



PROPONENT TESTIMONY OF:
Erin Ryan
Managing Director
The Ohio Women's Public Policy Network

IN SUPPORT OF:
HB 511 – Marriage Age
To make changes to the laws governing the ages at which persons may marry
Senate Judiciary Committee

Chairman Bacon, Vice-Chair Dolan, Ranking Minority Member Thomas, and distinguished members of the Senate Judiciary Committee, thank you for the opportunity to testify today on Ohio House Bill 511.

My name is Erin Ryan and I serve as the Managing Director of the Ohio Women's Public Policy Network (WPPN), a coalition of more than 30 organizations working collaboratively to promote policies that create economic security for women and strengthen families. In order to make a meaningful impact, we believe that lawmakers must advance public policies centered in equity, fairness, and justice that addresses the following issue areas:

1. Promoting an economic security agenda for women and their families;
2. Ensuring fairness and opportunity in the workplace; and
3. Improving women's health and well-being

These shared goals guide our work as a coalition and have shaped our interest in House Bill 511. The passage of this legislation is aligned with our mission to provide women with the opportunity to lead economically secure, safe, and healthy lives. We believe this bill takes important steps in the right direction to address to child marriage in the state of Ohio, an issue with dire consequences for the lives and futures of girls.

Despite the U.S. State Department declaring marriage before the age of 18 a human rights abuse, child marriage - or marriage in which one or both parties are under the age of 18 - is a reality in the United States. While there are laws in place that dictate the legal age of marriage, loopholes in 48 states allow for this outdated practice to continue.¹ While several states have taken legislative action to address their marriage age laws, only Delaware and New Jersey have outlawed marriage of minors under the age of 18 without exceptions. Research into the prevalence of child marriages in each state shows that Ohio's laws are as outdated and harmful to minors – mostly young women. House Bill 511 would make instrumental updates to the law to address this issue.

As you may know, current state law requires that boys be at least 18 years old to marry. For girls, however, that legal age is set at 16, as long as parental consent is given on the marriage license. While this disconnect in the treatment of boys and girls is troubling enough, there are loopholes in Ohio law that leave the door open to far more egregious abuse. Ohio is one of a handful of states that have exceptions in place to allow girls under the age of 16 to marry in circumstances if they are pregnant and receive parental and judicial consent. If these exceptions are met, there is no legal “age floor” at which a child cannot be married, meaning that girls of *any* age could be married.

Due to these loopholes, a staggering number of child marriages have taken place in Ohio – and girls are disproportionately affected. An overwhelming 93.6 percent of the minors who were wed in the state between the years 2000 and 2015 were girls, and often they were marrying adult men much older than them. State data on marriages in this fifteen-year period found that nearly 4,400 girls aged 17 years and younger — some even as young as 14 — were married. And of these marriages, 91.4 percent were minor girls marrying adult men. This study found that this issue of minors wedding was not unique to a certain part of the state; these marriages were documented in cities, rural towns, and suburban areas.ⁱⁱ

And while child marriage is decreasing in the United States, it is not happening fast enough. Too many girls are still falling through the cracks and being subjected to a practice that has devastating long-term consequences for minors, especially girls. The health, safety, economic security, and educational opportunity of women and girls are put in danger.

Evidence suggests that the age differences in most of these marriages between teen girls and adult men can lead to unequal power and control dynamics, creating an environment rife with domestic violence and abuse, which often continues throughout the marriage. Women who marry as minors are significantly more likely to have mental and physical health issues as a result of the abuse they suffer and are three times more likely to experience domestic violence.ⁱⁱⁱ Due to the age of the child at the time of the marriage or the age difference between the child and their spouse, some of these situations constitute statutory rape under Ohio’s state law. However, because of the outdated laws dictating marriage in Ohio, these cases lead to marriage licenses, not statutory rape charges.

Along with the health and safety problems that result from child marriages, there are also great limitations to the educational and employment opportunities of girls in these marriages. In fact, girls marrying before age 19 are 50 percent more likely to drop out of high school, and four times less likely to finish college.^{iv} Further, because educational and employment opportunities are hindered, the full economic opportunity and lifetime earning potential of girls are often undermined by child marriage. Those who marry as minors have a higher likelihood of working for lower wages and living in poverty. Even more economically devastating are circumstances where teen mothers marry and later divorce, which can more than double a person’s likelihood of living in poverty.^v Between 70 percent and 80 percent of marriages involving a spouse under the age of 18 end in divorce.^{vi}

These economic impacts go far beyond the individual girls and their families, impacting the economy of the state. With reduced or limited labor force participation as a result of lower

educational attainment, these are long-term consequences on communities that significantly reduce economic growth.

