

## LETTERS TO THE EDITOR

## Grateful for UCI experts, surgical robot

I have to preface my letter regarding your front-page story, "Selling a surgical robot" [Sept. 22], on Dr. Thomas Ahlering and Dr. Ralph Clayman by stating my own bias. In March 2012, I was diagnosed with prostate cancer.

Having received three strong recommendations, my wife and I chose Dr. Thomas Ahlering to perform my prostatectomy. I was in the hospital overnight, walked two miles the next day and was back at work in a week (it could have been sooner). The nerve sparing was a complete success.

To me this was a "hit piece" on UCI and both doctors. I don't doubt the facts, but using words like "touting," "praising" and "campaigning" to describe the doctors' efforts to promote this kind of surgery simply pushes the writer's preconceived conclusion. These kinds of articles are always good at giving numbers out of context. Sure, 71 deaths sounds horrible, but that was after how many surgeries? Where are comparisons between death rates with surgeries done by hand? The increased cost of the procedure is mentioned, but what is the cost of four or five extra days in the hospital?

I also question the reporter's bias against the free market. It is easy to write about profits, but how much did the company Intuitive spend on research and development? The company took the risk, and is the only one that has produced a machine that can do this operation. It is hard to differentiate between the doctors' promotion of this procedure and their promotion of this proprietary machine when it is the only one in existence.

Even the article says that 80 percent of prostatectomies are done by robot now. The train has left the station. This article reads like a crusading reporter in 1930 alarmed by traffic deaths writing a hit piece on Henry Ford. I think a better use of your ink would have been to do an article on the amazing pioneering work by Ahlering and Clayman and the vision that UCI had to pursue this procedure.

Dr. Ahlering told me at my first check-up after my surgery, "Don't think of yourself as a cancer survivor, think of this as simply part of your medical history," and I do. I am very grateful for my general practitioner, who told me to go to a urologist; for my urologist, who said I should have a biopsy; and for Dr. Ahlering and the staff at UCI. If not for them, I would probably die a very painful death in a few years.

**Tom Culp**  
Dana Point

## Playing down abortion

As a former Catholic I was delighted to see Pope Francis disavow some of the obscene excesses of the former Vatican ["Pope wants church to focus less on gays and abortion," News, Sept. 20]. My delight has turned to shock.

For the leader of 1 billion faithful to dismiss central moral issues of our day as "obsessed" with "small things" and "small-minded rules," relating to abortion, homosexuality and contraception, portends I fear, a slide into an antinomian abyss; conforming to the culture – rather than transforming it.

He wants to focus, instead, on healing and mercy. Awesome. How about taking a stand against murder? His "focus" has become his blindness.

When the most dangerous place for a child is its mother's womb, and our spiritual leaders think it's a "small thing," we're witnessing something as apocalyptic as the decline of civilization.

**Jim Golding**  
Costa Mesa

## Stay out of Syria

Professor Robert Kaufman's column "A staggering blow in Syria" [Sept. 22] says that the United States has suffered a staggering defeat in Syria, with dire ramifications beyond the Middle East.

All of Kaufman's verbal hand-wringing is due to the American government's refusal to immediately bomb (and perhaps invade) Syria based on a suspicion that the Syrian regime used poison gas on its own citizens.

Kaufman seemingly does not care that a vast majority of American people voiced their strong opposition to any further military actions. This was, apparently, a national delusion based entirely on our heartfelt desire to avoid another Iraqi no-win quagmire. Further, he says we suffered a staggering defeat in Syria, giving a victory to Russia and that "malevolent, aggressive" Iran. If all of this wasn't enough, he claims that this "bungling" on Syria has "ravaged American prestige."

Kaufman should spend less time talking down to young, impressionable students and more with average American grown-ups.

**Jim Harley**  
Dana Point

## Disarm felons, not citizens

President Barack Obama is renewing his push for gun-control legislation, without promoting enforcement of our current gun laws ["Once more, we ask why," Obama says," News, Sept. 23]. Laws like three-strikes have done more to end the violence than the banning of certain types of weapons.

By disarming law-abiding citizens, you make their lives more dangerous, not safer. Thugs responsible for the murders across the country won't abide by the laws Obama is pushing for, because they are criminals.

