



**PROPONENT TESTIMONY OF:**  
Erin Ryan  
Managing Director  
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**IN SUPPORT OF:**  
SB 198 – Marriage Age  
*To make changes to the laws governing the ages for 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 Senate Bill 198.

My name is Erin Ryan and I serve as the Managing Director of the Ohio Women's Public Policy Network (WPPN). We are a coalition of more than 25 organizations working collaboratively to promote public policies in Ohio that create economic security for women and strengthen families. We believe that policymakers must advance public policy 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 policy goals – focused on fostering a policy landscape that promotes economically secure, healthy, and thriving women – guide our work as a coalition and have shaped our interest in Senate Bill 198. We believe this bill, with the amendment offered during

today's hearing, will put an end 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 is 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 While there are laws in place that dictate the legal age of marriage, loopholes in state laws allow for this outdated practice to continue.<sup>1</sup> Research into current laws and an investigation of the prevalence of child marriages in each state demonstrate that Ohio is no exception. Senate Bill 198 would change that.

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 for minors. 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 has exceptions in place to allow those under the age of 16 to marry in circumstances where the teen girl is pregnant and receives 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 become child brides.

Due to these loopholes, a staggering number of child marriages have taken place in Ohio – and girls are disproportionately affected. State data on marriages between the years of 2000 and 2015 found that nearly 4,400 girls aged 17 years and younger — some even as young as 14 — were married. An overwhelming 93.6 percent of the minors who were wed in the state between during this fifteen-year period were girls, and often they were marrying adult men much older than them. Of these nearly 4,500 child brides, 91.4 percent were minor girls marrying adult men.

This study found that the 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.<sup>ii</sup>

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 is put in danger as a result.

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 girls marrying under 18 are three times more likely to experience domestic violence.<sup>iii</sup> 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 constituted 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 stem 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.<sup>iv</sup> Further, because educational and employment opportunities are hindered, the full economic opportunity and lifetime earning potential of girls is 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.<sup>v</sup> This is often the fate of many of these girls, as between 70 percent and 80 percent of marriages involving individuals under the age of 18 end in divorce.<sup>vi</sup>

These economic impacts of child marriage 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. Additionally, marriage as a minor is linked to early childbearing, more children, and shorter spacing between births, all of which limit or prevent participation in the workforce.<sup>vii</sup>

Although the Women's Public Policy Network has general support for this bill, we do so with an important caveat. The current bill as drafted – while including important safeguards to the exceptions for 16- and 17-year olds – still leaves room for girls to fall through the cracks. When looking at the limitations of legislation with exceptions, it fails to protect the largest population impacted by child marriage: 17-year old girls. Although these bills include additional safeguards for marriages of minors, this may not be enough to prevent forced or coerced marriages.

While girls under 18-years old are able to get married in Ohio, they are essentially trapped in those marriages due to the inability to access legal services as a minor. In the case of minors who do wish to end their marriage, legal blocks prevent them from accessing the rights they need to seek divorce, file for a protection order, or even retain an attorney. Unless an individual under the age of majority (18-years old) is legally emancipated and, therefore, given the same legal rights as an adult, they will face barriers to accessing the legal rights to resist forced or coerced marriage or end an abusive marriage, which may include housing and public benefits, the right to seek a protective order, and the right to live on their own.

However, in Ohio, there is no longer emancipation law in the state, meaning that there is no legal process in place by which a minor can petition the court to be emancipated. Instead, the rights to emancipation are considered on a case-by-case basis if the minor can prove that they can assume adult responsibilities and financial support for themselves. The complexity of the emancipation process and varying emancipation criteria from state-to-state can leave many minors confused about how to navigate the process and fall short of providing full access to rights to empower a minor.

Ultimately, the strongest and clearest strategy to end child marriage is to set the legal age of marriage to 18-years old, without exceptions. In order to make the most impactful change and address the shortfalls that allow for girls to fall through the cracks, we respectfully recommend that the committee approve the amendment offered during today's hearing.

I want to end my testimony by talking about the legislative successes of states across the country taking action to address the issue of child marriage. Over the last two years, seven states have passed legislation raising the minimum age to marry to 16 or 17, and a number of other states are currently considering legislation to update marriage laws. For example, earlier this year, our neighbors in Kentucky passed legislation that strengthened their marriage laws to prevent forced and coerced marriage. And just two weeks ago, the state of Delaware made history as the first state in the United States to completely ban child marriage under any circumstances.

Throughout the committee hearings for each of these bills and in the news coverage of these legislative wins, survivors of child marriage told their stories; their voices remained etched in my mind as I wrote my own testimony. In Kentucky, one woman bravely shared her story about becoming a child bride 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. 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 that she says still have a hold of her years after it ended.

Unfortunately, this is the reality for far too many women and girls. 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 law that fail to protect children most in need of protection. That is why Senate Bill 198 is so important.

This bill is without a doubt, a step in the right direction and we commend the bill sponsors for taking legislative action to address child brides. With the approved amendment to set the marriage age at 18 without exceptions, this legislation will be the strongest and clearest solution to prevent any other girls in our state from falling through the cracks in the law. As this critical piece of legislation continues to move forward, we are hopeful that the committee will consider the lives of the girls touched by this issue and the substantial difference that legislation can have on their future.

Thank you again for the opportunity to testify. I am available to answer any questions today.

Sincerely,

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<sup>i</sup> 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/>

<sup>ii</sup> 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/>

<sup>iii</sup> 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](https://www.worldpolicycenter.org/sites/default/files/WORLD_Fact_Sheet_Legal_Protection_Against_Child_Marriage_2015.pdf)

<sup>iv</sup> 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>

<sup>v</sup> 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>

<sup>vi</sup> Hamilton, The Age of Marital Capacity, p. 1820

<sup>vii</sup> Edmeades, Jeffrey, Kes, Aslihan, Parsons, Jennifer, Petroni, Suzanne, Sexton, Maggie, Wodon, Quentin (2015). "Economic Impacts of Child Marriage: A Review of Literature." The Review of Faith & International Affairs. 13 (3): 12 – 22. Retrieved from <http://www.tandfonline.com/doi/full/10.1080/15570274.2015.1075757>