

Judiciary Committee JOINT FAVORABLE REPORT

Bill No.: SB-1438

Title: AN ACT PROHIBITING FEMALE GENITAL MUTILATION.

Vote Date: 4/4/2025

Vote Action: Joint Favorable

PH Date: 3/24/2025

File No.:

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SPONSORS OF BILL:

Judiciary Committee

CO-SPONSORS OF BILL:

Sen. John A. Kissel, 7th Dist.
Rep. Matt Blumenthal, 147th Dist.
Rep. Nicole Klarides-Ditria, 105th Dist.
Rep. Jillian Gilchrest, 18th Dist.
Rep. Devin R. Carney, 23rd Dist.
Rep. Gary A. Turco, 27th Dist.

REASONS FOR BILL:

The purpose of this bill is to protect female minors by establishing the mutilation of female genitalia of minors as a class D felony. As defined, the circumcision, excision, or infibulation of the whole or any part of the labia majora or labia minora or clitoris is considered female genital mutilation. While a necessary surgical operation performed by a licensed health care provider is not in violation of this bill, performing a surgery on a minor based on the operator's or anyone else's belief that such operation is required as a matter of custom or ritual, is in violation of this bill. The genital mutilation of women continues to take place throughout the United States, so this bill aims to mitigate the continued practice of female-genital mutilation.

RESPONSE FROM ADMINISTRATION/AGENCY:

State Comptroller Sean Scanlon: The testifier supports this bill, stating this bill would strengthen Connecticut's anti-discrimination statutes by classifying the practice of female genital mutilation as a Class D Felony. The testifier states that by passing SB 1438, along with HB 7135 and HB 7336, Connecticut is sending a strong message that it is committed to

ensuring access to essential healthcare without fear of retaliation, along with caring for our society's most vulnerable classes. In this current political climate, the testifier states this package of bills will provide critical assurance to Connecticut residents.

The Commission on Women, Children, Seniors, Equity & Opportunity, Rosemary

Lopez: The testifier supports this bill, stating they seek to establish the mutilation of female genitalia of minors as a crime in Connecticut. The testifier acknowledges the devastating physical, psychological, and social consequences victims of FGM are forced to endure. While the testifier commends this bill for establishing strong legal protections against FGM, the Commission recommends the legislature consider additional measures: invest in community outreach to educate parents, educators, and health care providers on the dangers of FGM; train professionals so they can recognize the risks and signs of FGM; create support services for survivors who have experienced FGM.

NATURE AND SOURCES OF SUPPORT:

Sarah Alfieri: The testifier supports this bill, stating that it seeks to eradicate gender-based discrimination and cruelty.

Barbra Fairbanks: The testifier supports this bill, stating no child should be subject to genital mutilation.

Testimony of three survivors of Female Genital Mutilation:

Amie Kujabi

Sukai Gaye

Absa Samba

They each provided testimony in support of this bill, explaining that services, community activities, and outreach programs can be implemented to protect girls against female genital mutilation and support those who have undergone FGM. They believe this bill will raise awareness, protect potential victims, and support survivors. They also believe it will reduce the burden on the healthcare system.

Susan Bradford: The testifier supports this bill, stating they strongly support making it a felony crime to mutilate the female genitalia of minors.

Al Burgeson: The testifier supports this bill, stating everyone should have a choice with their bodies.

Richard Clavet: The testifier supports this bill, stating it is disturbing women need legislation to protect them from physical harm. The testifier said they fully support this measure to criminalize female genital mutilation.

Barbra Fairbanks: The testifier supports this bill, stating no woman in America should be mutilated by female genital surgery.

Barbara Hughes, President of Connecticut Counseling Association: The testifier supports this bill, stating that it raises awareness about and prohibits the practice of FGM within Connecticut. She explained that the psychological repercussions of FGM are profound and enduring; survivors of this practice experience a range of mental health challenges, like post-traumatic stress disorder (PTSD), depression, anxiety, and more. She also expressed

concerns that the current bill should have a provision to establish education programs and counseling for survivors of female genital mutilation.

Jo Keogh, Founding member of CT Coalition to End Female Genital Mutilation: The testifier supports this bill, stating as someone who works with the survivors of gender-based violence like FGM, they can attest to the profoundly traumatic impact FGM has on survivors. The mental repercussions of FGM can result in post-traumatic stress disorder (PTSD), depression, anxiety, psychosexual issues, and more. They have concerns that this bill does not sufficiently address the needs of survivors and attached a proposed alternative to the bill that is more holistic and survivor-driven.

Anastasia Law, North America Program Officer for Equality Now: The testifier supports this bill, stating female genital mutilation is a violent practice that continues to persist throughout the world. The testifier states that as of 2024, at least 230 million people globally have undergone female genital mutilation; specifically, in the United States, 421,000 to 577,000 are either at risk or have undergone FGM. However, the testifier fears the language of this bill does not sufficiently address the needs of survivors or implement any prevention efforts like training or education for healthcare providers.

Mark Linabury, Chair of West Hartford Human Rights Commission: The testifier strongly supports this bill, stating female genital mutilation can just as likely take place in the United States. FGM is not limited to one region, country, or ethnic group; it is a global practice that transcends race, religion, ethnicity, or country of origin. The testifier states FGM is an extreme form of gender-based violence; it poses serious reproductive health consequences. The testifier states that this legislation draws attention to this issue while acting as a preventative tool for families wanting to end this practice.

