

No. 24-539

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 a Writ of Certiorari to the United States Court of
Appeals for the Tenth Circuit*

**BRIEF OF AMICUS CURIAE
CHANGED MOVEMENT IN SUPPORT OF
PETITIONER**

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TABLE OF CONTENTS

	Page
Table of Authorities	ii
Interest of the <i>Amicus Curiae</i>	1
Summary of the Argument.....	2
Argument	3
I. Colorado’s law unconstitutionally prohibits counselors from counseling their patients within the spiritual and moral framework those patients chose.....	3
II. The real—and successful—stories of people who’ve freely chosen to undergo counselling precisely because of their spiritual and moral convictions, even as minors.	7
Conclusion.....	12

TABLE OF AUTHORITIES

CASES	Page
<i>303 Creative LLC v. Elenis</i> , 600 U.S. 570 (2023).....	3, 5, 6
<i>Cohen v. California</i> , 403 U.S. 15 (1971).....	3
<i>Denver Area Ed. Telecommunications Consortium, Inc. v. FCC</i> , 518 U.S. 727 (1996).....	5
<i>Nat’l Ass’n for Advancement of Colored People v. Button</i> , 371 U.S. 415 (1963).....	5
<i>Nat’l Inst. of Family & Life Advocates v. Becerra</i> , 585 U.S. 755 (2018).....	5
<i>Otto v. City of Boca Raton, Florida</i> , 981 F.3d 854 (11th Cir. 2020).....	6
<i>Stanley v. Georgia</i> , 394 U.S. 557 (1969).....	2
<i>Turner Broad. Sys., Inc. v. FCC</i> , 512 U.S. 622 (1994).....	12
<i>W. Virginia State Bd. of Educ. v. Barnette</i> , 319 U.S. 624 (1943).....	6

CONSTITUTIONAL AND STATUTORY PROVISIONS

U.S. Constitution, First Amendment.....	2, 3, 6, 12
Colo. Rev. Stat. § 12-245–224	5

OTHER AUTHORITIES

Austin Rogers, <i>Free Exercise Atrophy: Why Avoiding Religion Weakens The First Amendment</i> (October 02, 2024), FLA. L. REV. (Forthcoming)	12
Holy Bible 1 Corinthians	6
Holy Bible Galatians	6
Holy Bible John	3-4
Holy Bible 1 Timothy	6
Lila Rose, <i>The Cause of Same-Sex Attraction w/Michael Gasparro Lila Rose Podcast E160</i> , YouTube (Nov. 5, 2024)	9
Tyler O’Neill, <i>SPLC Smears Another Christian Nonprofit</i> , THE WALL STREET JOURNAL (June 11, 2025)	4

INTEREST OF THE *AMICUS CURIAE*¹

CHANGED Movement is a community of friends who once identified as LGBTQ+ and exchanged that identity for a Christian one. It was formed in response to California legislation based on the idea that no one who experiences unwanted sexual desires or confusion about gender can change, even if they sincerely desire it. To raise awareness, the founders of CHANGED Movement published a book of personal stories by people who wanted and achieved that change. That advocacy gave rise to an international network of others who had done the same.

CHANGED Movement believes that while many who question their sexual orientation or gender identity embrace an LGBTQ+ identity, many don't, and, after a period of self-reflection, embrace sexual identities aligned with the Christian faith. CHANGED Movement advocates for the freedom of speech, religion, and conscience of those who confront these issues: the right to examine one's sexuality or gender without government intrusion. It does so primarily in the same way it does in this brief—namely, by sharing personal stories and witness accounts that give hope to those examining their LGBTQ+ identity and compassionate input to officials who address issues at the intersection of LGBTQ+ identity and Christian belief.

CHANGED Movement files this brief because it has a strong interest in advocating for those who seek to question their identity authentically and without

¹ No counsel for any party authored this brief in whole or in part, and no entity or person, aside from *amicus* and its counsel, made any monetary contribution toward the preparation or submission of this brief.

restriction and defending freedom of speech, religion, and conscience for all people.

