



AMERICAN ATHEISTS

February 1, 2019

The Honorable Sen. Annette Cleveland
Chairperson
Senate Health & Long Term Care Committee
220 John A. Cherberg Building
Olympia, Washington 98504-0466

Re: AMEND SB 5257, Testimony from American Atheists regarding a bill prohibiting licensed health professionals from performing female genital mutilation (FGM)

Dear Chairperson Cleveland and Members of the Senate Health & Long Term Care Committee:

American Atheists, on behalf of its nearly 1,500 constituents in Washington State, writes to provide testimony regarding SB 5257, a bill which will protect women and girls from harmful female genital mutilation (FGM) by prohibiting licensed health professionals to engage in such practices. Washington is one of just 22 states that does not prohibit FGM. However the current bill fails to adequately protect women and girls from FGM, and therefore we urge you to amend this critical legislation to provide more comprehensive protections from these dangerous practices.

American Atheists is a national civil rights organization that works to achieve religious equality for all Americans by protecting what Thomas Jefferson called the “wall of separation” between government and religion created by the First Amendment. We strive to create an environment where atheism and atheists are accepted as members of our nation’s communities and where casual bigotry against our community is seen as abhorrent and unacceptable. We promote understanding of atheists through education, outreach, and community-building and work to end the stigma associated with being an atheist in America. As advocates for the health, safety, and well-being of all Americans, American Atheists objects to efforts to subordinate medical care to the religious beliefs of others.

FGM, which is the ritual cutting or alteration of female genitalia for non-medical purposes, is predominately forced upon young females and performed by non-licensed practitioners. SB 5257 as written cannot effectively protect women and girls in Washington from FGM because it fails to address the primary perpetrators of FGM which are unlicensed practitioners. Therefore, we recommend you amend or supplement this bill by recognizing FGM as a felony for providers, caretakers, and others who facilitate these practices; prohibiting the transportation of minors for FGM; and clarifying that cultural or religious preferences are not an affirmative defense. We also recommend legislation to create education and outreach programs relating to FGM and establish a private right of action for survivors of FGM.

In a 2016 report, the US Government Accountability Office stated that the Centers for Disease Control and Prevention (CDC) estimated that 513,000 women and girls in the United States were at

risk of or had been subjected to FGM.¹ Moreover, there are 25,000 girls at risk in for FGM in Washington State.² Given these numbers and the recent court ruling striking down laws to protect women and girls from FGM through federal law enforcement, the modest steps taken by SB 5257 are strikingly insufficient.

Although FGM is frequently performed as part of a religious tradition in some cultures, these practices have no medical necessity or benefit. Instead, these practices frequently result in serious injury to the victim as well as a host of serious medical complications. In addition to the devastating physical consequences, FGM can result in significant psychological harm. Washington State has a duty to protect its residents from these dangerous practices regardless of tradition. This sort of religiously inspired and brutal misogyny has no place in our society.

Thank you for considering the important issue of protecting women and girls in Washington State from FGM. We urge you to amend SB 5257 or introduce comprehensive legislation to more effectively address this critical societal harm. If you should have any questions regarding American Atheists' comments on SB 5257, please contact me at 908.276.7300 x9 or by email at agill@atheists.org.

Sincerely,



Alison Gill, Esq.
Vice President, Legal and Policy
American Atheists

CC: All members of the Washington Senate Health & Long Term Care Committee

¹ United States Government Accountability Office, Female Genital Mutilation/Cutting: Existing Federal Efforts to Increase Awareness Should Be Improved. Available at <https://www.gao.gov/assets/680/678098.pdf>.

² AHA Foundation, FGM Legislation by State. Available at <https://www.theahafoundation.org/female-genital-mutilation/fgm-legislation-by-state/#popup>.