#### In the

## Supreme Court of the United States

#### KALEY CHILES,

Petitioner,

v.

PATTY SALAZAR, IN HER OFFICIAL CAPACITY AS EXECUTIVE DIRECTOR OF THE COLORADO DEPARTMENT OF REGULATORY AGENCIES, et al.,

Respondents.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT

# BRIEF OF AMICI CURIAE JOSEPH NICOLOSI JR., PH.D., AND THE REINTEGRATIVE THERAPY ASSOCIATION, INC. IN SUPPORT OF PETITIONER

Jeffrey M. Trissell
Counsel of Record
Charles S. Limandri
Paul M. Jonna
Limandri & Jonna LLP
P.O. Box 9120
Rancho Santa Fe, CA 92067
(858) 759-9930
jtrissell@limandri.com

THOMAS BREJCHA
PETER BREEN
THOMAS MORE SOCIETY
309 West Washington Street,
Suite 1250
Chicago, IL 60606

Counsel for Amici Curiae Joseph Nicolosi Jr., Ph.D., and the Reintegrative Therapy Association, Inc.

120454



#### **QUESTION PRESENTED**

Laws banning so-called "conversion therapy" are vague and overbroad. Such laws restrict therapists' speech and practice, expose therapists to threats and legal harassment, prevent the provision of evidence-based treatments, and hinder vital research. Dr. Nicolosi's experiences—facing a Board of Psychology investigation, personal threats, and barriers to his non-profit organization's educational work—illustrate these harms, which extend to countless other therapists and clients.

#### The question presented is:

Whether a law that censors certain conversations between counselors and their clients based on the viewpoints expressed regulates conduct or violates the Free Speech Clause.

#### TABLE OF CONTENTS

|       | Page  |
|-------|---|
| QUEST | TION PRESENTEDi   |
| TABLE | E OF CONTENTS ii  |
| TABLE | E OF APPENDICESiv   |
| TABLE | E OF CITED AUTHORITIESv   |
| INTER | REST OF AMICI CURIAE1   |
| SUMM  | ARY OF ARGUMENT2  |
| ARGUI | MENT2   |
|       | "Conversion Therapy" Bans Are Inherently<br>Vague and Have Multiple Definitions2                        |
| ]     | The Vagueness of "Conversion Therapy" Bans Creates a Chilling Effect on Therapists' Speech and Practice |
| 1     | "Conversion Therapy" Bans Have Led to Threats and Legal Challenges for Therapists                       |
| r     | "Conversion Therapy" Bans Prevent Therapists from Providing Evidence-Based Treatments                   |

## iii

## $Table\ of\ Contents$

|      | Page   |
|------|--|
| V.   | Conversion Therapy Bans Hinder Research on Sexual-Attraction Changes |
| CONO | CLUSION10  |

#### TABLE OF APPENDICES

| Pag                                | je |
|------------------------------------|----|
| APPENDIX A—REINTEGRATIVE THERAPY   |    |
| ASSOCIATION FLYER1                 | a  |
| APPENDIX B — CALIFORNIA BOARD      |    |
| OF PSYCHOLOGY LETTER, DATED        |    |
| JANUARY 10, 2023                   | a  |
| APPENDIX C — CALIFORNIA DEPARTMENT |    |
| OF CONSUMER AFFAIRS INVESTIGATION  |    |
| LETTER, DATED SEPTEMBER 28, 20237  | 'a |
| APPENDIX D — CALIFORNIA BOARD      |    |
| OF PSYCHOLOGY CLOSURE OF           |    |
| INVESTIGATION LETTER, DATED        |    |
| AUGUST 30, 20249                   | a  |
| APPENDIX E — POLICE REPORT,        |    |
| DATED DECEMBER 9 2021 10           | 19 |