SUMMARY OF THE ARGUMENT

Again overstepping constitutional boundaries, Colorado now claims the power “to control the moral content of a person’s thoughts”—a power the First Amendment flatly denies it. *Stanley v. Georgia*, 394 U.S. 557, 565 (1969). Through a law that censors conversations between counselors and young people that depart from Colorado’s crabbed vision of sexuality, it pretends an individual’s thoughts of same-sex attraction or having a “gender” at war with the biological fact of sex are categorical goods no young person could freely elect to change. Colorado also pretends that restricting conversations between counselors and young people to a narrow state-imposed message—duckspeak “affirmance” of same-sex attraction and transgenderism—categorically assures the wellbeing of young people who have such thoughts.

Through their lived experiences, members of the CHANGED Movement community know that each of these pretenses is false. As the following testimonies of just a few show, real people living their Christian faith have dramatically improved their lives by choosing to have the exact conversations the Colorado law bans. Offering real-life counterpoints to Colorado’s claimed monopoly on thought about sexual morality, their experiences vividly illustrate the individual and social good that results when an individual freely chooses to get off a path they’ve determined is neither desired nor good, when measured against the life they want to lead instead of the life the orthodoxy of “affirmance” chooses for them. None of these hopeful

stories of changed lives would have been possible under Colorado’s law.

The Free Speech Clause of the First Amendment is central to the freedom of Americans to choose the lives they want to live. It “protect[s] the freedom to think as you will and speak as you think,” *303 Creative LLC v. Elenis*, 600 U.S. 570, 584 (2023) (cleaned up), precisely because “no other approach would comport with the premise of individual dignity and choice” central to a free society. *Cohen v. California*, 403 U.S. 15, 24 (1971). Individuals seek counseling because they want change. And by cutting young Christians off from conversations about changing thoughts of same-sex attraction or gender incongruity with the agents of change they selected—*i.e.*, the counselors Colorado now forces to speak only a message of unquestioning “affirmance”—Colorado denies counselors and young people alike the dignity and choice the Constitution guarantees.

ARGUMENT

I. Colorado’s law unconstitutionally prohibits counselors from counseling their patients within the spiritual and moral framework those patients chose.

*“Jesus . . . said to them, ‘Let the one among you who is without sin be the first to throw a stone at her[.]’”*²

Many of us are familiar with the story re-told by the Apostle John, about “a woman caught in adultery” whom Christ saves from condemnation after “the scribes and the Pharisees” brought her before a crowd who urged that the law “commanded [them] to stone such women.”³ The first part of this teaching, where

² John 8:6–11 (NABRE).

³ John 8:3–6 (NABRE).

Christ rhetorically invites those without sin to cast the first stone, is often what's quoted if not remembered most. But what Christ tells the woman next is just as important, even if remembered or quoted less often: "*Go [and] from now on do not sin any more.*"⁴

Christ's call to refrain from sin is one that faithful Christians face every day. Often it requires help from other believers, who Christianity likewise challenges to offer help with gentleness and humility.⁵ Members of the CHANGED Movement community accept both challenges—seeking and rendering help with the unique challenges of living the Christian understanding of human sexuality.

Obviously, not everyone—perhaps not even most—who struggle with thoughts of same-sex attraction or gender incongruity accept Christian convictions on those subjects. Like Colorado—which denigrates the discussion of these convictions as "conversion therapy"—many doubtless condemn these viewpoints as abhorrent or hateful.⁶ The right to hold and express those views is their right as Americans. And for Christians, denigration of their beliefs—both official and public—is unfortunately a fact of life, as John points out later in his Gospel.⁷

⁴ John 8:11 (NABRE) (alteration in original & emphasis added).

⁵ See, e.g., Galatians 6:1–2 (NABRE) ("Brothers, even if a person is caught in some transgression, you who are spiritual should correct that one in a gentle spirit, looking to yourself, so that you also may not be tempted. Bear one another's burdens, and so you will fulfill the law of Christ.").

