

File No. 200048

Committee Item No. \_\_\_\_\_  
Board Item No. 59

**COMMITTEE/BOARD OF SUPERVISORS**  
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Board of Supervisors Meeting

Date: \_\_\_\_\_  
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Prepared by: Lisa Lew  
Prepared by: \_\_\_\_\_

Date: January 24, 2020  
Date: \_\_\_\_\_

1 [Supporting California State Assembly Bill No. 1909 (Gonzalez) - Healing Arts Licensees:  
2 Virginitiy Examinations or Tests]

3 **Resolution supporting California State Assembly Bill No. 1909, authored by Assembly**  
4 **Member Lorena Gonzalez, which would ban virginity examinations or tests and**  
5 **penalize any medical practitioner who performs or supervises these medically**  
6 **meritless pelvic exams.**

7  
8 WHEREAS, In 2018, the United Nations Human Rights Office, United Nations Women  
9 and the World Health Organization, and the World Health Organization issued a joint,  
10 interagency call for a global ban on so-called "virginity testing" in an effort to eliminate this  
11 medically unnecessary and painful practice that contributes to the violence that girls and  
12 women continue to endure in the United States and abroad; and

13 WHEREAS, In 2018, the United Nations Human Rights Office, United Nations Women  
14 and the World Health Organization, and the World Health Organization released an  
15 interagency statement calling "virginity testing" a violation of a girl's and woman's human  
16 rights; and

17 WHEREAS, "Virginity" testing, also referred to as hymen, "two-finger", or per vaginal  
18 examination, is currently not banned under, both, federal or California law; and

19 WHEREAS, Per the 1964 World Medical Association's Declaration of Helsinki, it is the  
20 physician's responsibility to protect the health of the people and those physician's performing  
21 these unsound and unnecessary medical exams are violating their ethical principle of doing  
22 no harm; and

23 WHEREAS, "Virginity testing" violates a girl's and a woman's right to be protected from  
24 sex discrimination; and

1           WHEREAS, "Virginity testing" violates a girl's or woman's rights to physical integrity  
2 and privacy; and

3           WHEREAS, In November of 2019, New York State Assembly Member Michaelle  
4 Solages introduced legislation to ban "virginity testing" in New York stating that it is used to  
5 control girls and women; now, therefore, be it

6           RESOLVED, That the Board of Supervisors of the City and County of San Francisco  
7 supports AB 1909; and, be it

8           FURTHER RESOLVED, That the Board of Supervisors of the City and County of San  
9 Francisco acknowledges that "virginity testing" is a degrading form of sexual violence that is  
10 scientifically meritless and used to control, intimidate, and silence girls and women in the  
11 United States and abroad; and, be it

12           FURTHER RESOLVED, That the Clerk of the Board of Supervisors shall notify  
13 members from Congress from San Francisco and the United States Senators from California  
14 with a request to take all action necessary to achieve the objectives of this Resolution; and,  
15 be, it

16           FURTHER RESOLVED, That the Board of Supervisors of the City and County of San  
17 Francisco directs the Clerk of the Board to transmit copies of this Resolution to the State  
18 Legislature and City Lobbyist upon passage.



# California

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### AB-1909 Healing arts licensees: virginity examinations or tests. (2019-2020)

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Date Published: 01/08/2020 09:00 PM

CALIFORNIA LEGISLATURE— 2019–2020 REGULAR SESSION

**ASSEMBLY BILL****NO. 1909**

Introduced by Assembly Member Gonzalez

January 08, 2020

An act to add Section 726.5 to the Business and Professions Code, relating to healing arts.

**LEGISLATIVE COUNSEL'S DIGEST**

AB 1909, as introduced, Gonzalez. Healing arts licensees: virginity examinations or tests.

Existing law establishes the Department of Consumer Affairs in the Business, Consumer Services, and Housing Agency. The department is composed of boards for purposes of licensing and regulating various professions and vocations, including healing arts licensees. The boards are established for the purpose of ensuring that those private businesses and professions deemed to engage in activities that have potential impact upon the public health, safety, and welfare are adequately regulated in order to protect the people of California. Existing law makes certain acts by a healing arts licensee, including, but not limited to, sexual abuse, misconduct, or relations with a patient, unprofessional conduct and grounds for disciplinary action.

This bill would prohibit a healing arts licensee, as defined, from performing an examination or test on a patient for the purpose of determining whether the patient is a virgin. The bill would also make a violation of its provisions unprofessional conduct and grounds for disciplinary action by the licensing board for the healing arts licensee.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:****SECTION 1.** Section 726.5 is added to the Business and Professions Code, to read:

**726.5.** (a) A healing arts licensee shall not perform an examination or test on a patient for the purpose of determining whether the patient is a virgin.

(b) A violation of subdivision (a) constitutes unprofessional conduct and is grounds for disciplinary action by the licensing board for the healing arts licensee.

(c) For purposes of this section, "healing arts licensee" means any person working within their scope of practicing and engaging in acts that are the subject of licensure or regulation under this division or under any initiative act

referred to in this division.

# Lorena Gonzalez Proposes Ban on "Virginity Testing"

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Wednesday, January 8, 2020

## *No Medical Reasons Exist for Sexist, Traumatizing Hymen Examinations*

**SACRAMENTO – (Wednesday, Jan. 8, 2020)** – California State Assemblywoman Lorena Gonzalez (D-San Diego) introduced legislation today to prohibit licensed medical practitioners from performing so-called "virginity testing" on women.

Under **Assembly Bill 1909**, any medical practitioner who performs or supervises these pelvic exams on a woman's hymen would be subject to professional misconduct penalties.