#### TABLE OF CITED AUTHORITIES

| Page  |
|---|
| <b>Constitutional Provisions</b>  |
| U.S. Const. amend. I  |
| Statutes, Rules and Other Authorities   |
| Ariz. Exec. Order No. 2023-13(3)  |
| Cal. Bus. & Prof. Code § 865  |
| Cal. Stats. 2012, ch. 835, § 1(f)   |
| Cal. Stats. 2012, ch. 835, § 2  |
| Colo. Rev. Stat. § 12-245-202   |
| Sup. Ct. R. 37.6  |
| App'x Ex. 1, "Conversion therapy" vs.  Reintegrative Therapy®, Reintegrative Therapy Association  |
| App'x Ex. 2, Letter from California Board of Psychology, Enforcement Unit, to Joseph Nicolosi Jr. (Jan. 10, 2023)                                   |
| App'x Ex. 3, Letter from California Department of Consumer Affairs, Broughton O'Keefe, Special Investigator, to Joseph Nicolosi Jr. (Sep. 28, 2023) |

#### $Cited\ Authorities$

| Page  |
|---|
| App'x Ex. 4, Letter from California Board of Psychology, Enforcement Unit, to Joseph Nicolosi Jr. (Aug. 30, 2024)   |
| App'x Ex. 5, Ventura County Sheriff's Office<br>Police Report No. 2021-164127 (Dec. 6, 2021)7   |
| Joseph Nicolosi Jr. & Christopher Rosik, Pilot results of the Reintegrative Protocol in the Treatment of Binge Eating. 11 J. Psych. & Psychother. 412 (2021)                              |
| Joseph Nicolosi Jr. & Jacek Szanduła, Memory<br>Reconsolidation for Unwanted Sexually<br>Arousing Memories: A Randomized, Placebo-<br>Controlled Study, 2 Integratus 287 (2024)1, 6, 7, 8 |
| Carolyn Pela & Philip Sutton, Presentation at the Alliance Training Institute Annual Conference: Sexual Attraction Fluidity and Well-being in Men (Sep. 27, 2019)                         |
| Carolyn Pela & Philip Sutton, Sexual Attraction<br>Fluidity and Well-Being in Men: A Therapeutic<br>Outcome Study, 12 J. Hum. Sex. 61 (2021)1, 6, 7, 8                                    |
| Sexual Orientation and Gender Identity Issues Committee, Conversion Therapy, American Academy of Child & Adolescent Psychology (Feb. 2018)  |

### vii

#### $Cited\ Authorities$

|   | Page |
|---|------|
| Kenichi Shimokawa, et al., Enhancing treatment    |      |
| outcome of patients at risk of treatment failure: |      |
| Meta-analytic and mega-analytic review of         |      |
| a psychotherapy quality assurance system,         |      |
| 78 J. Consult. & Clin. Psych. 298 (2010)          | 7    |

#### INTEREST OF AMICI CURIAE<sup>1</sup>

Joseph Nicolosi Jr., Ph.D., is a licensed clinical psychologist in California and serves as the clinical director of a psychological clinic that treats traumatic memories, including those of individuals with unwanted same-sex attractions. Dr. Nicolosi is also the president of the Reintegrative Therapy Association, Inc., a California 501(c)3 non-profit Corporation that offers training in proprietary Reintegrative Therapy® psychological services to mental health professionals. See https://www.reintegrativetherapy.com/.

Although sexual-attraction change is not a goal of Reintegrative Therapy®, sexual-attraction change is a known byproduct. See Carolyn Pela & Philip Sutton, Sexual Attraction Fluidity and Well-Being in Men: A Therapeutic Outcome Study, 12 J. Hum. Sex. 61 (2021); Joseph Nicolosi Jr. & Jacek Szanduła, Memory Reconsolidation for Unwanted Sexually Arousing Memories: A Randomized, Placebo-Controlled Study, 2 Integratus 287 (2024).

*Amici* submit this brief to provide the Court with critical insight into the laws banning so-called "conversion therapy" and the negative effect of these laws on professional therapists, researchers, and clients. These bans have resulted in a chilling effect on *amici*'s scientific research and the therapeutic work of their colleagues, who fear being accused of conducting any form of therapy that

<sup>1.</sup> Per Rule 37.6, counsel affirms that no counsel for any party authored any portion of this brief and that nobody other than *amici* or counsel made a monetary contribution to fund this brief.

results in a decrease in their clients' unwanted same-sex attractions.