⁶ See, e.g., Tyler O'Neill, *SPLC Smears Another Christian Nonprofit*, THE WALL STREET JOURNAL (June 11, 2025), <https://bit.ly/4kLGaG8>.

⁷ John 15:18–19 (NABRE) ("If the world hates you, realize that it hated me first. If you belonged to the world, the world would love its own; but because you do not belong to the world, and I have chosen you out of the world, the world hates you.").

But Christians who live their faith unquestionably enjoy the “right to speak [their] mind[s] regardless of whether the government considers [their] speech sensible and well intentioned or deeply misguided and likely to cause anguish or incalculable grief.” 303 *Creative*, 600 U.S. at 586 (cleaned up). Yet by banning conversations between counselors and young people who seek to change their thoughts of same-sex attraction or gender incongruity, this is precisely what Colorado has done. It has made those conversations “prohibited activities,” which could result in licensure forfeitures, civil penalties and, eventually, even criminal ones as well. Colo. Rev. Stat. § 12-245–224.

Colorado’s law thus targets Christians who, like members of the CHANGED Movement community, don’t accept mainstream attitudes about human sexuality. It forecloses the Christian teenager (or the parent of one) who believes acting out on their sexuality puts their soul in peril and wants help from a licensed professional who shares those convictions from obtaining it. The Colorado law is not a regulation of so-called “professional speech”:⁸ It is a blanket prohibition against conversations between counselors and young people about shared religious faith. *Cf. Nat’l Ass’n for Advancement of Colored People v. Button*, 371 U.S. 415, 439 (1963) (“For a State may not, under the guise of prohibiting professional misconduct, ignore constitutional rights.”).

⁸ *Nat’l Inst. of Family & Life Advocates v. Becerra*, 585 U.S. 755, 767 (2018) (“[T]his Court has not recognized ‘professional speech’ as a separate category of speech. Speech is not unprotected merely because it is uttered by ‘professionals.’ This Court has ‘been reluctant to mark off new categories of speech for diminished constitutional protection.’” (quoting *Denver Area Ed. Telecommunications Consortium, Inc. v. FCC*, 518 U.S. 727, 804 (1996))).

For example, if a Christian counselor were to discuss with a young person Bible verses that condemn same-sex acts—like 1 Corinthians 6:9–11⁹ or 1 Timothy 1:8–11¹⁰—he or she would violate this law. Or had a Christian patient (like those described below) asked the counselor who treated them whether out-of-wedlock, same-sex acts were in line with their Christian faith, the counselor either would’ve needed to act as if they didn’t hear the question, or—worse—lie. Even though these Biblical sentiments may be deeply offensive to some, the First Amendment does not condone forcing that choice. *See, e.g., 303 Creative*, 600 U.S. at 596 (emphasizing that “the First Amendment does not tolerate” a government “forc[ing] an individual to ‘utter what is not in [her] mind’ about a question of political and religious significance” (quoting *W. Virginia State Bd. of Educ. v. Barnette*, 319 U.S. 624, 634 (1943))); *see also Otto v. City of Boca Raton, Florida*, 981 F.3d 854, 859 (11th Cir. 2020) (“We understand and appreciate that the therapy is highly controversial. But the First Amendment has no carveout for controversial speech.”).

⁹ “[N]either fornicators nor idolaters nor adulterers nor boy prostitutes nor sodomites nor thieves nor the greedy nor drunkards nor slanderers nor robbers will inherit the kingdom of God. That is what some of you used to be; but now you have had yourselves washed, you were sanctified, you were justified in the name of the Lord Jesus Christ and in the Spirit of our God.” 1 Corinthians 6:9–11 (NABRE).

¹⁰ “We know that the law is good if one uses it properly. We also know that the law is made not for the righteous but for lawbreakers and rebels, the ungodly and sinful, the unholy and irreligious, for those who kill their fathers or mothers, for murders, for the sexually immoral, for those practicing homosexuality, for slave traders and liars and perjurers—and for whatever else is contrary to the sound doctrine that conforms to the gospel concerning the glory of the blessed God, which he entrusted to me.” 1 Timothy 1:8–11 (NABRE).

