



AMERICAN ATHEISTS

February 26, 2019

The Honorable Sen. Carol Dalby
Chairperson, House Committee on Judiciary
500 Woodlane Street
Little Rock, Arkansas 72201

Re: SUPPORT for SB 318, Testimony from American Atheists in support of legislation to prohibit female genital mutilation

Dear Chairperson Dalby and Members of the House Committee on Judiciary:

American Atheists, on behalf of its constituents in Arkansas, writes in support of SB 318, a comprehensive bill which will protect women and girls in Arkansas from the harmful practices known as female genital mutilation (FGM). Arkansas is one of just 22 states that does not prohibit FGM.¹ We urge you to swiftly remedy this situation by passing this critical legislation.

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 318 establishes that FGM performed upon minors is a class C felony allowing the prosecution of practitioners, and prohibits transportation for a minor for this purpose. Moreover, the bill clarifies that beliefs regarding customs and rituals (whether of a minor or another person) are not appropriate defenses. This legislation also establishes a private right of action for survivors of FGM, requires mandatory child abuse reporters to also report FGM of a minor, establishes discipline for licensed medical practitioners who perform FGM, and creates educational programs to help raise awareness of the harms of FGM and recourse available to women and girls subject to these practices.

Although FGM is often performed as a traditional practice in some cultures, these procedures have no medical necessity or benefit. Instead, FGM frequently results in serious injury to the victim as well as a host of serious medical complications. In addition to the devastating physical

¹ AHA Foundation, FGM Legislation by State. Available at <https://www.theahafoundation.org/female-genital-mutilation/fgm-legislation-by-state/#popup>.

consequences, FGM can result in significant psychological harm. 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.² It is essential that states increase their efforts to oppose FGM, especially after the recent court ruling calling into question the constitutionality of existing federal laws prohibiting these practices.³ Arkansas 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 holding a hearing on this life-saving measure. We urge you to act swiftly to pass this legislation to protect women and girls in Arkansas from FGM. If you should have any questions regarding American Atheists' support for SB 231, 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 Arkansas House Committee on Judiciary

² 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>.

³ *United States v. Nagarwala*, No. 17-CR-20274, 2018 U.S. Dist. LEXIS 197494 (E.D. Mich. Nov. 20, 2018).