#### SUMMARY OF ARGUMENT

Laws banning so-called "conversion therapy"—a term that has changed significantly in meaning over the past 30 years—violate the First Amendment rights of therapists and researchers by restricting their freedom of speech and professional practice. These laws employ vague and overbroad language, creating an effect that deters therapists from engaging in evidence-based treatments and open discourse with clients. By prohibiting therapists from offering treatments supported by peer-reviewed studies and denying clients access to such options, these laws unconstitutionally infringe on both the speech rights of practitioners and the rights of clients to receive information and care aligned with their own values and goals.

#### ARGUMENT

# I. "Conversion Therapy" Bans Are Inherently Vague and Have Multiple Definitions

In 2012, California became the first state in the nation to ban so-called "conversion therapy" for minors when it enacted SB 1172. That bill specifically prohibited "sexual orientation change efforts," defined as any treatment "that seek[s] to change an individual's sexual orientation" including by "reduc[ing] sexual or romantic attractions or feelings toward individuals of the same sex." Cal. Stats. 2012, ch. 835, § 2; Cal. Bus. & Prof. Code § 865. This ban was premised primarily on the alleged ineffectiveness of

conversion therapy, quoting the American Academy of Pediatrics for the statement that "[t]herapy directed at specifically changing sexual orientation is contraindicated, since it can provoke guilt and anxiety while having little or no potential for achieving changes in orientation." Cal. Stats. 2012, ch. 835, § 1(f).

Since that time, several states have followed suit, including Colorado, which expanded the definition to include any therapy "that attempts or purports to change an individual's sexual orientation or gender identity." Colo. Rev. Stat. § 12-245-202 (emphasis added). And more recently, "conversion therapy" has been alternately defined as "any 'therapeutic intervention' operating under the premise that a specific sexual orientation, gender identity, and/or gender expression is pathological." Sexual Orientation and Gender Identity Issues Committee, Conversion Therapy, American Academy of Child & Adolescent Psychology (Feb. 2018) (emphasis added).² This new emphasis has already started making its way into so-called "conversion therapy" bans. See Ariz. Exec. Order No. 2023-13(3) (2023).³

California's ban was both legally and therapeutically novel as psychotherapies are defined by their methods and assumptions, not their *goals*. And, in that respect, Arizona's ban is more therapeutically traditional, though perhaps more legally suspect. Under either definition, the broad and ambiguous term "conversion therapy" leaves

 $<sup>2. \</sup> https://www.aacap.org/AACAP/Policy\_Statements/2018/Conversion\_Therapy.aspx$ 

 $<sup>3.\</sup> https://azgovernor.gov/sites/default/files/executive\_order\ 2023-13.pdf$ 

licensed professionals uncertain about what therapeutic approaches might trigger disciplinary action.

Consider a teenager who comes to a therapist for treatment of unwanted, compulsive heterosexual pornography use, and another teenager who comes in for unwanted, compulsive homosexual pornography use. No therapist would balk at treating the first individual. Yet many therapists across the nation would be afraid to treat the second individual (with same-sex attractions) out of fear of violating the "conversion therapy" statutes, since decreasing the second client's compulsive sexual behavior could fall under the vague description of "conversion therapy." Imagine an individual who self-identifies as "asexual" who later wants to explore a romantic or sexual relationship with someone. Depending on the jurisdiction, a therapist would fear that he or she may not be allowed to treat such a person, since doing so could modify the individual's asexuality, another violation of the statute.

#### II. The Vagueness of "Conversion Therapy" Bans Creates a Chilling Effect on Therapists' Speech and Practice

Dr. Nicolosi is a licensed clinical psychologist in California and a recognized expert in evidence-based psychotherapy associated with changes in clients' sexual attractions. There have been no complaints from any of his clients, even after he treated individuals with traumatic memories, approximately 500 of whom presented with unwanted same-sex attractions.

