

IN THE DISTRICT COURT OF APPEAL OF FLORIDA  
THIRD DISTRICT

FLORIDA DEPARTMENT OF  
CHILDREN AND FAMILIES,

APPELLANT

VS

APPELLATE CASE No. 3D08-3044  
TRIAL COURT CASE NO. 06-033881 FC 04

IN RE: MATTER OF  
ADOPTION OF X.X.G. & N.R.G.

APPELLEE

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Christian Coalition of South Florida's Amicus Brief in support of the Florida  
Department of Children and Families

Christian Coalition of South Florida (the "Coalition"), a sub-division of the  
National Christian Coalition respectively files an Amicus Curiae Brief in  
support of Appellant, the Florida Department of Children and Families and  
states:

The Coalition would like to make the Court aware of mail receipt difficulties (evidenced by attached), so we haven't been getting all the Courts orders. This situation appears to be rectified.

### QUESTIONS PRESENTED

1. Whether the lower court incorrectly assumed that homosexuality is not pathology, and therefore, not a treatable condition.
2. Whether all studies, and research, post 1973 have an inherent bias favoring the normalization of homosexuality.
3. Whether the 1973 ruling normalizing homosexuality by the American Psychiatric Association (the "APA") was addressed sufficiently even though it was brought up during the lower court trial.

### INTEREST OF AMICUS CURIAE AND SUMMARY OF ARGUMENT

The Coalition is a Florida organization that seeks to inform the public on the compelling social and political issues of the day, especially family values issues, as well as to provide non-partisan voter guides on issues, political parties and candidates.

The Coalition is part of approximately eight Christian Coalition groups in the State of Florida that cover multiple counties. Statewide the Coalition in conjunction with the other affiliated groups, produced three million voters' guides, covering all 67 counties, with 19 different editions at election time.

The attorney's for the Appellee either cannot be contacted or have not responded at this time.

The issue before the court is whether or not to reverse established Florida law banning the homosexual adoption of children.

Quality medical care relies heavily on a frank and honest establishment of standards and principle, in order to further build a treatment regimen for clients. Sadly, such appears not to have been the case in the 1973 American Psychiatric Association (the "APA") ruling reversing homosexuality as a treatable condition. Apparently, there was no new "medical or scientific" evidence that provoked this change. It appears as if this change occurred solely as a result of behind the scenes, political maneuvering within the APA by a small group of homosexuals. All following studies and journal reports in the ensuing years, no

matter how thorough, logical or rational, may have been built on a false foundation, and are therefore called into question.

If indeed homosexuality may be a treatable behavioral condition akin to i.e. obsessive-compulsive disorder, alcoholism, or any number of treatable, behavioral and/or perhaps addictive conditions, the State of Florida Department of Children and Families has a compelling interest in disallowing children to be exposed to same sex parental relationships through adoption or any other means. To not take this position could be considered a compromise of medical ethics.

It should be noted that there are industry groups in opposition to the 1973 APA reversal of homosexuality as treatable condition ruling, such as the National Association for the Research and Therapy of Homosexuality ("NARTH")

Unwelcome disclosures of having same sex parents to the broader community can directly affect a child's development adversely. Children could suffer from bullying within their own social environment.

## SUMMARY OF ARGUMENT

We believe the justice system must lead the way and set an example of valuing truthfulness, fairness, honesty, and a reasoned, cooperative search for justice by all parties in disputes.

The Coalition takes the position that the Judeo-Christian Heritage of the United States of America provides a compelling framework that mitigates against the legalization of homosexual adoption of children, and that the 1973 APA reversal of homosexuality as a treatable condition is controversial, unsettled science.

## ARGUMENT

The NPR documentary "81 Words" has the affect of calling into question the validity of any and all research and, or studies done by the APA, or APA affiliates concerning homosexuality, or homosexual related topics done since the 1973 rule change.

Witnesses in the lower court trial have testified that more recent studies are structured to "build upon and expand" on the previous research, assuming the 1973 rule change to be scientifically accurate. This may be a little more than

self-fulfilling prophecy, finding what you want to find to “build upon” previous findings. Apparently, critical analysis not in conjunction with the 1973 rule change is not allowed by the APA as testified to by Alix Spiegel in her documentary “81 Words”. The APA goes so far as to threaten censure and, or expulsion for anyone who recommends that homosexuality is a treatable condition.

