

Supreme Court Sides With Christian Counselor, Strikes Down Colorado 'Conversion Therapy' Ban



BY TYLER DURDEN

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In a landmark 8-1 decision issued today, the Supreme Court sided with a Christian mental health counselor - **ruling that Colorado's law banning "conversion therapy" violates the First Amendment.**



A transgender rights supporter takes part in a rally outside of the U.S. Supreme Court in December. The court on Tuesday heard arguments in a conversion therapy ban case out of Colorado. (Photo by Kevin Dietsch/Getty

The majority held that Colorado's 2019 law unconstitutionally discriminates on the basis of viewpoint by allowing counselors to affirm and support clients exploring gender transition or identity while prohibiting any talk-therapy efforts to help clients reduce unwanted same-sex attractions, change sexual behaviors, or align their gender identity with their biological sex.

The solo dissent being (drumroll...) Ketanji Brown Jackson.

BREAKING: In an 8-1 ruling, the Supreme Court announced this morning that Colorado's ban on so-called conversion therapy violates First Amendment free speech rights. Gorsuch wrote the majority opinion. Jackson was the lone dissent.

"The First Amendment stands as a bulwark... pic.twitter.com/roTX2k7NkB

— Sean Davis (@seanmdav) [March 31, 2026](#)

Writing for the majority, **Justice Neil Gorsuch declared that Colorado's statute "regulates speech based on viewpoint"** by permitting counselors to affirm clients' gender transitions or identity exploration while prohibiting any efforts to help clients reduce same-sex attractions, change sexual behaviors, or align their gender identity with their biological sex. ***The decision reverses the U.S. Court of Appeals for the Tenth Circuit*** and remands the case for further proceedings consistent with rigorous First Amendment scrutiny.

"Colorado's law permits her to express acceptance and support for clients exploring their identity or undergoing gender transition," Gorsuch wrote. "but forbids her from saying anything that attempts to change a client's 'sexual orientation or gender identity,' including efforts to change 'behaviors,' 'gender expressions,' or 'romantic attraction[s].'"

He emphasized that **speech does not lose constitutional protection merely because the government labels it "treatment" or "therapeutic modality."** "The First Amendment is no

word game,” the opinion states, citing *NAACP v. Button* (1963).

Jackson, meanwhile, wrote that the decision "opens a dangerous can of worms" that "threatens to impair states' ability to regulate the provision of medical care in any respect."

"In the worst-case scenario, our medical system unravels as various licensed healthcare professionals — talk therapists, psychiatrists, and presumably anyone else who claims to utilize speech when administering treatments to patients — start broadly wielding their new-found constitutional right to provide substandard medical care."

Unsurprisingly, *Axios* agrees with Jackson - writing that the decision "has implications beyond the Colorado therapy sessions by setting precedent that therapists' conversations with patients are regarded as a form of constitutionally protected speech and rolling back protections for LGBTQ+ youth."

Background

Chiles is a licensed professional counselor in Colorado Springs and a practicing Christian. She holds a master's degree in clinical mental health and provides exclusively talk therapy—no medications, physical interventions, or coercive techniques. As described in the case, she does not approach sessions with predetermined outcomes. Instead, she listens to clients, including minors, as they articulate their own goals and works with them to pursue those objectives while respecting their autonomy.

Many clients seek her out specifically for her faith-integrated approach. Chiles has said she believes people flourish when they live in alignment with God's design, including their biological sex. Some clients want support affirming their current identity, while others seek help reducing unwanted same-sex attractions, changing behaviors, or finding greater alignment with their bodies.

In 2019, Colorado enacted a law prohibiting licensed counselors from engaging in "conversion therapy" with minors. The statute broadly bans practices aimed at changing a minor's sexual orientation or gender identity, including efforts to alter behaviors, gender

expression, or reduce same-sex attractions. At the same time, it expressly allows counselors to provide “acceptance, support, and understanding” for identity exploration and to assist individuals undergoing gender transition.

Chiles filed suit in federal court in 2022, seeking a preliminary injunction limited to her talk-therapy practice. **Both the district court and the Tenth Circuit found she had Article III standing but denied relief**, ruling that the law regulated professional conduct and only incidentally burdened speech, so it needed only rational-basis review. Judge Harris Hartz dissented in the Tenth Circuit. The Supreme Court granted certiorari to resolve the circuit split, heard argument on October 7, 2025, and issued its 8-1 decision today.

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