When SB 1172 went into effect, Dr. Nicolosi and the Reintegrative Therapy Association confirmed that no therapy they provide fits within its definition of so-called "conversion therapy." Specifically, they never make sexual orientation change a goal of therapy—although they do acknowledge that treatment with Reintegrative Therapy® has been shown to trigger significant sexual attraction changes as a *byproduct*, rather than a *goal*. See App'x Ex. 1, "Conversion therapy" vs. Reintegrative Therapy®, Reintegrative Therapy Association.<sup>4</sup>

Nevertheless, eventually, Dr. Nicolosi received correspondence from the California Board of Psychology alleging that he may be practicing undefined "conversion" therapy." App'x Ex. 2, Letter from California Board of Psychology, Enforcement Unit, to Joseph Nicolosi Jr. (Jan. 10, 2023);<sup>5</sup> App'x Ex. 3, Letter from California Department of Consumer Affairs, Broughton O'Keefe, Special Investigator, to Joseph Nicolosi Jr. (Sep. 28, 2023).<sup>6</sup> Despite clarifying that he does not engage in "conversion" therapy" as defined by SB 1172, he had to face a lengthy investigation that threatened his license to practice psychotherapy, before his Board finally determined in August 2024 that there was "no evidence to establish a violation" of any laws or regulations. App'x Ex. 4, Letter from California Board of Psychology, Enforcement Unit, to Joseph Nicolosi Jr. (Aug. 30, 2024).<sup>7</sup>

The vague, broad, threatening language in the accusation from the Board and long investigation into undefined "conversion therapy" have kept Dr. Nicolosi

<sup>4.</sup> https://www.reintegrativetherapy.com/wp-content/uploads/2025/03/reintegrative-chart.png.

<sup>5.</sup> http://bit.ly/4mF7sPu.

<sup>6.</sup> https://bit.ly/4kgAhQF.

<sup>7.</sup> https://bit.ly/45A3PUV.

in limbo. It seems clear that the filing of a complaint (apparently not by a client), and California's long delay in concluding the investigation, were designed to deter him from fully exercising his professional judgment and engaging in candid discussions with clients. Indeed, the initial letter from the California Board of Psychology specifically mentioned Dr. Nicolosi's online speech in the form of YouTube videos—even though SB 1172 only prohibits speech *in therapy*. Despite his repeated inquiries, the Board refused to explain what online speech was at issue, but nevertheless said it could affect his license to practice in California, making the investigation itself a clear violation of Dr. Nicolosi's First Amendment rights.

The intimidation effect extends beyond Dr. Nicolosi's practice. Therapists trained by his 501(c)3 non-profit organization, the Reintegrative Therapy Association, report reluctance to participate in its evidence-based training programs, fearing accusations of practicing "conversion therapy" by their licensing boards. Dr. Nicolosi's non-profit exists solely to train professional therapists and educate the public about a treatment approach that has been shown to safely and effectively change sexual attractions for many people, including but not limited to those with same-sex attractions, as a spontaneous byproduct of trauma treatment. See Carolyn Pela & Philip Sutton, Sexual Attraction Fluidity and Well-Being in Men: A Therapeutic Outcome Study, 12 J. Hum. Sex. 61 (2021); Joseph Nicolosi Jr. & Jacek Szanduła, Memory Reconsolidation for Unwanted Sexually Arousing Memories: A Randomized, Placebo-Controlled Study, 2 Integratus 287 (2024).

## III. "Conversion Therapy" Bans Have Led to Threats and Legal Challenges for Therapists

The First Amendment implications of "conversion therapy" bans are further evident in the threats and legal challenges they provoke. Since SB 1172's passage, Dr. Nicolosi has faced repeated direct threats to his personal safety. *See* App'x Ex. 5, Ventura County Sheriff's Office Police Report No. 2021-164127 (Dec. 6, 2021).8

One individual for example, misled by the stigma surrounding "conversion therapy," believed Reintegrative Therapy® had been shown to cause harm—despite longitudinal published evidence demonstrating that Dr. Nicolosi's approach is safe and effective in addressing unwanted same-sex attractions. See Pela & Sutton, supra, 12 J. Hum. Sex. 61; Nicolosi & Szanduła, supra, 2 Integratus 287. In fact, the Reintegrative Therapy® protocol is associated with increases in wellbeing that are even *greater* than those of general psychotherapy. See Carolyn Pela & Philip Sutton, Presentation at the Alliance Training Institute Annual Conference: Sexual Attraction Fluidity and Well-being in Men (Sep. 27, 2019); Kenichi Shimokawa, et al., Enhancing treatment outcome of patients at risk of treatment failure: Metaanalytic and mega-analytic review of a psychotherapy quality assurance system, 78 J. Consult. & Clin. Psych. 298 (2010). It also has application in other clinical contexts, such as binge eating disorder. See Joseph Nicolosi Jr. & Christopher Rosik, Pilot results of the Reintegrative Protocol in the Treatment of Binge Eating. 11 J. Psych. & Psychother. 412 (2021).