**"So-called 'virginity testing' is a form of violence and harassment against young girls and women,"** Assemblywoman Gonzalez said. **"There is no medical reason for this examination. It's time for California to listen to calls from the international community and ban this traumatizing, sexist and unnecessary practice."**

Recently, rapper T.I. sparked a nationwide controversy around "virginity testing" when he claimed he annually took his teenage daughter to the gynecologist to check her hymen to determine if she had sexual intercourse. This is a dangerous and false conception. The World Health Organization (W.H.O.) states that the appearance of a girl or woman's hymen cannot prove whether they have had sexual intercourse or are sexually active.

These invasive and traumatizing examinations have no real scientific or medical basis because there is no examination that can prove a girl or woman has had sexual intercourse. The concept of "virginity" is a social and cultural construct.

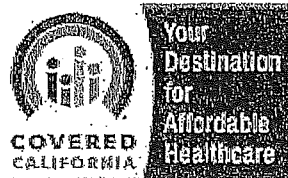
The United Nations, W.H.O., U.N. Women and U.N. Human Rights have called for a global ban on the practice. Currently, there are no federal or state bans on this practice in the United States. In December, a ban similar to **AB 1909** as proposed in New York.

For questions or to request an interview with Assemblywoman Gonzalez, contact Sami Gallegos: [samantha.gallegos@asm.ca.gov](mailto:samantha.gallegos@asm.ca.gov) (mailto:samantha.gallegos@asm.ca.gov)

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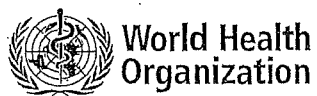
## Resources



(/article/covered-california)



# Eliminating Virginity Testing: An Interagency Statement





**Eliminating virginity testing: an interagency statement**  
WHO/RHR/18.15

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# EXECUTIVE SUMMARY

Virginity testing<sup>a</sup>, also referred to as hymen, “two-finger” or per vaginal examination, is an inspection of the female genitalia meant to determine whether a woman or girl has had vaginal intercourse. As shown in a systematic review on virginity testing, the examination has no scientific merit or clinical indication – the appearance of a hymen is not a reliable indication of intercourse and there is no known examination that can prove a history of vaginal intercourse (1). Furthermore, the practice is a violation of the victim’s human rights and is associated with both immediate and long-term consequences that are detrimental to her physical, psychological and social well-being (1). The harmful practice of virginity testing is a social, cultural and political issue, and its elimination will require a comprehensive societal response supported by the public health community and health professionals.

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<sup>a</sup> Throughout the text the terms *virginity testing*, *virginity examination* and *virginity* are used, with full awareness that there is no scientific merit to, or clinical indication for, “virginity testing” or to a “virginity examination”, and that the term “virginity” is a social, cultural and religious construct with neither medical nor scientific basis.

Traditionally, the virginity examination is performed on unmarried women and girls, often under force, threat or coercion, to assess their virtue, honour or social value (2). In numerous countries, it is also included as part of the medical assessment of rape (3). The practice of virginity testing has been reported in countries from several regions of the world. It appears to be most established in Asia and the Middle East; countries in northern and southern Africa; and, more recently, among some immigrant groups in Europe and North America, forcing communities, societies and countries to make decisions regarding its use (3–20). The growing attention to eliminating sexual violence has raised awareness of the routine use of virginity testing in some settings (27).

Virginity testing is rooted in entrenched systems of discrimination against women and girls (i.e. gender discrimination). It further reinforces socio-cultural norms that perpetuate women's inequality, including stereotyped views of female morality and sexuality, and serves to exercise control over women and girls. Virginity testing violates well-established human rights (22), such as the right to be protected from discrimination based on sex; the right to life, liberty and security of person [including physical integrity]; the right to the highest attainable standard of health; and the rights of the child (when performed on a girl aged under 18 years).

The virginity examination itself can be painful, humiliating and traumatic. It is associated with a range of physical, mental and sexual and reproductive health problems (1, 2, 3, 8, 16). In extreme cases, women or girls may attempt suicide or be killed in the name of "honour" (10, 16, 23). Effects on an individual's social well-being can also be devastating; women and girls may be ostracized, stigmatized and denied employment and educational opportunities (24, 25). Those who seek redress after virginity testing often face re-stigmatization and retribution. When done in the context of examination for sexual assault, it can lead to re-victimization and re-traumatization (2, 22).

According to the 1964 World Medical Association's Declaration of Helsinki, it is the physician's duty to safeguard the health of the people (26). Health professionals who perform virginity testing are violating the fundamental ethical principle: "first, do no harm".

A number of medical professionals, health-care associations and human rights organizations have explicitly condemned virginity testing as unscientific and harmful (2, 3, 8, 27–30, 88). In addition, some local and national governments have banned virginity testing and enacted laws that criminally punish those who perform the examination (31, 32). Despite some limited progress, virginity testing continues to be performed by health professionals around the world. More work is urgently needed to increase awareness of its detrimental effects on the health of women and girls, and the imperative to eliminate its use.

This statement establishes that virginity testing is unscientific, medically unnecessary and unreliable; it is associated with short- and long-term adverse health outcomes. The statement expresses a commitment to support efforts to eradicate all forms of virginity testing, thereby upholding the human rights of women and girls across the globe. The statement calls on governments; health professionals and their associations; international, regional and national health agencies; and communities at large to take the initiative to ban virginity testing and create national guidelines for health professionals, public officials and community members, particularly in countries where virginity testing is widely practised. It calls for the following specific strategies to eliminate virginity testing from medical practice:

- Medical providers and their professional associations should be aware of the research that shows that virginity testing has no scientific merit and cannot determine past vaginal penetration or virginity. They should also know the health and human rights consequences of trying to establish virginity and never perform or support the practice.
- Governments and health authorities should enact supportive legislative and policy frameworks for the sustained elimination of virginity testing.
- Communities should lead in awareness campaigns that challenge myths related to virginity, and harmful social norms that perpetuate the practice of so-called virginity testing.

