons, we are asking you to **please respond to this letter in writing by October 28, 2013**, with assurances that Mr. Doyle, Mr. Peters and other ex-gay individuals and organizations will be given access to the literature distribution and referral fora of ODU LGBTQ Community Diversity Resources and the ODU Safe Space, on the same basis as those currently identifying as LGBT, to include internet links and resources. If we do not receive such a response, we will conclude that the above-stated facts are an accurate representation of the positions of the University.

John R. Broderick
Old Dominion University
September 27, 2013
Page 4

We appreciate your immediate attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard L. Mast, Jr.', with a large, stylized initial 'R' and 'M'.

Richard L. Mast, Jr.[†]

RLM:jml

CC

Via Email

Ian McGowan

Lesa Clark

safespace@odu.edu

lclark@odu.edu

[†] Licensed in Virginia

Appendix M



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Telephone: 434•592•7000
Facsimile: 434•592•7700
liberty@LC.org

Reply to: Virginia

September 26, 2013

Via U.S. Mail and E-Mail

Taylor Reveley
Office of the President
College of William and Mary
P.O. Box 8795
Williamsburg, VA 23187-8795
taylor@wm.edu

RE: Viewpoint discriminatory conduct by LGBTQ Center

Dear Mr. Reveley:

Liberty Counsel writes on behalf of Voice of the Voiceless ("VOV") and Christopher Doyle, President and Co-Founder of VOV. Chuck Peters, a representative of VOV, met with Margie Cook, the Assistant Director of the Center for Student Diversity, presenting as an LGBTQ student seeking anonymous counseling for unwanted homosexual feelings. Mr. Peters documents Ms. Cook as having provided him with medically-inaccurate advice and biased counseling, and having refused to provide him with ex-gay resources for students who experience unwanted homosexual feelings. We write to urge the University to include all viewpoints on this issue and remind it and Ms. Cook that presenting only one viewpoint is not only wrong, but can cause harm to students.

By way of brief introduction, Liberty Counsel is a civil liberties litigation, education and policy organization with headquarters in Orlando, Florida, and offices in Washington, D.C., California and Virginia. Much of our work involves defending First Amendment rights for distribution of literature in public places. We have had much success in litigating access to literature distribution forums where access has been denied by public officials, especially in public education institutions.

Taylor Reveley
College of William and Mary
September 26, 2013
Page 2

The mission of Voice of the Voiceless is to defend the rights of former homosexuals, individuals with unwanted same-sex attraction, and their families. VOV also supports the faith-based community and works actively in the United States to defend the constitutional rights of all Americans to share their views of homosexuality in the public forum. VOV supports similar international efforts and provides assistance, whenever possible, to individuals and organizations abroad who align with VOV's mission and goals.

As I understand it, the University has established an LGBTQ Center that seeks to foster the development of LGBTQ students, faculty, staff, alumni, and allies. Among other things, the center offers counseling and literature regarding sexual orientation. Mr. Peters visited the University's LGBTQ Center, presenting as a graduate student seeking anonymous counseling for unwanted homosexual feelings at the Center. Mr. Peters was told that if he went into therapy to change sexual orientation, it could cause harm because he may be leading a "double life," and cause harm to him and his wife, with no regard to his ostensible desires to maintain his marriage in a loving, committed, monogamous relationship. Despite his requests, no options were given to him about change therapy, and no literature or resources were given to him consistent with his religious beliefs. No referrals or suggestions were provided of where he could go to support him in sexual orientation change efforts, and the only referral was to the counseling center to help him "understand himself better."

By establishing a brochure rack in the Center and providing web links to outside resources, the University has established a limited public forum for the purpose of distributing non-University literature concerning sexuality in general, and gay, lesbian, bi-sexual, and transgender sexuality in particular. In so doing, it has permitted literature expressing viewpoints on those matters to be distributed at this location in a public building and on the web. Mere disagreement with the content of speech or literature is an insufficient reason to deny access to a limited forum. It is axiomatic that the government may not regulate speech based on its substantive content or the message it conveys. Other principles follow from this precept.

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Taylor Reveley
College of William and Mary
September 25, 2013
Page 3

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Liberty Counsel urges the University to include viewpoints from the ex-gay community - those individuals and organizations who have transcended the LGBT identification - on the same basis that it provides viewpoints from those currently identifying as LGBT. Not only does prohibiting ex-gay information at the Center harm students, it could lead to the University's exposure to unnecessary liability for civil rights violations.

For these reasons, we are asking you to **please respond to this letter in writing by October 25, 2013**, with assurances that Mr. Doyle, Mr. Peters and other ex-gay individuals and organizations will be given access to the Center's literature distribution forum, on the same basis as those currently identifying as LGBT, to include internet links and resources. If we do not receive such a response, we will conclude that the above-stated facts are an accurate representation of the positions of the University, and will take further steps to prevent irreparable harm to the rights of our clients.

We appreciate your immediate attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard L. Mast, Jr.', with a stylized flourish at the end.

Richard L. Mast, Jr.[†]

RLM:jml

CC

[†] Licensed in Virginia

Taylor Reveley
College of William and Mary
September 26, 2013
Page 4

Via Email

Margie Cook,
Assistant Director, Center for Student Diversity

mmcook@wm.edu