<sup>8.</sup> https://bit.ly/3SvVvho.

Legally, Dr. Nicolosi has encountered significant obstacles. After the Board's allegations, he sought representation from three attorneys, all of whom initially agreed to assist him but later withdrew upon reviewing the inquiry letter citing the threatening term "conversion therapy." Their reluctance reflects the legal and reputational risks these laws impose on any professional whose work conflicts with the aims of LGBTQ+ activists.

# IV. "Conversion Therapy" Bans Prevent Therapists from Providing Evidence-Based Treatments

"Conversion therapy" bans are vague, broad, evershifting, and restrict Dr. Nicolosi and his colleagues from offering evidence-based treatment. These bans legitimize the false assumption that therapies associated with sexual-attraction changes necessarily involve illegal or unethical actions based on the incorrect assumption that sexual orientation can never be fluid.

The Reintegrative Therapy Association trains professional therapists in interventions that can safely and effectively reduce individuals' unwanted sexual attractions, according to peer-reviewed studies. See Pela & Sutton, supra, 12 J. Hum. Sex. 61; Nicolosi & Szanduła, supra, 2 Integratus 287. These interventions are the same, regardless of the client's gender or sexuality. Changes in sexual attractions are a known byproduct, rather than a goal, and are never based on underlying assumptions about LGBT attractions. Nevertheless, numerous therapists have informed the Reintegrative Therapy Association that the vague language of "conversion therapy" bans have led them to avoid providing these evidence-based interventions to clients in their practice who report having distress about their unwanted sexual attractions.

#### V. Conversion Therapy Bans Hinder Research on Sexual-Attraction Changes

"Conversion therapy" bans also impede scientific research, further violating the First Amendment by restricting the pursuit of valuable scientific knowledge. Institutional review boards (which oversee high-quality psychological studies and are themselves overseen by the Department of Health and Human Services) are compelled to obey the law. If these "conversion therapy" laws continue to expand across the country, they would obstruct critical research that could expand our understanding of how unwanted sexual attractions can change as a spontaneous byproduct of ethical psychological interventions, such as trauma treatments. This obstruction would cause some individuals, desperate for help, to turn to interventions that are not evidence-based or ethically implemented, or are provided by individuals who are not professional therapists, and would contribute to an ongoing gap in the scientific literature.

#### **CONCLUSION**

Amici urge the Court to rule that "conversion therapy" bans violate the constitutional rights of practitioners and those they serve.

#### Respectfully submitted,

Jeffrey M. Trissell Thomas Brejcha
Counsel of Record Peter Breen
Charles S. LiMandri Thomas More Society
309 West Washington Street,
LiMandri & Jonna LLP
P.O. Box 9120 Chicago, IL 60606
Rancho Santa Fe, CA 92067
(858) 759-9930
jtrissell@limandri.com

Counsel for Amici Curiae Joseph Nicolosi Jr., Ph.D., and the Reintegrative Therapy Association, Inc.

June 2025



#### TABLE OF APPENDICES

| Pag   | је |
|---|----|
| APPENDIX A—REINTEGRATIVE THERAPY<br>ASSOCIATION FLYER1  | la |
| APPENDIX B — CALIFORNIA BOARD OF PSYCHOLOGY LETTER, DATED JANUARY 10, 2023                          | la |
| APPENDIX C—CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS INVESTIGATION LETTER, DATED SEPTEMBER 28, 2023 | 7a |
| APPENDIX D — CALIFORNIA BOARD OF PSYCHOLOGY CLOSURE OF INVESTIGATION LETTER, DATED AUGUST 30, 2024  | )a |
| APPENDIX E — POLICE REPORT,<br>DATED DECEMBER 9, 202110   | )a |