If Obama wants to end the violence, he will disarm those we know are most likely to take the lives of others. Go after the felons in our major cities and disarm them first. If that doesn't work, push for a law that says use a gun in the commission of a crime and you get a 10-year mandatory sentence. Leave law-abiding citizens alone. Allow them to exercise their Second Amendment rights.

**William Jameson**  
Laguna Niguel

## Context is everything

While House Speaker John Boehner did respond to a question from Leslie Stahl on "60 Minutes" about compromise by saying, "I reject the word," Bill Fleming's letter, "GOP intransigence" [Sept. 25], ignored other dialog in that interview.

Boehner's comment that led to his quote was, "When you say the word 'compromise'... a lot of Americans look up and go, 'Uh-oh, they're gonna sell me out.' And so, finding common ground, I think, makes more sense."

When then asked by Stahl about recent "compromises," Boehner responded "we found common ground." When Stahl pressed about the word "compromise" Boehner said "I reject the word." Fleming chose to use one statement from a larger conversation out of context, and he is not alone in doing so.

Our society feeds on sound bites that are used to promote disinformation that one party uses to disparage the other without verification and without regard for actual context, truth or accuracy.

Both the Democratic and Republican parties appear to have fallen into the "my way or the highway" rut.

**Scott Cooper**  
Fullerton

## State reaps more tax

The Dan Walters column "State economy affected little by Legislature" [Opinion, Sept. 24] notes that Phillip Reese of the Sacramento Bee thinks that increasing the minimum wage to \$10 per hour might boost the state economy by \$10 billion per year. Well, that money doesn't appear out of thin air – it comes from me, in the form of higher prices for goods and services, and from employers, in the form of higher costs.

Of course, higher prices generate an increase in sales taxes, and higher wages generate an increase in income taxes, so it's easy to see why the government likes the idea.

**Brad Livingston**  
Rancho Santa Margarita

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## COLUMNS

## PROTECTING CHILDREN IN CALIFORNIA

'Conversion therapy' puts youth at serious risk.

By ERWIN CHEMERINSKY  
FOR THE REGISTER

The State of California can protect children from being subjected to efforts by state-licensed mental health professionals to change their sexual orientation.

That was the conclusion of a recent unanimous decision of the United States Court of Appeals that upheld Senate Bill 1172, adopted by the California Legislature last year and signed by Gov. Jerry Brown, which prohibits a mental health professional from engaging in "sexual orientation change efforts" with a patient under age 18.

Thousands, and perhaps tens of thousands, of children have been subjected to aggressive efforts by therapists to try and change their sexual orientation. Parents, learning their children are expressing attraction to the same sex, have put them in so-called "conversion" or "reparative" therapy – despite warnings by medical and mental health organizations that these practices have no scientific credibility and put youth at risk of serious harms.

The therapy is often lengthy, seeking to change behavior and also a child's gender identity, thoughts and feelings. The treatment is based, in part, on the idea that people are gay because they are insufficiently masculine or feminine. Treatment often focuses on separating boys from the "influence" of their mothers and sisters and encouraging them to do more conventionally "masculine" things. At times, the therapy has included aversive treatments, such as the application of electric shock to the hands and genitals and nausea-inducing drugs administered simultaneously with the presentation of homoerotic stimuli.

There is no evidence that such "conversion therapy" works and significant evidence that it doesn't and that it causes real harms, such as depression and even suicide.

Besides, the assumption of the "treatment" is that being gay or lesbian is a disease to be cured and no reputable medical or psychological organization accepts that premise.

After SB1172 was adopted last year, it was challenged as violating the First Amendment rights of health profes-

sionals. Two federal district courts in Sacramento heard challenges and one upheld the law, while the other struck it down as violating the First Amendment.

The Ninth Circuit resolved this disagreement and got it exactly right: there is no First Amendment right to engage in medical treatment that is ineffective and harmful, even if it is administered via speech.

Courts, including the United States Supreme Court, long have held that the government may ban treatments, whether for physical or mental conditions, that are ineffective or harmful. Above all, the government always has the power to safeguard children from physical or mental abuse.

The fact that conversion therapy is done primarily through words does not mean that it is automatically protected as speech under the First Amendment. Never have the courts treated the First Amendment as an absolute protection for speech and indeed have upheld many laws that restrict speech by professionals, such as doctors and lawyers.