The World Health Organization and endorsing agencies confirm their commitment to supporting all women and girls, communities, organizations and national governments in the elimination of virginity testing.

# BACKGROUND

## ROOT CAUSES OF VIRGINITY TESTING

**T**here is no universal definition of the term virginity – its meaning varies by era, region, culture and religion. The word “virgin” comes from the Latin root *virgo*, literally meaning “maiden” – interpreted as a young woman who has not had vaginal intercourse (33). The concept of virginity is not a medical or scientific term; rather, it is a social, cultural and religious construct (34). The disproportionate social expectation that girls and women should remain “virgins” (i.e. without having sexual intercourse) until marriage is rooted in stereotyped notions of female sexuality that have been harmful to women and girls globally (34, 35).

**In many societies, women are considered property of their fathers or husbands, their bodies are considered objects of male dominance, and their value is quantifiable by their “purity” (35).** These social norms are perpetuated by systems of rewards and punishments; historical examples include higher dowries for virgins and the medieval era’s use of the chastity belt (36). They also perpetuate stereotypical perspectives of women, either as “tempters” of men, which unfairly assigns women as fully responsible for all sexual acts and consequences, or as vulnerable and in need of protection from men, who have uncontrollable sexual appetites. Furthermore, they drive the unequal social expectation for women and girls to remain “virgins” until they marry.

These attitudes create a framework for men to feel entitled to control female sexual behaviour, mandate obedience and warrant punishment, which in some cases includes murder. These deep-seated discriminatory beliefs and attitudes have led to violence against women, and perpetuate harmful practices like virginity testing that fundamentally violate international standards of human rights. Given that health-care providers are often asked to perform this testing, and viewed as experts by those requesting it, health-care workers can have a major impact as advocates against use of this practice. The medicalization of this harmful practice seeks continued social acceptability and further institutionalization of this testing (10, 34).



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## WHERE IS VIRGINITY TESTING PRACTISED?

Virginity testing is a long-standing practice in several regions of the world. Countries where this practice has been documented include Afghanistan, Brazil, Egypt, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Libya, Malawi, Morocco, Occupied Palestinian Territories, South Africa, Sri Lanka, Swaziland, Turkey, the United Kingdom of Great Britain and Northern Ireland and Zimbabwe (3–16, 18). Owing to increased globalization

in the last century, requests for and cases of virginity testing are emerging in countries that have no known previous history of the practice, including Belgium, Canada, the Netherlands, Spain and Sweden (17, 19, 20). It is likely that virginity testing is underreported, particularly in settings where this practice is not seen as desirable.

## SPECIFIC POPULATIONS AT RISK

### VICTIMS OF SEXUAL VIOLENCE

Medical providers are often asked to perform virginity testing, also known as hymen, “two-finger” or per vaginal examination, on victims of rape (3, 8, 37–39, 88). Despite it having neither scientific basis nor clinical utility, doctors and medical personnel continue to perform the examination, supposedly to ascertain whether or not rape occurred (5, 8, 14, 38, 40). In this context, the examination is likely to cause pain and mimic the original act of sexual violence, leading to re-experience, re-traumatization and re-victimization (16, 41). Performing this potentially harmful and medically unnecessary test violates several ethical standards of the medical profession (28, 29). According to the 1964 World Medical Association’s Declaration of Helsinki, it is the physician’s duty to safeguard the health of the people (26). Health professionals who perform virginity testing are violating the fundamental ethical principle: “first, do no harm”. Furthermore, in many situations, it is performed without the consent of the victim, thus constituting a form of sexual violence; by standards of international legal jurisprudence, this could amount to rape or torture, depending on the context (2, 3, 5, 42).

In the evaluation of victims of rape, the examinee’s virginity has no bearing on whether or not rape occurred, nor does it predict how traumatic or severe the effects of rape will be on an individual (3, 4, 8, 38, 55, 62). The result of this unscientific test has an impact on judicial proceedings, often to the detriment of victims and in favour of perpetrators, which results in victims losing court cases and perpetrators being acquitted. This situation exacerbates victims’ sense of disempowerment and re-victimizes them (3, 4, 14, 43).

### POLITICAL ACTIVISTS, DÉTAINÉES, & PRISONERS

Women prisoners and those in detention facilities are at heightened risk of abuse and mistreatment, including forced virginity examinations. Virginity tests on women prisoners are common, intimidating and humiliating; they violate women’s rights to privacy and physical integrity, and further disempower them (3, 44). When performed on women arrested for protesting or other forms of political activism, forced virginity examinations perpetuate a climate of fear and intimidation that prevents women from exercising their civil rights.

The distinct human rights considerations of women prisoners were prominently recognized during the adoption of the United Nations Rules on the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) (45). The Bangkok Rules specifically declare that women prisoners have the right to refuse medical examinations related to their sexual and reproductive health history, such as virginity tests (45). Additionally, the United Nations Special Rapporteurs on Violence against Women and its Causes and Consequences, and on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment have stated specifically that forced gynaecological examinations of women prisoners constitute a particularly egregious form of mistreatment, discrimination and sexual violence (25, 46, 47).

