



Women's Bar Association

27 School Street, Suite 500
Boston, MA 02108
Ph: 617.973.6666
Fax: 617.973.6663
www.womensbar.org

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LETTER FROM THE WBA TO LEGISLATORS

April 28, 2017

Re: Prohibit Female Genital Mutilation in Massachusetts

The Women's Bar Association of Massachusetts strongly supports An Act to Protect Girls From Genital Mutilation (H2333 and S788). Girls in Massachusetts need the protection of this Act which would provide civil and criminal penalties for Female Genital Mutilation (FGM), a human rights violation and a manifestation of gender inequality.

A study by Equality Now found that in 2013, a total of 14,591 girls and women in Massachusetts had FGM performed on them or were at risk of FGM. While federal law criminalizes the performance of FGM, twenty-four states have anti-FGM laws that give law enforcement and the courts a mechanism to punish those who subject girls to this violation of their bodies. Massachusetts should be number 25.

FGM involves removing part or all of a girl's healthy sex organs and surrounding tissue for non-medical reasons, often resulting in serious health consequences, the risk of death in childbirth, and lifelong trauma. There are no health benefits to this practice. Girls and women undergo female genital mutilation at all stages of life, including shortly after birth to their first pregnancy, though victims are commonly between four and ten years old. In half the countries for which figures were available in 2013, most girls were cut before the age of five.

Those who continue to perform and support female genital mutilation provide a variety of reasons for continuing the practice. Some view it as an initiation of a girl into womanhood. Some claim that female genital mutilation cleanses or purifies girls. Some communities require female genital mutilation prior to marriage as a means of ensuring premarital virginity and marital fidelity. Parents or families in the United States who force their daughters to undergo female genital mutilation may see it as a way to maintain their child's identity and reinforce the culture of her family's nation of origin. Some parents feel immense pressure from family or their community to continue the tradition.

Massachusetts legislation will provide family members who do not want their loved ones to undergo female genital mutilation with another way to object to the practice. This legislation in no way is meant to judge, alienate, isolate, or marginalize a vulnerable population in the Commonwealth; rather, it is meant to identify female genital mutilation as child abuse and a crime in Massachusetts. Passing legislation in Massachusetts will be an important step in ending female genital mutilation and sending a message that the Commonwealth protects the bodily integrity and rights of its girls and women.

In 2015, the Population Reference Bureau, an organization that informs people around the world about population, health, and the environment, released statistics based on the 2010 census showing, for girls under 18, the number of girls that were thought to be at risk or who have undergone female genital mutilation has more than tripled in Massachusetts and quadrupled nationwide. Boston, Cambridge, and Newton ranked as the 10th highest metropolitan area in the country with 11,347 women and girls at risk of female genital mutilation. These estimates also include "vacation" cutting, when girls are taken out of the country to undergo female genital mutilation. These statistics are based on prevalence rates of the country of origin of populations in these areas.

After the United Nations passed a resolution in 2012 to ban the practice of FGM worldwide, the Women's Bar Association formed a task force to research the need for legislation in Massachusetts. Members of the WBA's task force have met with local, state, national, and international groups about female genital mutilation and its prevalence and effects on the girls and families of Massachusetts.

Founded in 1978, the WBA is a professional association of women attorneys and judges, with over 1,500 members across the state. The WBA is committed to the full and equal participation of women in the legal profession and in a just society. Our organization's commitment to creating a just society for all its members and to advancing and protecting the interests of women and children compels us to support H2333 and S788. We believe that passage of An Act to Protect Girls From Female Genital Mutilation is a crucial step to ending this practice, to saving girls from the lifelong consequences of FGM, and to improving the lives of families across the Commonwealth. We urge you to support its passage into law.

Very truly yours,

Michele Baillie
President