

Division 44 Public Policy Committee

The Society for the Psychology of Sexual Orientation and Gender Diversity (APA Division 44)



Policy Statement on Nondiscrimination Protections for Consensually Non-Monogamous Adults

Research has documented widespread diversity across family and relationship structures throughout history, including consensual non-monogamy (CNM). CNM is a relationship structure in which individuals mutually agree that partners may maintain multiple romantic, sexual, and/or intimate relationships, such as polyamory, open relationships, or swinging (Balzarini & Muise, 2020). Individuals practicing CNM often build diverse family structures, such as multiple-parent families (Chen & Mulligan, 2025; Gupta et al., 2023; Sheff, 2011). Recent estimates suggest that CNM is prevalent across the United States; more than 20% of adults report engaging in some form of CNM during their lifetime (Haupt et al., 2017), with an estimated 5% of adults - nearly 13.5 million - currently engaged in CNM relationships (Scoats & Campbell, 2022). Importantly, CNM is not limited to any particular demographic; research indicates that CNM engagement occurs among both heterosexual and sexual minority populations and across age, gender, religion, racial identity, geographic region, political affiliation, education, and income (Haupt et al., 2017; Morar-Bolba et al., 2025).

Individuals in CNM relationships face substantial stigma, discrimination, and harassment across multiple domains of life. Stigmatizing attitudes toward CNM people and relationships are well-documented (e.g., Moors et al., 2013; Rodrigues et al., 2024). Discrimination has been reported

at interpersonal and institutional levels, including social rejection, relationship invalidation, pressure to conceal relationship structure, and anticipated discrimination or differential treatment in employment and healthcare settings (Stults et al., 2023). A recent community survey conducted by the Organization for Polyamory and Ethical Non-Monogamy (OPEN, 2025) found that over 60% of participants reported experiencing stigma or discrimination based on their CNM identity and practice across their lifetime; notably, 9.3% reported housing discrimination, 8.5% reported discrimination in federal services, and 6.7% reported employment discrimination. While community-based sampling limits generalizability, these findings point to a broader pattern of institutional marginalization. Such stigma has been associated with tangible harms, including job loss, social exclusion, barriers to healthcare access, and elevated risk for mental health concerns such as depression and generalized anxiety disorder (Borgogna et al., 2021; Campbell et al., 2024; Moors, 2023; Sheff, 2017; Stein, 2020; Witherspoon & Theodore, 2021).

Despite the prevalence of stigma against CNM identities and relationships, CNM identity/relationship structures are not considered a protected class at the federal or state level, leaving individuals legally vulnerable to discrimination in employment, housing, and public accommodations (“Three’s Company, Too,” 2022; Tweedy, 2024). Nondiscrimination ordinances (NDOs) are established policy tools that protect marginalized populations by ensuring equal access to employment, housing, and public accommodations (Fields & Wotipka, 2022; Gates, 2011; Truszczynski et al., 2022). Evidence from identity-based NDOs enacted to protect LGBTQ+ populations suggests that such protections can meaningfully reduce discrimination while improving psychological well-being, economic stability, and access to healthcare (Hatzenbuehler et al., 2014; Riggle et al., 2017). Given the documented stigma and institutional discrimination facing CNM individuals and their families, NDOs for this population warrant policy consideration.

Several municipalities have already begun addressing this critical gap. Municipalities in Massachusetts, Oregon, Washington, and California have enacted NDOs explicitly extending housing, employment, and public accommodations protections to CNM individuals and people in CNM relationships (*Harvard Law School LGBTQ+ Advocacy Clinic*, 2026; OPEN, 2025; Sanford, 2026; “Three’s Company, Too,” 2022). Building on the evidence that NDO protections reduce discrimination and improve psychological well-being among other stigmatized populations, such as LGBTQ+ populations, CNM-inclusive NDOs represent a crucial step toward ensuring that CNM individuals and people in CNM relationships are not excluded from legal protections afforded to other family and relationship structures.

APA Division 44 (Society for the Psychology of Sexual Orientation and Gender Diversity) calls upon municipalities and policymakers to adopt NDOs that explicitly include CNM and relationship structure diversity as protected categories. Extending nondiscrimination protections would help CNM individuals and people in CNM relationships access equal employment, housing, and public services without fear of discrimination based on their relationship structure.

Although CNM is not currently recognized as a protected category under most civil rights statutes or regulations, relationship structure discrimination raises important equity, psychological well-being, and public health concerns, particularly given the well-documented links between structural stigma and adverse mental health outcomes.