# APPENDIX A — REINTEGRATIVE THERAPY ASSOCIATION FLYER

#### REINTEGRATIVE THERAPY ASSOCIATION

www.reintegrative the rapy.com

|  | "Conversion<br>therapy"  | v Reintegrative<br>s Therapy® |  |
|--|--|-------------------------------|--|
| Definition                                     | No precise<br>definition – broad,<br>nonscientific<br>term referring<br>to attempts to<br>change a person's<br>sexual orientation. |                               | Specific, trademarked term referring to interventions designed to resolve traumas and develop greater attachment security. |
| Attempts to<br>change<br>sexual<br>orientation | Yes. Sexual orientation change is the goal.  |                               | No. Changes in sexuality are a byproduct, rather than a goal of the therapy.   |
| Evidence-<br>based<br>interventions            | based non-scientific   |                               | Employs specific<br>evidence-based<br>treatment<br>interventions.  |

2a

## $Appendix\,A$

| Available for                             | Those seeking to change their sexual orientation.            | Anyone wishing to resolve trauma or develop greater relational attachment security.  |
|---|--|--|
| Qualifications<br>for therapy<br>provider | None   | Must be a clinical psychotherapist adhering to the Reintegrative Therapy Association's ethics code.  |
| Ethics code                               | None   | Set forth by the<br>Reintegrative<br>Therapy<br>Association.   |
| Trademark                                 | Trademark None   |  |
| Licensing                                 | No. Any<br>individual can<br>be a "conversion<br>therapist." | The Reintegrative Therapy Association, a 501(c)(3) non-profit organization, has exclusive licensing rights for qualifying mental health practitioners. |

3a Appendix A

| Who directs<br>the therapy  | The client or the therapist may direct the therapy goals. | Clients choose<br>their own<br>therapeutic goals.   |
|---|---|---|
| Employs<br>aversion<br>techniques<br>(shame, pain<br>or coercion).            | Sometimes   | Never   |
| Empirical<br>evidence of<br>negative side<br>effects                          | Some. Reports vary.                                       | None.   |
| Treatments are equally applied to clients of any gender or sexual orientation | No  | Yes. Treatment approaches are identical, regardless of the client's gender or sexual orientation. |

#### APPENDIX B — CALIFORNIA BOARD OF PSYCHOLOGY LETTER, DATED JANUARY 10, 2023

California Board of PSYCHOLOGY 1625 North Market Blvd., Suite N-215,

Sacramento, CA 95834

T (916) 574-7720 F (916) 574-8671

Toll-Free (866) 503-3221 www.psychology.ca.gov

January 10, 2023

Joseph Nicolosi, Ph.D. PO Box 572859 Tarzana, CA 91357-2859

#### Board of Psychology Case No. 6002022000473

Dear Dr. Joseph Nicolosi,

This is to advise you that the Board of Psychology (Board) has received an inquiry regarding your conduct.

After a review of the information received, the Board is requesting a response from you regarding the allegations. Please review the following information and provide a response to the extent that you are able. We would like you to be aware that the Board is not currently conducting a formal investigation; rather, we are requesting your response as a step in our informal review process.

The complaint states that you practice conversion therapy.

#### Appendix B

The allegations brought forth are that you:

- 1) Your videos have been banned from YouTube
- 2) Your father is sometimes called the forefather of conversion therapy
- 3) Your website attempts to distinguish your practice from conversion therapy; however, it describes conversion therapy

Please provide the Board with your written response to the allegations. *This information is due no later than January 24, 2023.* 

Title 16, California Code of Regulations section 1397.2 (c) states:

In addition to the conduct described in Section 2960 of the Code, "unprofessional conduct" also includes but is not limited to the following:

(c) Failure to cooperate and participate in any Board investigation pending against the licensee or registrant. This subsection shall not be construed to deprive a licensee or registrant of any privilege guaranteed by the Fifth Amendment to the Constitution of the United States, or any other constitutional or statutory privilege. This subsection shall not be construed to require a licensee or registrant to cooperate with a request that

#### Appendix B

would require the licensee or registrant to waive any constitutional or statutory privilege or to comply with a request for information or other matters within an unreasonable period of time in light of the time constraints of the licensee's or registrant's practice. Any exercise by a licensee or registrant of any constitutional or statutory privilege shall not be used against the licensee or registrant in a regulatory or disciplinary proceeding against the licensee or registrant.

Please refer to the "Board of Psychology Case No." listed above when replying, and address your response to the attention of Enforcement Analyst N at the letterhead address. If you have any questions, please email Enforcement Analyst N at BOPEnforcement@dca.ca.gov.

