

HB

310

<TARGET><BILL>HB 310</BILL><SUBJECT>HB
310</SUBJECT><COMM>HSTA30</COMM></TARGET>



Alaska State Legislature

Representative Matt Claman

Session: State Capitol, Rm 118 Juneau, AK 99801 Phone: 465-4919
Interim: 1500 W. Benson Blvd., Anch, AK 99503 Phone: 269-0130

House Bill 310 Sponsor Statement

An act relating to the minimum age of eligibility for marriage

The United States has denounced child marriage in other countries as a “human rights abuse that contributes to economic hardship,” yet in Alaska, the statutes do not reflect our values. House Bill 310 seeks to protect Alaskan minors who lack many of the legal rights extended to adults from experiencing this form of abuse by raising the minimum age of marriage from 14 to 18. It includes an exception for emancipated minors.

Under current law, Alaskan minors cannot vote, serve on a jury, purchase a fire arm, open a checking account on their own, file a domestic violence protective order on their own, or work without the consent of their parents; yet they are old enough to be married with parental approval or a court ruling in the case of those under 16. This places a child in a particularly vulnerable situation where they could be coerced into marrying an abuser. If the relationship is abusive, leaving their spouse may be extremely difficult. House Bill 310 would protect minors by requiring them to have the same rights as adults before getting married.

Marriage before the age of 18 correlates with poor health and interrupted or discontinued education. Women who marry before the age of 18 are more likely to experience a range of medical problems including psychiatric disorders like clinical depression and are more likely to seek health services. Women who marry in their teens tend to have children at a younger age and tend to have more children, making education and work opportunities difficult to pursue. Women who marry before the age of 19 are 50% more likely to drop out of high school and four times less likely to graduate from college.

Limited education makes it incredibly difficult for these women to become financially independent in the event of domestic violence or divorce. 70-80% of marriages involving children under 18 end in divorce while nation-wide, only 40-50% of marriages end in divorce. Having forgone education and work opportunities, these individuals may be left to choose between poverty and staying with, in the best case, someone they no longer want to be with, and in the worst case, an abuser.

Because of challenges like mental health issues, limited education, and limited work experience; women who were married as minors are 31% more likely to live in poverty when older. These hardships are felt not just by the individuals, but also the state, which may end up footing the bill for various health and food services on behalf of the individual and any children they may have. With House Bill 310, Alaska joins the ranks of numerous other states that are re-examining marriage laws in an effort to put an end to a human rights abuse that affects not just individuals but society as a whole.

Fiscal Note

State of Alaska
2018 Legislative Session

Bill Version: HB 310
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB310-DHSS-BVS-2-16-18
Title: MARRIAGE AND MINIMUM AGE FOR MARRIAGE
Sponsor: CLAMAN
Requester: House STA

Department: Department of Health and Social Services
Appropriation: Public Health
Allocation: Bureau of Vital Statistics
OMB Component Number: 961

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2019 Appropriation Requested	Included in Governor's FY2019 Request	Out-Year Cost Estimates					
			FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None								
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time								
Part-time								
Temporary								

Change in Revenues

None								
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2018) cost: 0.0 (separate supplemental appropriation required)
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2019) cost: 0.0 (separate capital appropriation required)
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? no
If yes, by what date are the regulations to be adopted, amended or repealed? n/a

Why this fiscal note differs from previous version/comments:

Not applicable; initial version.

Prepared By:	Jay C. Butler, MD, Chief Medical Officer/Director	Phone:	(907)269-6680
Division:	Public Health	Date:	02/16/2018
Approved By:	Shawnda O'Brien, Asst. Commissioner	Date:	02/16/18
Agency:	Health and Social Services		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2018 LEGISLATIVE SESSION

BILL NO. HB310

Analysis

HB 310 version "A" amends AS 25.05 *Alaska Marriage Code* to align with the 2014 *Obergefell* decision legalizing same-sex marriage and removes the eligibility requirements for marriage among minors, preventing any party under age 18 from marrying in the state unless emancipated or an active duty service member.

The Bureau of Vital Statistics issues marriage licenses (as does the Alaska Court System). The combined amount of marriages and divorces involving a party under the listed age of 18 is less than one percent of all total marriages and divorces between 1990 and 2016.

This bill would require the Bureau to update marriage license application forms on its website which could be accomplished with existing resources. Therefore, this is a zero fiscal note.



