



**Proponent testimony submitted to the  
Senate Judiciary Committee  
House Bill 511  
Camille Crary, Director of Legal Services and Policy  
Ohio Alliance to End Sexual Violence  
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Chair Bacon, Vice Chair Dolan, Ranking Member Thomas, and Members of the Senate Judiciary Committee, thank you for the opportunity to provide testimony in support of House Bill 511. As Ohio's statewide coalition, the Ohio Alliance to End Sexual Violence (OAESV) advocates for comprehensive responses and rape crisis services for survivors and empowers communities to prevent sexual violence.

As you know, Ohio law currently contains no marriage age floor, meaning that though the age for girls to marry is currently set at 16, girls younger than that age who become pregnant may marry with judicial consent. Similarly troubling, Ohio law implements no limit on the age difference between a girl and the man she marries. Strikingly, notwithstanding the exceptions listed above, Ohio's current system flatly prohibits males from marrying before their eighteenth birthday.

It is important to note that, in addition to the Ohio Revised Code's unequal treatment of girls and boys, the current civil marriage system contained in Chapter 3101 completely runs afoul of the statutory rape standards codified in Chapter 2907. Ohio's age of consent is set at 16, allowing for prosecution of persons engaging in sexual activity with persons under that age. The crime's classification relies on the age difference between the offender and the minor:

<b>Offender Age</b>	<b>Minor Age</b>	<b>Classification</b>
Less than 4 years older than the minor	13, 14, or 15	1 <sup>st</sup> Degree Misdemeanor
4 – 9 years older than minor	13, 14, 15	4 <sup>th</sup> Degree Felony
10 or more years older than minor	13, 14, 15	3 <sup>rd</sup> degree Felony

Therefore, if an adult male engages in sexual activity with a person under the age of 16, they are committing a criminal offense. However, under the civil marriage system, the same man can engage in the same behavior, but avoid prosecution if he impregnates the girl and marries her.

These two systems starkly contradict one another. Further troubling is the idea that a person violating Ohio's sex crime laws can evade criminal penalties by coercing the minor into marrying him. This not only confuses Ohio's true values when it comes to protecting girls from sexual abuse, it allows for forced marriages that leave girls extremely vulnerable to future acts of sexual violence and particularly vulnerable to trafficking.

The purpose behind statutory rape laws is rooted in our recognition that the pacing of brain development prevents persons younger than 16 from understanding the full consequences of their actions and decisions. As a state, we have decided that persons under 16 are not mature enough to consent to a single sexual act. Yet, we allow them to seek permission to marry. Further, we have set out specific age differences we find most unacceptable for perpetration of statutory rape – yet, we have no ban on the age of a man that can marry a girl. Thus, a 30, 40, 50, 60, 70, 80, or even 90 year-old could impregnate someone less than 16-years-old and marry the impregnated girl to avoid punishment, but if we discovered that person engaged in sexual activity and a pregnancy did not result, that same person would be charged with a 3<sup>rd</sup> degree felony - or worse if the survivor was under the age of 13.

Passage of House Bill 511 is crucial to the health and safety of vulnerable girls across the state. OAESV supports the incremental improvements HB 511 makes, namely:

- HB 511 would institute an age floor of 17
- HB 511 would institute an age difference of no more than 4 years between the man and girl marrying, thus decreasing the potential power imbalances that lead abused girls into coerced marriages
- HB 511 would require judicial involvement in each case

And most importantly, HB 511 would eliminate the pregnancy exception, thereby bringing Ohio's marriage laws in compliance with its statutory rape laws. Ultimately, Ohio's statutory rape laws were designed and passed for a reason – it is time that our marriage rules adopt the same reasoning and create a safer space for girls in Ohio.

Thank you for the opportunity to testify today. I am available to answer any questions by email at [ccrary@oaesv.org](mailto:ccrary@oaesv.org) or telephone at 216-317-1828.