Thank you for your cooperation in this matter.

Sincerely,

Enforcement Unit California Board of Psychology

#### APPENDIX C — CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS INVESTIGATION LETTER, DATED SEPTEMBER 28, 2023

CALIFORNIA DEPARTMENT OF DIVISION OF CONSUMER INVESTIGATION Chatsworth Field O

Chatsworth Field Office 21601 Devonshire St., Suite 212

Chatsworth, CA 91311

September 28, 2023

Dr. Joseph Nicolosi PO Box 572859 Tarzana, CA 91357

RE: Complaint Investigation

Case No: 23-19962-PS License No: 25555

Dear Dr. Nicolosi:

On behalf of the Psychology Board of California, I am conducting an investigation regarding an allegation that may affect your license. In order to complete my investigation, I would like to discuss this matter with you. Please call me at (916 597-5664 or e-mail me at broughton.o'keefe@dca.ca.gov to schedule a date and time for an interview.

If I have not heard from you by October 16, 2023, I will assume you do not wish to cooperate with this investigation

#### Appendix C

and I will forward my report to the Board without your input.

Sincerely,

Broughton O'Keefe, Special Investigator (R.A.) California Department of Consumer Affairs Division of Investigation 21601 Devonshire Street, Suite 212 Chatsworth, CA 91311 Mobile (916) 597-5664

#### APPENDIX D — CALIFORNIA BOARD OF PSYCHOLOGY CLOSURE OF INVESTIGATION LETTER, DATED AUGUST 30, 2024

PSYCHOLOGY

California Board of 1625 North Market Blvd., Suite N-215,

Sacramento, CA 95834

T (916) 574-7720 F (916) 574-8671

Toll-Free (866) 503-3221 www.psychology.ca.gov

August 30, 2024

SENT VIA EMAIL (czopatti@ctsclaw.com)

Joseph Nicolosi, Jr., Ph.D. PO Box 572859 Tarzana, CA 91357-2859

Re: Board of Psychology Case No. 6002022000473

Dear Dr. Nicolosi,

The Board of Psychology (Board) has completed its review of the complaint filed against you.

After a thorough review of the information received from the parties involved, the Board has determined that there was no evidence to establish a violation of the laws and regulations relating to the practice of psychology with regard to your practice or conduct in this matter. Therefore, this case has been closed.

Thank you for your cooperation in this matter. If you have any questions, please email Enforcement Analyst N at BOPEnforcement@dca.ca.gov.

Sincerely,

Enforcement Unit California Board of Psychology

#### 10a

# APPENDIX E — POLICE REPORT, DATED DECEMBER 9, 2021

| _                 |           | S OFFICE     | REPORT NU          | MBER   |
|-------------------|-----------|--------------|--------------------|--------|
| REPORT            | AGENCY II | DENTIFIER    |                    |        |
|                   | CA05      | 60000        | 2021 - 164<br>Page |        |
| INCIDENT DATE/TIM | EINCIDENT | LOCATION     | 1 age              | 1 01 2 |
| 12-06-2021/1604   | 128 AUBU  | JRN CT, THOU | JSAND O.           | AKS    |
| SPECIAL INTEREST/ | STATUS    | ARRESTEE     | JUVENILE           | CLASS  |
| HATE CRIME/BIAS   |           |              |                    |        |
|                   | ACTIVE    | NO ARREST    | NO                 |        |

USE OF FORCE INCIDENT? N IF SO, # OF REPORTS WRITTEN? 0 IS BODY CAMERA VIDEO AVAILABLE? Y GANG INVOLVED?

| OFFENSE | OFFENSE DESCRIPTION | ENTRY  | WEAPON/    |
|---------|---------------------|--------|------------|
|         |                     | METHOD | FORCE TYPE |
| SOC     | POSSIBLE THREAT/    |        |            |
|         | THREAT              |        |            |