# VIRGINITY TESTING IS A VIOLATION OF HUMAN RIGHTS

International treaties, statements, conferences and agreements, such as those held by the United Nations, have declared that certain traditional practices are harmful and detrimental to the health of women and girls globally and violate a series of international human rights standards. Virginity testing has been recognized by a number of human rights agencies and treaty bodies as a harmful practice.<sup>b</sup>

The 1993 Vienna World Conference on Human Rights, and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in the same year (49, 50), declared that all states must modify discriminatory social and cultural patterns of conduct:

*... with a view to achieving the elimination of prejudices and customary ... practices which are based on the idea of inferiority or the superiority of either of the sexes or on stereotyped roles for men and women (49):*

The International Conference on Population and Development (ICPD) in 1994 (51) and the Fourth World Conference on Women in 1995 (52) caused a pivotal shift from population-control

policies to programmes that promote women's sexual and reproductive health, reproductive rights, and the advancement and empowerment of women. The ICPD in 1994 issued a call for:

*Eliminating all practices that discriminate against women; assisting women to establish and realize their rights, including those that relate to reproductive and sexual health (51).*

Additionally, the 1995 Beijing Declaration and Platform for Action of the Fourth World Conference on Women (52) called upon all states to ensure women are fully informed and autonomous regarding decisions concerning their bodies and reproductive and sexual well-being, obligating states to:

*... take all appropriate measures to eliminate harmful, medically unnecessary or coercive medical interventions ... and ensure that all women are fully informed of their options, including likely benefits and potential side-effects, by properly trained personnel (52).*

Since then, numerous international human rights treaties and treaty-monitoring bodies have shifted to recognize harmful traditional and medically unnecessary practices based on discrimination against women as incompatible with the international advancement of all people (53–55).

The specific human rights violated by virginity testing are discussed next.

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<sup>b</sup> The United Nations Committee on the Elimination of All Forms of Discrimination against Women and the United Nations Committee on the Rights of the Child (48), the United Nations Special Rapporteur on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (46, 47) and the United Nations Special Rapporteur on Violence Against Women, its Causes and Consequences (25) have all declared virginity testing to be a harmful practice.

<sup>c</sup> Special care and attention should be paid to a child's or adolescent's evolving capacity to make their own decisions regarding their health. The opinion of a child or adolescent should always be asked and taken into account before any physical examination, and age-appropriate information should be provided. For additional information, refer to the 2017 *WHO clinical guidelines: responding to children and adolescents who have been sexually abused* (64).

## The right to be protected from discrimination based on sex

Multiple international human rights agreements have widely recognized women's historical oppression and lack of personal autonomy as central barriers to their overall health, especially in matters of sexual and reproductive health and rights (57). Virginity testing violates the right to be protected from discrimination based on sex, as its harmful consequences are almost exclusively experienced by women and girls. The origins of virginity testing are based in patriarchal systems of gender discrimination and violence against women (22, 49–51).



## The right to life

In extreme cases, some women and girls have been murdered or attempted suicide in the name of "honour" after undergoing virginity examinations. In such cases, the practice violates an individual's right to life (22, 51).



## The rights to privacy and physical integrity

The practice of virginity testing violates the principle of human dignity, as well as the rights to privacy and physical integrity, as it infringes an individual's control in making an independent decision about an examination that is known to have long-lasting physical, psychological and socioeconomic consequences (7, 22, 49, 51, 52). The practice is routinely performed on victims of rape and sexual assault, a group of individuals who have already been deprived of physical integrity and autonomy, resulting in yet another violation of their human rights (49).



## The right to be free from torture or cruel, inhuman or degrading treatment or punishment

Virginity testing violates the right to be free from torture or cruel, inhuman or degrading treatment or punishment, as the examination is often humiliating, degrading and conducted in a manner to intimidate and punish (22, 47). The United Nations Special Rapporteurs on Violence against Women, its Causes and Consequences, and on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, have stated that virginity testing is a form of sexual violence and moreover constitutes a particularly gross form of ill-treatment and custodial violence (25, 46, 47).



## The right to the highest attainable standard of health

As virginity testing is an invasive examination of the female genitalia that has no evidentiary value for scientific merit, and is likely to result in a series of adverse health outcomes, it is a violation of the right to the highest attainable standard of health (7, 22, 56, 57).



## The rights of the child

Virginity testing violates the rights of children, a group that experiences exceptional vulnerability, as school-aged children have been subjected to forced examinations (6, 9, 16, 37, 55, 58–63). In 1994, the CPD stated that gender discrimination often begins at the earliest stages of life, and declared an end to all forms of discrimination that violate the rights of girls (51). The Committee on the Rights of the Child (CRC) of 1990 called upon states to uphold the civil, political, economic, social, health and cultural rights of all children (67). Performing virginity testing on children violates their international rights to non-discrimination, protection and participation (58). A child consenting to a virginity test is unlikely to be informed, free or without coercion, as their decision-making capacity is still developing (55). In addition, they are particularly vulnerable to familial and societal expectations and pressures (55, 58). In 2014, CRC joined with CEDAW to endorse provisions that called upon states to end traditional practices that harm girls, including elimination of virginity examinations (55).



# REVIEW OF THE SCIENTIFIC EVIDENCE

## LACK OF MEDICAL UTILITY OF VIRGINITY TESTING

The two most common techniques for virginity testing are:  
(i) inspection of the hymen for tears or the size of opening;  
(ii) insertion of fingers into the vagina (the "two-finger" test). Both are performed under the belief that the appearance of the female genitalia can indicate a girl's or woman's history of sexual activity. Neither version of virginity testing is supported by scientific evidence.

### HYMEN EXAMINATION

A recent systematic review on virginity testing confirmed that there is no scientific evidence to support a belief that the appearance of the hymen is a reliable indicator of vaginal intercourse (1). The appearance of the hymen varies widely, according to individual exposure to estrogen, age, pubertal status and method of examination (1, 63). One of the most widespread myths about virginity is that it can be proven by the presence of an "intact hymen". The term "intact hymen" has no anatomical correlate and should not be used. As shown in the systematic review (1), a so-called "normal" finding on hymen examination is likely to occur in those with and without a history of even recent vaginal penetration, owing to wide variation and because injuries to the hymen often heal rapidly (22, 65–73). "Abnormal" hymen findings are extremely difficult to differentiate from normally occurring anatomical variations (30).