STATE OF ALASKA
OFFICE OF VICTIMS' RIGHTS

February 20, 2018

Members of the Committee
House State Affairs
State Capitol
Juneau, AK 99801

RE: HB 310 – Marriage and Minimum Age for Marriage

Dear Members of the Committee,

As the Chief Victims' Rights Advocate of the Alaska Office of Victims' Rights (OVR), I write this letter in support of HB 310, Marriage and Minimum Age for Marriage, which was introduced on January 26, 2018.

The amended language offered in HB 310, which OVR supports, reads as follows:

"An Act relating to the minimum age of eligibility for marriage."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 25.05.011(a) is amended to read:

(a) Marriage is a civil contract entered into by two natural persons that requires both a license and solemnization. Each person shall be at least one of the following:

- (1) 18 years of age or older and otherwise capable;
- (2) emancipated under AS 09.55.590; or
- (3) a member of the armed forces of the United States while on active duty.

* Sec. 2. AS 25.20.020 is amended to read:

Sec. 25.20.020. Arrival at majority upon marriage. A person arrives at the age of majority upon being married according to law.

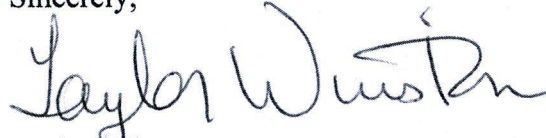
*Sec. 3. AS 25.05.171 is repealed.

* Sec. 4. The uncodified law of the State of Alaska is amended by adding a new section to read:

APPLICABILITY. This act applies to a person married on or after the effective date of this Act.

Although the number of children who may be positively affected by passage of the bill may not be large, OVR is concerned about any child falling victim to sexual abuse, sexual exploitation and/or human trafficking. The legislation offered by HB 310 helps provide an additional protection to Alaska's children by eliminating one method perpetrators could use to victimize children through grooming, manipulative, coercive or exploitive acts. The age group affected by this bill is a particularly vulnerable age group for such victimization. The bill provides an additional safeguard against the aforementioned harms and the language is consistent with other Alaska statutes regarding this age group and is consistent with public policy to protect our youth. Therefore, OVR supports HB 310.

Sincerely,

A handwritten signature in black ink that reads "Taylor Winston". The signature is written in a cursive style with a large, stylized "T" and "W".

Taylor Winston
Executive Director
Alaska Office of Victims' Rights

From: John Suter [mailto:suter@gci.net]
Sent: Tuesday, February 20, 2018 1:17 PM
To: Ceri Godinez <Ceri.Godinez@akleg.gov>
Subject: RE: Testifying to raise Alaska's minimum marriage age

Greetings and Salutations

As you know everyone wants to cut state cost where they can. By the state allowing children girls who are under 18 (Sec. 25.05.171) to get married, a large number of them end up single moms with children on public assistance costing the state more money. By the state allowing this, it is to the state's undoing. These single moms have no education degrees, tec. skills or job skills and as a result they will be on public assistance for a long time to come costing the state. A way the state can cut cost is change the law to 18 years old before they can get married and help reduce the number of people going on public assistance.

Thank you for your prompt and courteous attention on this matter.

Sincerely,
John Suter

I just seen on One American News that the state of Alaska allows children girls at the young age of only 14 to be able to get married. This is outrageous. Sec.25.05.171 needs to be corrected so that the state does not have child marriages. It needs to be corrected to the age of 18. If a girl is too young to vote, then that girl is too young to marry. It is time for the state to get with the year of 2017. PBS radio just had a program showing that child marriages is a human right abuse. A child of 14 years of age does not have the wherewithal to make such a life changing decision. If one is under the age of 18, then that person is still a child. The program shows that many of them are abused when they marry at that age. Some are taken advantage of, tricked into marriage and coerced. Some people bargain off their daughter. Rarely is this a marriage of true love and companionship, but a type of business deal that does no good for the young girl. This outrageous law needs to be change.

John Suter

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February 22, 2018

Re: HB 310 - "An Act relating to the minimum age of eligibility for marriage."

Alaska Children's Trust's vision is all children in Alaska grow up in safe, stable and nurturing communities. Alaska has struggled with some of the highest rates (per capita) of child abuse and neglect in the nation for decades. Child marriages are frequently used to hide child sexual abuse. ACT fully supports stopping this practice by supporting HB 310 by raising the state's minimum marriage age from 14 to 18 except in the case of emancipated minors.

