Senate Judiciary Committee

Thursday, November 29, 2018

9:30 AM

Proponent Testimony

Substitute House Bill 511

My name is Phyllis Carlson-Riehm and I represent ACTION OHIO Coalition For Battered Women, a statewide domestic violence coalition. My testimony is in support of Substitute House Bill 511.

Substitute House Bill 511:

* Modifies the statutory specification of the age at which persons may marry, to generally provide that only persons of 18 years of age, not nearer of kin than second cousins, and not having a husband or wife living, may marry.
* Provides an exception for a 17-year-old to marry if he or she obtains consent from the juvenile court and the other person is not more than four years older.
* Institutes a 14-day waiting period for a marriage involving a 17-year-old.
* Requires documentary proof of age for any person seeking a marriage license.

Throughout history people have held various opinions as to the appropriate age to marry, based on socio-economic factors, religious teachings and the customs and norms of different cultural groups.

In Erik Erikson’s States of Psychosocial Development, ages 12 to 18 are described as the fifth stage of human development – between childhood and adulthood – when adolescents search for “a sense of self and personal identity.”

During the teen years, as their bodies begin to mature physically, teens become convinced that they are now adults and fully ready for the adult world. But based on normal brain development, a teen’s rational part of the brain isn’t fully developed until 25 or so. And until that rational part is fully developed (providing good judgment and an awareness of long-term consequences), teens are processing information with the emotional part of the brain (which is more about feeling rather than thinking). Connections with surfaces in the frontal lobe appear to be complete by age 32!

A new study suggests that the ages of 28 to 32 are most favorable for getting married because research indicates that people in this age group are least apt to split up. Psychologists suggest that “people are then old enough to understand if they really get along with someone or are just blinded by hormones.” And by that time they have already made some life choices and assumed some responsibilities. They also may have some understanding of what it is to be financially solvent and maintain employment. At the same time (with luck!), they aren’t bogged down with children and ex-spouses and they are young enough to adapt to changes and a partner’s needs and preferences.

But this new research will not stop some teenagers from being influenced by their hormones, from falling in love with love and responding to the marketing of romance and bliss.

Some teenagers experience trauma and dysfunction in their families. These teens may resort to running away or grasping other opportunities in order to leave home. If they manage to find a romantic partner, whether a fellow classmate or older boyfriend, it can lead to getting married as a way out.

Because Ohio’s current minimum age-of-marriage laws do not take into account the stages of human development, the maturing of the human brain and the economic realities of supporting oneself or a family, children in Ohio have been able to marry at a variety of young ages and then suffer the consequences. Thankfully, Representative Laura Lanese introduced legislation to revise Ohio’s age-of- marriage law and move it upward.

The United Nations Entity for Gender Equality and the Empowerment of Women recommends that 18 is the most appropriate minimum age for marriage, for both partners. Since girls are frequently the underage party in forced marriages, it is recommended that the minimum age for both partners be 18.

The younger a female is when she marries and the greater the differences in age between two partners, the greater the likelihood that the female will have less control over her life decisions and that she will experience forms of abuse at the hands of her partner.

We applaud the selection of 18 as Ohio’s minimum age for marriage, because it establishes a baseline maturity level for both partners. We also support the limitation of four years difference in the ages of the couple when a 17-year-old asks the court for permission to marry and receives approval, because differences in the ages of the couple can contribute to the inequality of the relationship and be a predictor of the likelihood of abuse by or subjugation of one partner by the other.

We urge committee members to support passage of Substitute House Bill 511 during this lame duck session. Thank you for the opportunity to express these viewpoints.

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