 $11a \\ Appendix E$ 

| INVOLVED P        | ERSONS                                     |                            |                                    |            |              |                |
|-------------------|--|----------------------------|------------------------------------|------------|--------------|----------------|
| ROLE              | NAME - LAST, FIRST, MIDDLE (ALIAS/MONIKER) |                            | RACE GE                            | GENDER AGE | AGE          | D.0.B.         |
| VICTIM - #1       | VICTIM - #1 NICOLOSI, JOSEPH               | <u>'</u>                   | WHITEM                             |            | 40           | 04-02-1981     |
| HEIGHT            | WEIGHT HAIR                                | EYE                        | DRIVER'S LICENSE/STATE             | CENSE/     | STATE        |                |
| 5'10              | 160 BR(                                    | BROWN HAZEL                |                                    |            |              |                |
| ADDRESS           |  |                            | HOME PHONE                         |            | MOBILE PHONE | PHONE          |
|                   |  |                            |                                    |            |              |                |
| EMAIL ADDRESS NA  |  |                            |                                    |            |              |                |
| OCCUPATION        | EMPLOYER                                   | EMPLOYER EMPLOYER ADDRESS  | ESS                                |            | BUSINES      | BUSINESS PHONE |
| PHYCOLOGYST SELF  | STSELF                                     |                            |                                    |            |              |                |
| VICTIM OF OFFENSE | NSE  |                            | RELATIONSHIP OF VICTIM TO OFFENDER | IP OF VI   | CTIM TO      | OFFENDER       |
| SOC               | 97 POSSIBLI<br>THREAT                      | POSSIBLE THREAT/<br>THREAT |                                    |            |              |                |
| INJURY            |  | CONFIDENTIAL               |                                    |            |              |                |
|                   |  |                            |                                    |            |              |                |

#### Appendix E

#### OFFICER'S NARRATIVE

On 12/09/21, I was working in full Sheriff's uniform driving a marked black and white enforcement vehicle in the city of Thousand Oaks as 9J41. At approximately 1651 hours, I was dispatched to 128 Auburn Court #206 reference threats.

At approximately 1659 hours, I arrived on scene. I contacted (V) Joseph Nicalossi outside his business. The following is a summary of what Nicalossi told me:

Nicalossi is a psychologist, Nicalossi said that he has received "death threats" before and did not seem too concerned about it. Nicalossi said that he reports the threats from time to time to make sure there is a track record of the incidents.

On 12/05/21, Nicalossi received an email to his work email. The email was from an email address of fuckyou@fuckyou.com. The title of the email was "FUCK OFF AND DIE". I read the email and it said:

#### <u>Do Not Duplicate</u> Ventura County Sheriff's Office - Official Copy

| DATE/TIME REPORTED       | REPORTING OFFICER/I.D. # - ORG. UNIT    |
|--------------------------|---|
| 12-09-2021/1554          | VORZIMER, CHRISTOPHER (4972)/           |
|                          | Thousand Oaks Patrol Services           |
| FTO OFFICER/PARTNER ID 7 | # APPROVED BY/ID # - APPROVED DATE/TIME |
|                          | GONZALES, GABRIEL/4368 -                |
|                          | 12/09/2021/1933                         |

#### 13a

#### Appendix E

#### VENTURA COUNTY SHERIFF'S OFFICE

 $\begin{array}{c} {\rm AGENCY\ IDENTIFIER} \\ {\rm CA0560000} \end{array}$ 

REPORT NUMBER

2021 - 164127

Page 2 of 2

"YOU'RE ABSOFUCKINGLUTELY DEPLORABLE AND NEED TO BE SHOT!!! YOU'RE A DISGUSTING CUNT STAIN ON SOCIETY. YOU'RE OBVIOUSLY A CLOSETED BITTER ANGRY FAGGOT WHO SUFFERS FROM INTERNALIZED OPPRESSION. YOU'RE GRAVELY WIFULLY IGNORANT AND LACKANYMORAL VALUE AND HUMAN DECENCY. YOU NEED TO BE SENT TO THE GAS CHANMERS YOU FUCKING SOCIOPATHIC TROGLODYTE."

I asked Nicalossi if he was worried about the threat. Nicalossi said he was not really but just wanted the incident documented. Nicalossi said he has a concealed weapons permit. Nicalossi said that he has never had anyone come to his business and threaten him, follow him or seen any suspicious subjects that may have sent the email.

I informed Nicalossi that I did not believe the email rose to the level of a crime. I informed Nicalossi I would still document the incident and gave him the report number.

I took a photo of the entire email and uploaded it to Evidence.com.