Put simply, Colorado has effectively made it unlawful for Christian counselors to read or discuss scripture with young people, even when that is what they desire. That cannot stand.

II. The real—and successful—stories of people who’ve freely chosen to undergo counselling precisely because of their spiritual and moral convictions, even as minors.

The practical danger of Colorado’s law is best demonstrated by the real testimonies from real people who have benefited from the talk therapy Colorado muzzles. Some of them, for that matter, credit precisely this therapy as having “saved” them—in both a literal and spiritual sense.

Michael Gasparro

Michael, a devout Christian teenager, sought counseling at age fourteen (and again at seventeen) after confessing his struggles with unwanted sexual desires to a priest during confession. Deeply rooted in his faith, he believed that acting on these attractions conflicted with his Christian convictions and voluntarily pursued therapy to align his life with what he saw as God’s plan. During their sessions, Michael’s counselor respected his beliefs, discussing Biblical views on sexual ethics that Michael found essential for understanding Christian doctrine on sexuality. This faith-based approach went beyond symptom management, addressing root issues like anxiety, obsessive-compulsive disorder, and depression, and provided him with relief, hope, and a sense of being loved and supported.

Michael’s counseling was not just about his attractions; it was a holistic process that honored his

desire to live according to his Catholic values. He felt that embracing unwanted, same-sex attractions would have spiritual consequences, clashing with his core belief that such actions were wrong, and he sought help to pursue a life consistent with being Catholic. Now a marriage and family counselor himself, Michael reflects on how vital it was that his counselor could freely discuss scripture and faith-based perspectives, something he believes minors and adults alike should have the right to access.

Had Colorado’s law been in effect, Michael’s counselor would have been barred from engaging in these conversations and even quoting or discussing certain Bible verses for fear of violating the law. This restriction would have silenced the religious speech central to his healing, denying him the support he needed and, specifically, *wanted*.

A counselor now himself, Michael warns against State efforts “to *minimize* the legitimacy of a conversation with a professional about [unwanted-sexual-desire] issues” and the irony in pretending that “everything’s on the table to discuss with your therapist, *except* this issue now.”¹¹ He further warns against the “push towards trying to criminalize or penalize any therapy that does not, in lock step, go along with LGTB ideology and ‘gender-affirming care.’” *Ibid*.

The chilling effect these laws have is easy to see in Michael’s case as he does not treat “anyone under eighteen in [his] therapy practice to protect [himself] from any kind of potential accusation that [he] is doing something that would violate” California’s equivalent

¹¹ Lila Rose, *The Cause of Same-Sex Attraction w/Michael Gasparro* | *Lila Rose Podcast E160*, YouTube (Nov. 5, 2024), <https://bit.ly/4kAscXf>.

of Colorado's prohibition. *Ibid.* "Therapists," he continues, "[are] afraid of doing anything other than what [the states] are gonna call gender-affirming care or gay-affirming therapy[.]" *Ibid.*

Ken Williams

Ken Williams's journey with counseling began at seventeen, during a time of profound despair. Struggling with sexual desires that clashed with his deeply held Christian beliefs, Ken found himself in a state of hopelessness so severe that he contemplated suicide. "The internal conflict . . . had created such profound hopelessness and depression that suicide seemed like the only escape," he recalls. It wasn't until he confided in his youth pastor—who facilitated a conversation with his parents—that Ken found the courage to seek professional counseling. As it turned out, Ken's father had been seeing a counselor *himself* and had invited Ken to visit him as well. Ken seized the opportunity, driven by his own desire for healing. "This was entirely my choice—no one forced me into counseling," he stressed.

Ken's weekly sessions with that counselor, a Christian psychologist, spanned five years and became "the cornerstone of [his] healing process." And because Ken's counselor "was a Christian professional," that provided Ken "with the only safe space [he] had on the planet to unload the overwhelming shame, fear, and self-hatred that had been consuming [him]."