Like all human tissue, vaginal and hymenal tissue can be injured during trauma. In the specific context of recent sexual assault or rape, trained medical providers who have obtained informed consent may examine the female genitalia for signs of trauma; however, the purpose of the examination for sexual assault is to evaluate for and treat injuries, and to assess for sexually transmitted infections (STIs). The purpose is not to assess "virginity status". The examination for sexual assault does not require insertion of fingers or anything else into the vagina.

### THE "TWO-FINGER" TEST

The "two-finger" test is performed by inserting two fingers into the vaginal cavity in an attempt to assess "laxity of the vaginal wall" – a supposed marker of previous sexual history (3, 7). The vagina is a dynamic muscular canal that varies widely in size and shape, depending on individual, pubertal or developmental stage, physical position and various hormonal factors such as sexual arousal and stress (74). Additionally, normal individual variability,

inconsistent examination techniques and innumerable other causes for differences in the musculature of the vaginal wall further contribute to the test's futility. There is no scientific basis to support the validity of the "two-finger" or any other form of virginity test.

There is consensus among scientific and medical communities that the appearance of the female genitalia does not provide evidence of prior sexual history (1, 2, 28). Moreover, searching for objective measures to determine female virginity undermines women's decision-making capabilities and presumes a lack of credibility. Despite this, virginity testing continues to be practised in clinical settings, and is still included in some medical training and textbooks as part of the assessment to determine whether or not a rape took place (75–77).

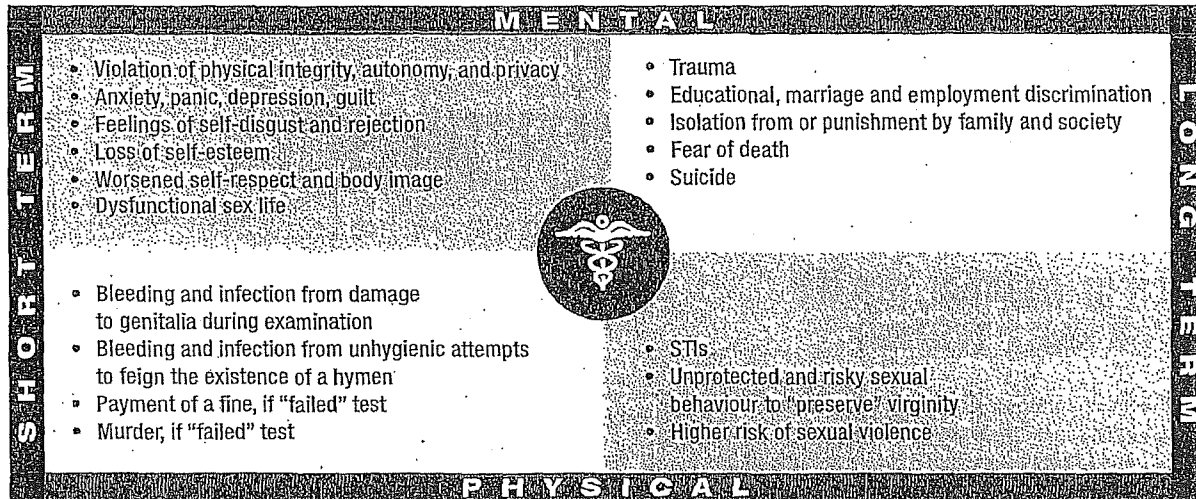
## HARMFUL CONSEQUENCES OF VIRGINITY TESTING

Virginity testing has been shown to be associated with a series of adverse physical and psychosocial effects, with both short- and long-term consequences (1). Firstly, the examination itself is often painful and traumatic (6, 16). Owing to its invasive and forcible nature, the examination can damage the genitalia and lead to bleeding and infection. On occasion, virginity testing is performed on many girls at once, often by untrained individuals or in unhygienic settings or in an unhygienic manner, such as repetitive use of the same gloves; this could potentially increase the risk of STIs and HIV (9, 78).

The threat of virginity testing can also lead some individuals to engage in oral and/or anal sex, in order to "preserve" virginity, which can be risky when practised without protection (9, 60). Some girls have resorted to inserting unhygienic material into the vagina, such as toothpaste or freshly cut meat, to resemble a hymen-like "white veil", which can lead to local trauma, bleeding and infection (9, 78).

The discriminatory and stigmatizing nature of the virginity examination also results in a series of adverse psychological and social traumas. The examination violates the victim's physical integrity, autonomy and privacy, especially when practised without consent. Studies show that documented harms of virginity testing include intense anxiety, panic, depression, guilt, feelings of self-disgust, loss of self-esteem, worsened self-respect and body image, a dysfunctional sex life, isolation from family and society, and fear of death (1, 6, 16, 37). Virginity testing artificially assigns often undesired





labels as "virgin" or "non-virgin", and leads to harmful psychosocial consequences. In-depth interviews with medical professionals who perform virginity examinations revealed that the virginity test can cause feelings of rejection, weakened self-confidence and depression in their "patients" (9). Women and girls have been reported to experience severe fear and mental torment as a result of the vaginal examination, and have even resorted to suicide (10, 16, 44, 79).