References

- Balzarini, R.N., Muise, A. Beyond the dyad: A review of the novel insights gained from studying consensual non-monogamy. *Current Sexual Health Reports* 12, 398–404 (2020). <https://doi.org/10.1007/s11930-020-00297-x>
- Borgogna, N. C., Aita, S. L., & Aita, L. J. (2021). Minority stress in consensually non-monogamous individuals: Mental health implications. *Sexual and Relationship Therapy*, 39(1), 46–65. <https://doi.org/10.1080/14681994.2021.1959545>
- Campbell, C., Scoats, R., & Wignall, L. (2024). “Oh! How Modern! And... Are You Ok with That?”: Consensually Non-Monogamous People’s Experiences When Accessing Sexual Health Care. *The Journal of Sex Research*, 61(9), 1377–1388. <https://doi.org/10.1080/00224499.2023.2246464>
- Chen, A. & Mulligan, C. (2025). Parafamily. *Boston University Law Review*, 105(2), 385–442. <https://www.bu.edu/bulawreview/files/2025/06/CHEN-MULLIGAN-Final.pdf>
- Fields, X., & Wotipka, C. M. (2022). Effect of LGBT anti-discrimination laws on school climate and outcomes for lesbian, gay, and bisexual high school students. *Journal of LGBT Youth*, 19(3), 307–329. <https://doi.org/10.1080/19361653.2020.1821276>
- Gates, T. G. (2011). Why employment discrimination matters: Well-being and the queer employee. *Journal of Workplace Rights*, 16(1).
- Gupta, S., Tarantino, M., & Sanner, C. (2024). A scoping review of research on polyamory and consensual non-monogamy: Implications for a more inclusive family science. *Journal of Family Theory & Review*, 16(2), 151-190. <https://doi.org/10.1111/jftr.12546>
- Three’s company, too: The emergence of polyamorous partnership ordinances. (2022). *Harvard Law Review*, 135(5), 1441–1464. <https://harvardlawreview.org/print/vol-135/threes-company-too-the-emergence-of-polyamorous-partnership-ordinances/>
- Harvard Law School LGBTQ+ Advocacy Clinic. (2024, April 17). *Oakland passes historic nondiscrimination bill protecting diverse family and relationship structures*. <https://hslgbtq.org/news/oakland-passes-historic-nondiscrimination-bill-protecting-diverse-family-and-relationship-structures>
- Hauptert, M. L., Gesselman, A. N., Moors, A. C., Fisher, H. E., & Garcia, J. R. (2017). Prevalence of experiences with consensual nonmonogamous relationships: Findings from two national samples of single Americans. *Journal of Sex & Marital Therapy*, 43(5), 424–440. <https://doi.org/10.1080/0092623X.2016.1178675>

- Moors, A. C. (2023). Five misconceptions about consensually nonmonogamous relationships. *Current Directions in Psychological Science*, 32(5), 355–361.
<https://doi.org/10.1177/09637214231166853>
- Moors, A. C., Matsick, J. L., Ziegler, A., Rubin, J. D., & Conley, T. D. (2013). Stigma toward individuals engaged in consensual nonmonogamy: Robust and worthy of additional research. *Analyses of Social Issues and Public Policy*, 13(1), 52–69.
<https://doi.org/10.1111/ASAP.12020>
- Morar-Bolba, D., Banse, R., & Conley, T. D. (2025). Consensual non-monogamy (CNM) – Considering sexual minorities and moving away from a dyadic conceptualization. *International Journal of Sexual Health*, 38(1), 337–356.
<https://doi.org/10.1080/19317611.2025.2576764>
- Organization for Polyamory and Ethical Non-monogamy. (2025, November 26). 2025 community survey report. <https://www.open-love.org/blog/2025-community-survey-report>
- Rodrigues, D., Fasoli, F., Huic, A., & Lopes, D. (2018). Which partners are more human? Monogamy matters more than sexual orientation for dehumanization in three European countries. *Sexuality Research and Social Policy*, 15(4), 504–515.
<https://doi.org/10.1007/s13178-017-0290-0>
- Sanford, N. (2026, March 15). *Olympia becomes first Washington city to pass polyamory protections*. Opb; OPB. <https://www.opb.org/article/2026/03/15/olympia-first-washington-city-polyamory-protection/>
- Scoats, R., & Campbell, C. (2022). What do we know about consensual non-monogamy?. *Current Opinion in Psychology*, 101468. Retrieved from
<https://www.sciencedirect.com/science/article/pii/S2352250X22001890>
- Sheff, E. (2011). Polyamorous families, same-sex marriage, and the slippery slope. *Journal of Contemporary Ethnography*, 40(5), 487–520.
- Sheff E. (2017). Child custody in polyamorous families part 5. *Psychology Today*.
<https://www.psychologytoday.com/us/blog/the-polyamorists-next-door/201705/child-custody-in-polyamorous-families-part-5>
- Stein, E. (2020). *Adultery, infidelity, and consensual non-monogamy*. *Wake Forest Law Review*, 55, 147–194. https://www.wakeforestlawreview.com/wp-content/uploads/2024/05/w06_Stein.pdf
- Stults, C. B., Abreu, R. L., Tjia, L., Kaczetow, W., Brandt, S. A., Malavé, D. M., & Chumpitaz, M. (2023). Enacted and anticipated stigma related to consensual nonmonogamy among

LGBTQ+ adults. *Psychology of Sexual Orientation and Gender Diversity*, 10(3), 461–472. <https://doi.org/10.1037/sgd0000546>

Truszczynski, M., Truszczynski, N., Estevez, R. I., & Elliott, A. E. (2022). Does policy matter? The impact of state and city anti-discrimination policy on the discrimination experiences of trans and nonbinary people. *Sexuality Research and Social Policy*, 19(4), 1786-1794. <https://doi.org/10.1007/s13178-022-00762-3>

Tweedy, A. E. (2025). The right to practice polyamory. *Southwestern Law Review*, 54(2), 367-384. <https://doi.org/10.2139/ssrn.5112311>

Witherspoon, R. G., & Theodore, P. S. (2021). Exploring minority stress and resilience in a polyamorous sample. *Archives of Sexual Behavior*. Advance online publication. <https://doi.org/10.1007/s10508-021-01995-w>