



AMERICAN ATHEISTS

March 5, 2019

The Honorable Sen. Mike Bell
Chairperson, Senate Committee on Judiciary
425 5th Avenue North
Suite 716 Cordell Hull Bldg.
Nashville, TN 37243

Re: SUPPORT for SB 1166, Testimony from American Atheists in support of legislation to protect women and girls in Tennessee from female genital mutilation

Dear Chairperson Bell and Members of the Senate Committee on Judiciary:

American Atheists, on behalf of its nearly 800 constituents in Tennessee, writes in support of SB 1166, a comprehensive bill which will protect women and girls in Tennessee from the harmful practices known as female genital mutilation (FGM). We urge you to pass this important 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. 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 In Tennessee, more than 8,062 women and girls are at risk for FGM.²

Although Tennessee is already one of the 28 states that prohibits this dangerous practice, SB 1166 will increase the scope of protection for women and girls in the state significantly. SB 1166 clarifies the definition of FGM and covers not only those who perform FGM, but also individuals who facilitate or transport a minor with the purpose of undergoing FGM. Moreover, the bill clarifies that beliefs regarding customs and rituals (whether of minors or legal guardians) are not appropriate defenses. SB 1166 also establishes a private right of action for survivors of FGM, including damages,

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>.

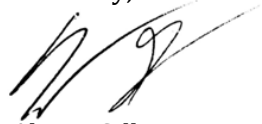
² AHA Foundation, FGM Legislation by State. Available at <https://www.theahafoundation.org/female-genital-mutilation/fgm-legislation-by-state/#popup>.

attorney fees, legal cost, and the civil forfeiture of property and money. Finally, this bill proscribes discipline for licensed medical practitioners who perform FGM.

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 consequences, FGM can result in significant psychological harm. We applaud Tennessee's efforts to address FGM, especially after the recent court ruling calling into question the constitutionality of existing federal laws prohibiting these practices.³ Tennessee 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 of women and girls in Tennessee from FGM. If you should have any questions regarding American Atheists' support for SB 1166, please contact me at 908.276.7300 x309 or by email at agill@atheists.org

Sincerely,



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

cc: All Members of the Tennessee Senate Committee on Judiciary

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