



# AMERICAN ATHEISTS

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March 6, 2019

The Honorable Rep. Brad M. Daw  
Chair, House Health and Human Services Committee  
350 North State, Suite 350  
PO Box 145030  
Salt Lake City, Utah 84114

**Re: SUPPORT for HB 430, Testimony from American Atheists in support of legislation to protect women and girls in Utah from female genital mutilation**

Dear Chairperson Daw and Members of the Health and Human Services Committee:

American Atheists, on behalf of its more than 600 constituents in Utah, writes in support of HB 430, a comprehensive bill which will protect women and girls in Utah from the harmful practices known as female genital mutilation (FGM). Utah is one of just 22 states that does not prohibit FGM.<sup>1</sup> 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. 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.<sup>2</sup> In Utah alone, nearly 1,800 women and girls are at risk for FGM.<sup>3</sup>

HB 430 establishes that FGM performed upon minors is a third degree felony, and it covers not only those who perform FGM, but also individuals who facilitate or transport a minor for these purposes. The bill clarifies that religious beliefs, customs and traditions, and consent (whether by the minor or their legal guardians) are not appropriate defenses. HB 430 also establishes a private right of

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

<sup>2</sup> 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>.

<sup>3</sup> AHA Foundation, FGM Legislation by State, *supra*.

action for survivors of FGM, clarifies that FGM is a form of child abuse with respect to reporting statutes, and establishes programs to raise awareness and provide education regarding the harms of FGM. 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. 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.<sup>4</sup> Utah 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 Utah from FGM. If you should have any questions regarding American Atheists' support for HB 430, please contact me at 908.276.7300 x309 or by email at [agill@atheists.org](mailto:agill@atheists.org)

Sincerely,



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

cc: All Members of the Utah House Health and Human Services Committee

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<sup>4</sup> *United States v. Nagarwala*, No. 17-CR-20274, 2018 U.S. Dist. LEXIS 197494 (E.D. Mich. Nov. 20, 2018).