Although we are in support of this bill, we do want to stress – as we have noted throughout our testimony – that the strongest and clearest legislation to prevent forced or coerced marriage of minors is to set the marriage age at 18, without exceptions. The current bill as drafted – while including important safeguards to the exceptions for 17-year olds – still leaves room for girls to fall through the cracks. The passage of legislation to address the current gaps in marriage laws is critically important to minors at risk of forced or coerced marriage, particularly 16 and 17-year old girls. According to the data gathered on marriages in Ohio between 2000 and 2014, of the 4,362 minor girls married, 2,937 (or 67 percent) were 17-years old and 1,364 (or 31 percent) were 16-years old. Behind each of these numbers are real people, impacted by the lack of protections in our state’s laws.

I want to end my testimony by talking about the recent legislative success in our neighboring state of Kentucky. In July of 2018, their state legislature passed a bill similar to Ohio House Bill 511. Throughout the committee hearings and in the news coverage of the bill, one woman’s story stuck out to me and remains etched in my mind. This woman bravely shared her story about being married at the age of 16. Her husband – or ‘perpetrator’ as she now calls him – was 30 years old. And yet, they were allowed to get married – with her mother’s consent and pressure to the marriage.

She was unable to stay enrolled in high school and shortly after their marriage, she became pregnant. She goes on to talk of the physical and mental abuse that she suffered at the hands of her husband. As a survivor advocate throughout the bill process, she shared a heart-wrenching memory about her young daughter watching on as her husband abused her; the moment when it clicked in her mind that she had to escape the marriage. But she realized, she was stuck. She had no high school diploma and no real financial savings, as her employment opportunities were limited. After some time, she was finally able to put a plan together and leave the marriage. But she was never able to escape the consequences of the marriage, which she says still have a hold of her years after it ended.

Unfortunately, her story is not unique. In fact, I am sure that there are girls across the state of Ohio stuck in identical situations or facing a similar fate because of loopholes in our state’s laws – and that is why House Bill 511 is so important. This bill is without a doubt, a step in the right direction and we commend the bill sponsors, Representative Lanese and Rogers, for taking legislative action to address this issue.

Ultimately, we want to urge the committee to pass House Bill 511 with the current safeguards included, while also considering that the strongest and clearest strategy to end child marriage and its deleterious effects on girls and young women is to set the legal age of marriage to 18 years old, without exceptions. As this bill continues to move forward, we are hopeful that the committee will consider the lives of the girls disproportionately affected by this issue and the substantial difference that this legislation can have on their future.

Thank you again for the opportunity to testify. I am available to answer any questions today or by email at ryan@innovationohio.org.

Sincerely,

Erin Ryan
Managing Director
The Ohio Women's Public Policy Network
ryan@innovationohio.org
(440) 382-2900

ⁱ Tahirih Justice Center (2017). Falling Through the Cracks: How Laws Allow Child Marriage to Happen in Today's America. Retrieved from <http://www.tahirih.org/pubs/falling-through-the-cracks-how-laws-allow-child-marriage-to-happen-in-todays-america/>

ⁱⁱ Bischof, Laura A. (2017, September 7). "Should children be allowed to get married? In Ohio, thousands do." Dayton Daily News. Retrieved from <http://www.mydaytondailynews.com/news/crime--law/should-children-allowed-get-married-ohio-thousands/aku65cwegGyrflI9uRzISM/>

ⁱⁱⁱ WORLD Policy Analysis Center (2015). Assessing National Action on Protection from Child Marriage. Retrieved from https://www.worldpolicycenter.org/sites/default/files/WORLD_Fact_Sheet_Legal_Protection_Against_Child_Marriage_2015.pdf

^{iv} Hamilton, Vivian E. (2012). The Age of Marital Capacity: Reconsidering Civil Recognition of Adolescent Marriage. Faculty Publications. Paper 1430, p. 1841. Retrieved from <http://scholarship.law.wm.edu/facpubs/1430>

^v Seiler, Naomi (2002). Is Teen Marriage a Solution? Washington, D.C.: CLASP Center for Law and Social Policy. Retrieved from <https://www.clasp.org/sites/default/files/public/resources-and-publications/archive/0087.pdf>

^{vi} Hamilton, The Age of Marital Capacity, p. 1820