Virginity examinations are also likely to have long-lasting harmful effects on individuals' physical, sexual and reproductive, and social well-being. In some settings, "failing" a virginity test is perceived to bring dishonour and shame to the individual's family and community, and may result in punishment. Documented forms of punishment include being beaten, starved or sexually assaulted, including by gang rape, or even murdered (9, 16, 44, 63). Murders are known as "honour killings", and are often carried out by male relatives who believe the girl or woman who failed the virginity test brought shame to their family (10, 16, 23). An unfavourable result may also lead to familial and societal condemnation and banishment from the community. Isolated, and without family and community support, these women are at heightened risk of certain forms of violence, including forced prostitution (16, 60, 80). Additional socioeconomic consequences include educational, marriage and employment discrimination – several schools and universities, as well as several employers, only enrol or hire "certified virgins" (9, 10, 25, 38, 44, 81, 82). In some communities, those who fail virginity tests can be expected to pay a fine for tainting the community (9). "Certified virgins" may also experience adverse effects, including increased risk of sexual violence, owing to beliefs prevalent in some communities that sexual intercourse with a "virgin" is more desirable, or can cure HIV/AIDS (9, 80).

In summary, available research indicates that the virginity test is detrimental to a woman's or girl's physical integrity and psychosocial well-being and is likely to cause long-lasting damage.

## PERCEIVED BENEFITS OF VIRGINITY TESTING

There are many social and cultural reasons put forward for why a person may desire or request a virginity test. Many perceived benefits are based on false understandings of virginity testing. For example, some communities believe virginity examinations will reduce the spread of STIs like HIV, while data shows the practice may increase the risk of STIs (1, 9, 25, 60, 62, 78). Others believe the practice will reduce the prevalence of premarital sex and prevent unwanted pregnancies, but this is not supported by evidence; the results of a virginity test are not an indicator of prior or future sexual activity (1, 25, 62, 78). As a long-standing practice in some communities, some regard virginity testing as a meaningful communal tradition and celebration of cultural values (9, 60). However, a person's human rights are absolute – they may not be limited by invoking cultural or religious justifications for practices that violate international standards of human rights; virginity testing is no exception (83). Finally, since no physical examination can confirm or deny virginity, performing such a "test" does not clarify who is a "virgin" and who is not. There are no benefits to doing it. Ultimately, virginity testing is a way to maintain power and control over women and girls.

# GLOBAL STRATEGIES TO ELIMINATE VIRGINITY TESTING

**A** wide range of medical, professional, media, human rights, and faith-based organizations have recently condemned virginity testing as medically unsound and harmful (2, 3, 8, 27-30, 38). In addition, some local and national governments have banned virginity testing and charged laws that originally punish those who perform the examination (31, 32). Despite some limited progress, virginity testing continues to be performed by health professionals around the world. More work is urgently needed to increase awareness of its lack of clinical value and detrimental effects on the health of women, adolescents, and the imperative to eliminate its use.

Elimination of virginity testing will require long-term commitment and unified action at local, national, regional, and international levels. Health-care providers and national authorities have a responsibility to eliminate practices that are harmful to girls' and women's health.

**This section provides recommendations for global strategies to end all forms of virginity testing.**

## STRATEGIES FOR PROVIDERS



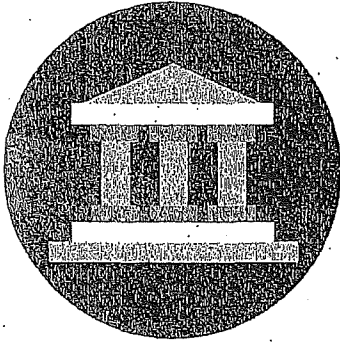
### Strengthen the knowledge & training of health-care providers

A gap exists between current scientific evidence and medical education and training (7, 37, 59, 75–77, 84). Health-care providers, especially those who work in family practice, obstetrics, gynaecology, sexual health and paediatrics, have a critical role to play in the elimination of virginity testing from medical practice. In order for long-term abandonment of the practice, health-care providers must be knowledgeable about the virginity/“two-finger” test, including reasons why it must not be performed; its lack of scientific merit or clinical utility, and associated health risks and consequences; how to decline requests to perform the examination; how to prevent, recognize and manage complications; and how to counsel women and their families about the test.

### NECESSARY ACTIONS INCLUDE THE FOLLOWING:

- Health professionals should be informed of the latest evidence that virginity tests have no clinical value and can have harmful health consequences. They must never perform or recommend the practice.
- Health-professional training must be provided on the recognition, management and sensitive care of patients subjected to virginity testing.
- Health educators should update medical education and textbooks to reflect this evidence, work to dispel myths and misconceptions about virginity, and provide medically accurate information that does not reinforce harmful practices like virginity testing.
- Health professionals must first and foremost “do no harm” (26), which includes treating all patients with respect. In the case of survivors of sexual assault, this requires ensuring that they are not re-victimized in the process of care. The role of health professionals is not to determine whether or not rape occurred, but to provide compassionate, sensitive, confidential and effective clinical care, and document findings, according to best practices.
- Health professionals should respectfully counsel the families of women/girls who request it, and inform them that virginity testing is medically unnecessary, unscientific and potentially harmful, and work to dispel myths and misconceptions about virginity.
- Health professionals should counsel or refer women, and their families, who suffer physical and mental health consequences and complications from virginity testing.
- Health professionals and educators should provide medically accurate information to patients and caregivers, educate women and girls on the anatomy and physiology of their sexual organs, and reaffirm their rights to the safety and integrity of their bodies.
- Health professionals and educators should promote provision of comprehensive sexual and reproductive health information, education and services and adolescent sexual and reproductive education programmes that include accurate messages about virginity tests and associated myths.
- Boys and men should be educated to respect women’s and girls’ physical autonomy, practise informed sexual consent, and join the movement to end all forms of violence against women and girls.
- Health professionals should advocate for the community at large to abandon virginity testing.

