



## Ohio Prosecuting Attorneys Association

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Senate Bill 214  
Written Proponent Testimony  
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Chair Manning, Vice-Chair Lanese, Ranking Member Celebrezze and members of the House Criminal Justice Committee, thank you for the opportunity to offer proponent testimony on Senate Bill 214.

Female genital mutilation has been banned under federal law since 1996. Under the federal law, violators are fined or imprisoned up to five years, or both. Senate Bill 214 would give state prosecutors some additional clarity in prosecuting these cases under state law. Most importantly, the bill would prevent offenders from defending their actions based on the consent of the minor, parent, or guardian, or cultural or ritual necessity, arguments that currently present hurdles to successful prosecutions.

Additionally, we are appreciative of a change that was made in the Senate. Currently, female genital mutilation would be charged as felonious assault for knowingly causing serious physical harm to the victim. Felonious assault is a felony of the second degree, punishable by two to eight years in prison. Senate bill 214, As Introduced, would have made female genital mutilation a felony of the fifth degree, punishable by six to twelve months in prison. Because the proposed offense of female genital mutilation is more specific than the general offense of felonious assault, we were concerned that a prosecutor would have to charge such an act under the female genital mutilation statute, thereby reducing the possible penalty. The amendment addressed this by making female genital mutilation a felony of the second degree, maintaining the penalty for what an act of female genital mutilation would be under current law. It also more closely aligns the bill with the punishment under federal law.

Thank you again for the opportunity to provide written proponent testimony. We encourage your support of Senate Bill 214.