Katherine C. McKenzie MD, Internist for Yale Center for Asylum Medicine: The testifier supports this bill. As an attending physician at the Refugee Clinic and Director of Yale's Center for Asylum Medicine, the testifier anonymously referenced several survivors of FGM she previously treated for her case. The testifier stated that when she evaluated the women who were subjected to FGM, they generally remembered the gruesome details. The testifier stated that none of the women she treated had anesthesia during the FGM, so they could vividly recount the traumatic, painful event. In addition, because of the testifier's medical expertise, she was able to describe the various long-term complications that may arise from FGM in detail, including pain, infection, scarring, acute and chronic urinary issues, menstrual problems, infertility, sexual dysfunction, and increased risk of obstetric complications and psychological impacts. Given these serious and long-term consequences of FGM, the testifier advocates for this bill to be passed with a few alterations.

Jocelyn Novella, Assistant Professor at Fairfield University: The testifier supports this bill, stating they believe female genital mutilation should be prohibited, and this bill seeks to do that. However, the testifier requested that additional language be included to support survivors and increase awareness of FGM. The testifier would also like the bill to clarify this is not an impediment to the First Amendment, Freedom of Religion as there is a significant precedent for not allowing a parent's religious beliefs to cause harm to a child.

Zehra Patwa, Survivor of FGM/C: The testifier supports this bill, stating that as someone who underwent female genital mutilation, there is nothing to be gained from FGM apart from

making women feel ashamed and out of control of their own bodies. The testifier was a child when she was unknowingly subjected to FGM, and she said it has had a lasting effect on her. The testifier states they want this bill to pass to protect girls from FGM/C.

Krystal Rich, Executive Director of Connecticut Children's Alliance: The testifier supports this bill, stating that FGM/C is a severe human rights violation that disproportionately impacts women and girls, with deeply traumatic and lifelong consequences. The testifier states FGM/C induces severe and enduring mental health repercussions, including Post Traumatic Stress Disorder (PTSD), depression, anxiety, psychosexual issues, chronic shame, and disenfranchised grief. While the testifier supports this bill in its efforts to prohibit FGM/C, they request the Committee modify the language of the bill to include components that aim to prevent FGM/C and support survivors.

Dr. Courtney K. Rowe, Pediatric Urologist: The testifier supports this bill, stating that FGM/C can cause great morbidity throughout an individual's life. She stated that the American Academy of Pediatrics has consistently opposed ritual female genital cutting and the CT AAP Chapter supports this goal of protecting children from these custom-based practices. However, the testifier states it is important this bill doesn't interfere with evidence-based medical care for other populations relating to urologic, gynecologic, or obstetric care.

Nicholas Smith: The testifier supports this bill, stating as a concerned citizen and father of three daughters it is reassuring to see legislators recognize the dangers of gender affirming care. The testifier finds this bill to be an important step to improving the safety of girls.

Mariya Taher, FGM/C Survivor and Co-Founder of Sahiyo: The testifier supports this bill, however, the testifier does not believe this bill sufficiently addresses female genital cutting. As the founder of Sahiyo, an advocacy organization that attempts to raise awareness about FGM/C, the testifier believes this bill is lacking in bringing awareness to this issue and providing a means of redress for survivors. The testifier finds that the bill does not capture all of the harmful practices of FGM/C, it does not educate stakeholders or first responders on how to appropriately treat survivors of FGM, and it treats the crime as a lesser crime. The testifier strongly urges that the bill include provisions for education and civil remedies.

Dr. Nan Wisensale: The testifier supports this bill, stating female genital mutilation/cutting is internationally recognized as a serious human rights violation. The procedure can result in immediate and long-term health issues, including severe bleeding, which can result in death, chronic infections, psychological trauma, sexual dysfunction, and infertility. The testifier supports this bill for prohibiting this practice and human rights violations from persisting.

Leslie Wolfgang, Director of Public Policy Family Institute of Connecticut: The testifier supports the bill in its attempts to prohibit female genital mutilation. However, the testifier also believes this bill should be understood to ban future gender-affirming surgeries. The testifier stated that between 2017 and 2023 the 5,288 or more individuals who obtained gender-affirming double mastectomies were 12.5 or younger at the time of their procedure. The testifier states that children under the age of 18 should not be able to obtain gender-affirming surgery.

NATURE AND SOURCES OF OPPOSITION:

Simon Amaya Price: The testifier opposes this bill, stating this bill needs to add a provision to prohibit the practice of removing breasts or performing surgery on genitals on children under the age of 18.

The Connecticut Hospital Association: The Connecticut Hospital Association (CHA) submitted testimony opposing this bill, stating they have concerns about the bill as written. While the Connecticut Hospital Association acknowledges this bill effectively criminalizes ritual or custom-based unnecessary genital female mutilation operations, the CHA fears this bill will target medical professionals who provide gender-affirming treatment. The CHA requests that should this bill move forward, it clearly does not interfere with healthcare providers acting within the scope of their profession.

Chris Barrett: The testifier opposes this bill, stating that it is essential add a provision to prohibit the practice of removing breasts or performing surgery on genitals on children under the age of 18.

Jeff Cleghorn, Esq: The testifier opposes this bill, stating this bill needs to add a provision that prohibits children under the age of 18 from obtaining gender-affirming surgery.

Dr. Linda Dalessio: The testifier opposes this bill, stating that gender-affirming surgery is female and male genital mutilation. The testifier states this bill fails to protect children from life-altering surgeries.

Reported by: Lucy Sheldon

Date: April 4, 2024