Integrating cognitive-behavioral techniques with faith-based discussions, Ken recalls: "[We] regularly discussed Christianity, Christian principles, different passages of scripture, and how well I was living out my Christian faith." He further stressed the value in his counselor's "point[ing] [] towards the Biblical reality that God extends grace to people for their mistakes

and sins, and that divine forgiveness was available to [him].” “Perhaps even more importantly,” Ken emphasized, “he helped me learn to forgive myself—something I didn’t even know was possible or necessary.” Ken “began to believe that Jesus paid the price for [his] sins, even sexual ones, that He forgave those sins and that He wanted [him] to forgive [himself] and move on in [his] relationship with Him,” Ken began to embrace God’s grace and forgive himself—key steps in overcoming his state of depression and self-loathing.

The counselor who helped Ken worked not only with him but, just as importantly, with his family as well. With guidance by a professional counselor who shared their faith, Ken’s parents began working alongside them as part of Ken’s path toward healing.

For Ken, the impact was undeniable: “Counseling didn’t just improve my life—it *saved* my life.” He credits the process with equipping him to build healthier relationships and ultimately pursue the life he wanted—one rooted in his Christian faith. Today, Ken is a co-founder of the CHANGED Movement and shares his testimony because, in his words: “Every young person deserves access to supportive, professional help that aligns with their values and goals, especially when they are actively seeking such assistance.” He is also troubled by the realization that, “If I had lived under this Colorado law, I believe that I would not have received counseling adequate to overcome my suicidal ideation and hopelessness; let alone to help me in all the incredible ways I’ve described in my story.”

Marco Casanova

Marco, a twenty-three-year-old seminary student training to become a Catholic priest, entered

counseling to confront his struggles with unwanted sexual desires and a pornography addiction that had led to anonymous homosexual encounters. Motivated by his Christian faith, he sought therapy voluntarily in 2016 to address behaviors he viewed as spiritually and personally destructive, aiming to integrate his life with his religious convictions.

The counseling proved transformative for Marco, enabling him to stop acting out on unwanted sexual impulses, maintain chastity, and reduce the anxiety from living a compartmentalized life. He came to see his unwanted sexual desires as part of his story but not its entirety, understanding it as tied to deeper issues rather than his defining identity. This process, grounded in his faith, enabled him to identify a pathway towards peaceful resolution in his inner conflict. This led to his decision to leave seminary while committing his life to another Christian ministry—Living Waters—where he eventually met his wife, who would soon carry their child. Marco credits his success to the therapy that not only *respected* the presence of his spiritual tension, but fundamentally and substantively *understood* it such that it could serve as the foundation for change.

Under Colorado’s law, a counselor like the one who helped Marco would have been prohibited from doing so had the patient been younger than eighteen, even if the patient’s hope for change were rooted in Biblical beliefs.

* * *

Not one of the counselors who helped Michael, Ken, or Marco make such profound and beneficial changes could have done so had they been subject to Colorado’s law. (And that’s to say nothing about the countless others who benefitted from the same or similar

therapy as well.) So, this presents not just a free-speech issue—but a suppression of religious speech altogether.¹²

Central to the First Amendment’s force is “the principle that each person should decide for himself or herself the ideas and beliefs deserving of expression, consideration, and adherence.” *Turner Broad. Sys., Inc. v. FCC*, 512 U.S. 622, 641 (1994). Yet Colorado has silenced a set of content it maintains the First Amendment’s promises do not reach—even if it stems directly from shared religious faith. This, however, is precisely what the First Amendment has long said a state cannot do.

CONCLUSION

The decision below should be reversed.

¹² Austin Rogers, *Free Exercise Atrophy: Why Avoiding Religion Weakens The First Amendment* (October 02, 2024), FLA. L. REV. (Forthcoming), <https://bit.ly/4jSxjRF> (explaining why the Court’s resolution of speech cases that, ultimately, turn on the exercise of religion are better resolved under the free-exercise clause).

Respectfully submitted,

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