## STRATEGIES FOR POLICYMAKERS



### Build supportive legislative & policy frameworks

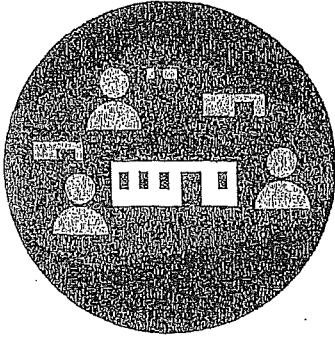
It is the responsibility of the state to uphold, respect, protect and monitor the human rights of all its citizens, including those violated by virginity testing (22). States and all concerned regulatory bodies should develop plans of action and set milestones to encourage the elimination of this harmful practice.

#### NECESSARY ACTIONS INCLUDE THE FOLLOWING:

- Governments should enact and implement laws to ban virginity testing and prosecute those who violate the law, in order to make the government's position explicit; prevent and deter its use across all regions; and support and protect those who have abandoned the practice.
- Legislation must prohibit all forms and methods of virginity testing.
- All possible risks, misinterpretations and means of evasion should be analysed, to avoid unintended consequences, such as the practice "going underground".
- Input should be sought from human rights organizations; feminist and women's health and rights advocacy groups, health-care providers and community leaders.
- National authorities must effectively monitor and regulate practices by public and private actors in health-care and community settings, to ensure sustained eradication of virginity testing.
- Authorities should sponsor nationwide education campaigns to inform health-care providers and communities at large that virginity tests are unreliable and do not determine past vaginal penetration, and can have harmful health consequences as well as human rights implications.
- Health-professional organizations, including physician, midwifery and nursing associations and their respective councils, should adopt policies to condemn all forms of virginity testing and mobilize their members to agree not to perform or support any form of virginity testing.
- Medical professionals who perform virginity testing should be disciplined and subject to legislative action.
- Policies must be enacted that ensure no employer, educational facility, detention centre or any other institution requires or requests virginity tests and that training is provided to staff who come into regular contact with those subjected to virginity examinations. This may include juridical staff, law-enforcement personnel, social workers and teachers.
- National authorities must invest in matters that are fundamental to the prevention and sustainable elimination of virginity testing, including provision of universal sexual and reproductive health care and education.



## STRATEGIES FOR COMMUNITIES



### Empower & mobilize communities

As virginity testing is often community led, community action will be critical to its elimination. Confrontation of cultural or social norms has diverse and unique challenges; interventions must be tailored to specific populations and population subgroups (11, 78, 85–87). With sustained, community-led agreements to eliminate virginity testing, new social standards will emerge that challenge long-standing, harmful social norms (87).

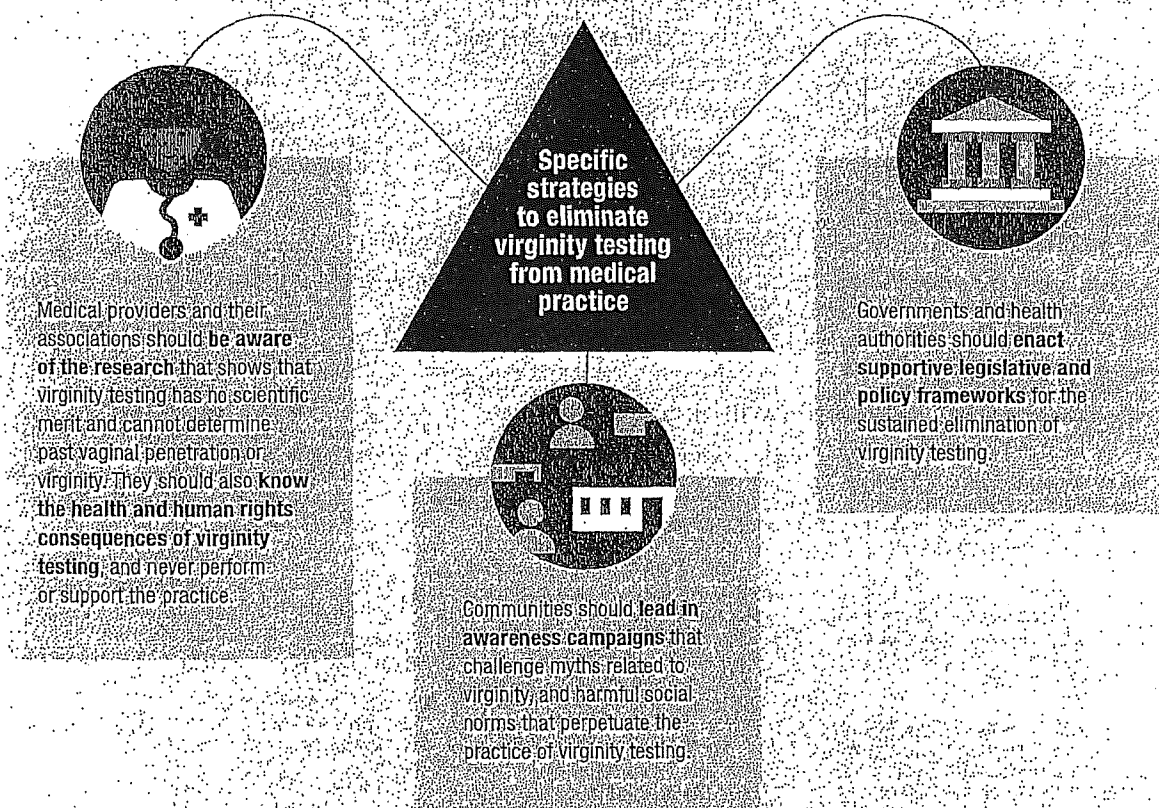
### NECESSARY ACTIONS INCLUDE THE FOLLOWING:

- Communities should lead in identifying problems and solutions regarding the practice of virginity testing. Discussions should examine community beliefs, behaviour, attitudes and systems of power. Trained facilitators should guide the discussion.
- It is important to be creative: community discussion can take the form of classes, debates, and workshops, storytelling, art, music and dance.
- Local advocacy, social justice and women's rights groups should be consulted, to assist in the vision and implementation of community programming and training.
- Community-based education materials that engage and respect local beliefs, attitudes and perceptions should be produced and distributed. Education strategies should be adapted in light of any new knowledge of the community's understanding of virginity testing.
- A public, community-wide joint agreement to ban virginity testing should be considered. This can take the form of a public pledge, where community, religious and political figures can attend to pledge their commitment.
- Community, religious, customary and tribal leaders should advocate for the required change in societal practices. Societal leaders have great influence in the perceived morality or permissibility of harmful practices like virginity testing.
- The media should be utilized to educate, spark dialogue and begin to normalize taboo topics among households and communities, through local radio broadcasting, television commercials and programming, social media campaigns, and endorsement by public figures.