Doctors may be held liable for their speech during treatment, such as for expressing an incompetent or false medical opinion to a patient, or for failing to provide adequate instructions or to ask necessary questions. Just as a therapist cannot lawfully endanger a person with anorexia by telling her, "you are too fat," so therapists in California cannot subject minors to dangerous practices based on scientifically false and discredited views about sexual orientation.

Nor do other constitutional claims against the law have any merit. Parents certainly have the constitutional right to control the upbringing of their children, but not when it involves subjecting the children to harmful and ineffective forms of treatment.

As the federal court of appeals recognized, the ultimate question was whether the California Legislature was reasonable in concluding that conversion therapy is a form of mental health treatment that is harmful and ineffective.

In light of all available evidence and the conclusion of every reputable professional organization, the answer is clear and the court was correct in upholding this law and preventing harm to children in California.

Erwin Chemerinsky is dean of the UC Irvine School of Law.



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## OPPOSITION

The nation's most respected and prestigious health care organizations have uniformly condemned efforts to change a young person's sexual orientation as ineffective and harmful. Among them are the American Medical Association, the American Academy of Pediatrics, the American Psychological Association, the American Counseling Association and the American Psychiatric Association.

## Threats won't benefit GOP

By PETER MORICI  
FOR THE REGISTER

House Republicans are behaving childishly by threatening to shut down the government when better options to move their agenda exist.

The House has passed a bill to keep the government funded at current levels after Sept. 30 – but aims to defund the Affordable Care Act. Senate Democrats will send it back to the House stripped of that provision, where it will likely fail. Theoretically the government will run out of money. However, Uncle Sam will continue withholding taxes from paychecks and businesses must continue quarterly payments.

The president has authority to continue mandatory spending programs – Social Security and other benefits checks should go out – and to respond to emergencies involving the safety of human life and property. The latter may embrace a pretty wide swath but if history is any guide, the president will engage in some juvenile behavior of his own.

During the early days of sequestration, President Barack Obama sullenly threatened public safety by not realigning funds to keep enough air traffic controllers and food inspectors on the job. Draconian warnings that prison guards and cooks will not be paid are extrapolation from such conduct. Will he release the inmates at federal penitentiaries to avoid keeping and feeding them in their cells?

Obama wants to impose whatever laws he likes and reduce Congress to a compliant debating society. Obamacare was passed through Congress by sleight of hand. House Democratic leaders packaged the final legislation into a budget reconciliation bill, avoiding the need to win any Republican votes in the Senate – an unprecedented legislative maneuver for such a major piece of social legislation.

The law has not gained legitimacy among the majority of Americans to the peril of Democrats. In states

where Senate races will be highly contested this fall and in House districts leaning Republican or likely to be contested, a significant majority of independent voters oppose Obamacare.

Shutting down the government will spoil that potential GOP support – especially because the president is in a position to make such a shutdown as painful as possible.

Obamacare is already creating huge headaches. Businesses have been exempted from the requirement to provide health insurance to employees for one year. State and federal health insurance exchanges are simply not ready to provide accurate pricing and coverage information to individuals who must purchase coverage under the law. Labor unions who supported the law are asking for permanent exemptions from the law, and employers like Starbucks are compelled by the law's rigid application to drop insurance coverage for part-time workers.

House Republicans would do better to exploit those problems by linking continued government funding to a one-year delay in the individual mandate to purchase health insurance and some of the law's other more onerous requirements, and offer the president the opportunity to renegotiate the law in ways that broaden public support.

That would give Republicans a platform to run on next fall, but Republicans cling to false notions that the health care system was just fine before Obamacare. Alas, it was not and remains much more expensive than the German and many other European systems that deliver universal coverage and better results.

Obstructionist threats and obstinance won't make the GOP a governing party again. It will result in the election of a more Democratic House, a continuing Democratic Senate and another Democratic president to succeed Obama.

Peter Morici is an economist and professor at the University of Maryland.



Pope Francis

50%

President Obama's job approval rating, according to Real Clear Politics' average of major polls for Sept. 4-23, is at 50.6 percent. The president's approval has consistently been declining since May.