Because all the APA Affiliate Research and, or studies since 1973 concerning homosexuality and, or homosexual related topics appear to be foundationally deeply flawed, the Coalition urges the Third District Court of Appeals to overturn the lower court ruling in this case and to maintain the Florida Statute banning homosexual adoption, it also suggest that the whole process of allowing for homosexual foster parenting be revisited as to its’ validity. The Coalition additionally enters Exhibit A in three parts – “81 Words” documentary by Alix Spiegel:

1. Written transcript
2. Audio transcript
3. Computer disk with audio and written copies

Emotionally charged words have been used to describe the 1973 takeover of the APA by the gay activists and their allies, such as:

“hijacked, intimidated, hindered, hampered, bamboozled, defrauded, fraudulent, nefarious, undermined, underhanded, coercion, devious, gay mafia, arrogance, prejudiced, plants in sub-committees, bulldozing, Bolshevik style takeover, backhanded, subversive, ramrodded.

As a result of this takeover there has been 36 years of “conditioning, reflex and response” to the question of whether or not homosexuality is pathology.

NOTE: 1. On page 13 of the transcript Alix Spiegel says only homosexuals with existing conditions were studied prior to 1973. I checked with Dr. Joseph Nicolosi who assured me that wasn't true.

NOTE: 2. On page 15 it describes how major medical nomenclature was changed by a “bar encounter”.

THE COALITION AMICI IS BASED ON THE FOLLOWING POINTS:

(In our opinion)

1. Homosexuality is not an immutable characteristic

2. In 1970, over 90% of the APA members believed homosexuality was pathology. (How does a change in nomenclature get passed with no new medical science?)
3. Now 90% are in favor of homosexuality as not pathology.
  - Opponents founded new associations
  - Opponents were also driven out for not towing the party line
  - University Medical Schools reflect the APA's 1973 change, so succeeding generations have been indoctrinated as opposed to critical thinking and analysis on the subject of homosexuality.
4. A minority of people in key positions politically pushed through the 1973 change.
5. Biased research based on the 1973 ruling change is predisposed towards certain conclusions supporting the normalization of homosexuality.
6. In the lower court trial homosexuals were compared to other categories of people in terms of behavioral problems. However, other groups may have markers due to their behavior not ethnicity, or race. Homosexuals as a group are defined by behavior. Therefore, these

appear to be unfair comparisons, lending to the view that homosexuals should be excluded from adopting as a category of people.

7. In the lower court trial it was reported that there were higher rates of depression and suicide attempts by homosexuals. This was explained to be a result of discrimination. However, this could be explained by guilt at a pathologically wrong lifestyle.

#### THE LOWER COURT ERRED

- The lower court incorrectly assumed that all research and studies presented to it were based on a firm foundation, and therefore reliable.

#### CONCLUSION

The lower court incorrectly decided that the State of Florida's homosexual adoption ban is unconstitutional.

If there is the possibility, or any doubt that homosexuality could be pathology and therefore a treatable condition, this case takes on a whole new perspective, and homosexual adoption should not be allowed and the right to foster parent should be revisited.

If there is any doubt on this issue then this court must reverse the decision of the lower court.

Dated June 15, 2009

Respectfully submitted,



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CERTIFICATE OF COMPLIANCE WITH FILING REQUIREMENTS


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In accordance with this Court's Notice to Attorney's and Parties the original and three (3) copies of this Amicus Brief with addressed and stamped envelopes to the above listed parties were delivered through U.S. Mail this 15<sup>th</sup> day of June 15, 2009, and to the Clerk of the Florida Third District Court of Appeal, 2001 SW 117<sup>th</sup> Avenue, Miami, FL 33175

  
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KARL JOHANSSON  
PRO SE,  
CHRISTIAN COALITION OF SO FLA

### CERTIFICATE OF COMPLIANCE

I hereby certify that this brief was prepared in Times Roman, 14-point font, in compliance with Rule 9.2.10(a)(2) of the Florida Rules of Appellate Procedure.

By: Karl Johansson  
Karl Johansson, Pro Se