# CONCLUSION

**T**his statement establishes that virginity testing is unscientific, medically unnecessary and unreliable; it violates a woman's human rights and is associated with short- and long-term adverse health outcomes. The statement expresses a commitment to support efforts to eradicate all forms of virginity testing, thereby upholding the human rights of women and girls across the globe.

The statement calls on governments; health professionals and their associations; international, regional and national health agencies; and communities at large to take the initiative to ban virginity testing and create national guidelines for health professionals; public officials and community members; particularly in countries where virginity testing is widely practised.



The World Health Organization and endorsing agencies confirm their commitment to supporting all women and girls, communities, organizations and national governments in the elimination of virginity testing.

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# T.I. Gets His Daughter's Hymen Checked Yearly. Assemblywoman Michaelle Solages Plans To Stop Him.

BY ROSE MINUTAGLIO

DEC 5, 2019





New York State Assemblywoman Michaele Solages stared in horror last month at a newspaper feature with the headline, "T.I. takes his virgin daughter for annual hymen check." It explained, in detail, how the Atlanta music artist forces his 18-year-old daughter Deyjah to undergo the archaic practice once a year.

The "Whatever You Like" rapper, whose legal name is Clifford Joseph Harris Jr., first disclosed his medieval version of the "sex talk" on *Ladies Like Us*, a podcast billed as a "modern day women's perspective on the universal issues we face each and every day." Every year, on the day after his daughter's birthday, T.I. posts a sticky note on her door: "Gyno. Tomorrow. 9:30."

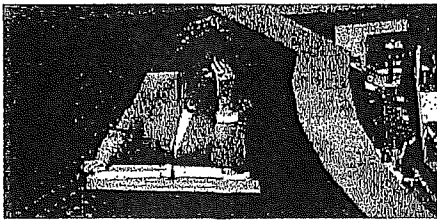
Podcast hosts Nazanin Mandi and Nadia Moham laughed at the idea. Solages, a third-term legislator from Long Island, didn't find it so funny. "Hymen examinations have no scientific or clinical basis and it's medically unnecessary. The medieval practice is often painful, humiliating, and traumatic. Not to mention it's a form of violence against women and girls and a mechanism of control," she told me over the phone. "Mr. Harris is an influencer and if he says he does something, I worry other people might say, 'Hey, I need to do that with my daughter, too.'"

Last year, the World Health Organization declared virginity testing unethical and recommended it be banned, but currently there are no laws against the practice in the United States. Solages wants to change that; last week she introduced a bill in New York that would stop virginity testing and make performing examinations a type of medical malpractice.

"I want hymen examinations to be a class D felony," she said. "In a perfect world I wouldn't even have to submit legislation like this. In a perfect world, women are treated as equal beings. But here we are, with celebrities subjecting or just giving out this message that their daughters are property and not people. How unfortunate that this is something we have to act on today. But I refuse to walk around this topic and not address it directly."

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Solages, who made state history by breastfeeding her now 15-month-old daughter Rose during last year's opening session, says being a mother was a driving force in her legislation.

"Just like my own mother treated me as a human being and empowered me to be a strong independent woman, I'm going to do that for my daughter," she said. "I'll make sure she has all the tool she needs to feel empowered about making decisions that are good for her. But to do a physical exam to determine if she's a virgin? To me that's one of the biggest violations of trust."

T.I. Reveals He Attends Daughter's Doctor Visits to ...



T.I. tried to explain himself during an appearance on Jada Pinkett Smith's *Red Table Talk*, calling his comments "misconstrued" and "sensationalized."

But if the rapper truly wants to make amends, Solages said, he can meet with her in New York and help get the bill passed.

"The best way to solve an issue is to have action," she said. "I invite Mr. Harris to talk to me. This is something that's very serious. He has come out and, by talking about it, legitimized and endorsed it. Now must act swiftly to ensure doctors, medical professionals, and caregivers are not performing this traumatic exam on their daughters."

ROSE MINUTAGLIO STAFF WRITER

Rose is a Staff Writer at ELLE.com covering culture, news, and women's issues.

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# Introduction Form

By a Member of the Board of Supervisors or Mayor

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I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [ ] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Topic submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
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**Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.**

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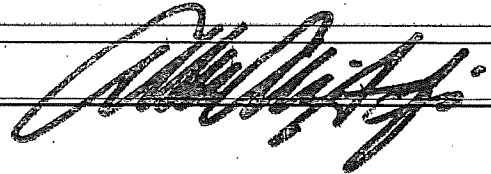
Subject:

Supporting California Assembly Bill No. 1909 (Gonzalez) – Healing Arts Licensees: Virginty Examinations or Tests

The text is listed:

Resolution supporting California Assembly Bill No. 1909, authored by Assemblywoman Lorena Gonzalez, which would ban virginty examinations or tests and penalize any medical practitioner who performs or supervises these medically meritless pelvic exams.

Signature of Sponsoring Supervisor: [ ]



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