The United States has denounced child marriage in other countries as a 'human rights abuse that contributes to economic hardship,' yet in Alaska, the statutes do not reflect this perspective. House Bill 310 seeks to protect Alaska's children who lack many of the legal rights extended to adults from experiencing this form of abuse.

Current marriage laws place a child in a very vulnerable situation where they could be coerced into marrying an abuser. Many child sexual abusers in the United States utilize loopholes in marriage laws, like being able to marry a 14-year-old, to legalize their abuse. When the relationship is abusive, leaving their spouse may be extremely difficult. House Bill 310 will protect children by requiring them to have the same rights as adults before getting married.

In addition, marriage before the age of 18 correlates with poor health and can interrupt or discontinue education. Limited education makes it incredibly difficult for these women to become financially independent in the event of domestic violence or divorce. Having forgone education and work opportunities, these individuals may be left to choose between poverty and staying with, in the best case, someone they no longer want to be with, and in the worst case, an abuser. Because of challenges like mental health issues, limited education, and limited work experience; women who were married as minors are 31% more likely to live in poverty when older. These hardships are felt not just by the individuals, but also the state, which may end up footing the bill for various health and food services on behalf of the individual and any children they may have.

There is no single solution to resolve the complex issue of child abuse and neglect. To effectively turn the curve on this epidemic, we must deploy multiple strategies in a cohesive and strategic method. Raising the state's minimum marriage age from 14 to 18 except in the case of emancipated minors is one way to protect Alaska's children. Please support HB 310.

Sincerely,

Trevor J Storrs
Executive Director
Alaska Children's Trust



Alaska State Legislature

Representative Matt Claman

Session: State Capitol, Rm 118 Juneau, AK 99801 Phone: 465-4919

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Child Marriage in America Executive Summary

Fraidy Reiss, founder of the advocacy group Unchained At Last that is working to outlaw marriage before the age of 18, collaborated with FRONTLINE to gather data about underage marriage in the USA. Examining a dataset spanning the years 2000 to 2015, they found that:

- At least 207,468 minors were married in the United States. They were unable to get data from some of the more populous states like California, so the number is likely higher.
- The number of people marrying before the age of 18 is in decline nationwide. The rate fell roughly 61% from 23,583 in 2000 to 9,247 in 2010. This is in keeping with national trends where fewer Americans are getting married, and those who do are waiting until their 20s or early 30s.
- 87% of the minors who married were girls.
- 96% of the minors who married were 16 or 17, but children as young as 12 were granted marriage licenses in Alaska, Louisiana, South Carolina, and Tennessee.
- In some instances, children were married before they could legally consent to sex. Acts considered statutory rape outside of marriage were made lawful within marriage. Most of these marriages were approved by court clerks and judges.
- 14% of minors who married were married to other minors. 86% were married to adults. 60% of these adults were between 18 and 20; 37% were in their 20s; and 3% were 30 or older. 368 of these adults were in their 40s; 61 were in their 50s; and 31 were 60 or older.
- Marriages involving minors occurred most often in states with large rural populations.
- In Alaska, 756 children were married between 2000 and 2014. In the year 2010, 25 out of every 10,000 people married in the state were children.
- The number of minors getting married in Alaska is in decline. 77 children were married in 2000 while the number was down to 26 in 2014.

LEGISLATIVE RESEARCH SERVICES

30th Alaska Legislature
LRS Report 18.018
September 15, 2017



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State Marriages Involving Minors, 2000-2015

Timothy Lash, Legislative Analyst

Over the last 15 years, how many marriages took place in Alaska involving at least one party under 18 years of age? Of these, how many marriages involved at least one party under 16 years of age?

In Alaska, like most states, the standard minimum age to marry is 18 years of age, with some exceptions. The minimum age to marry *with parental consent* in Alaska is 16 years of age. The minimum age to marry *with judicial approval* in Alaska is 14 years of age. Under AS 25.05.171(b), the state may not issue a marriage certificate for a person who is under 14 years of age.

State Marriages

Below, Table 1 presents data for calendar years 2000-2015 for marriage certificates issued by the state.

Table 1: Marriages in Alaska by Age Group, 2000-2015			
Year	All Ages	17 and Under (Ages 14-17)	15 and Under (Ages 14 and 15)
2000	5,277	73	3
2001	5,364	73	2
2002	5,338	76	3
2003	5,252	75	3
2004	5,614	62	4
2005	5,490	57	4
2006	5,550	47	3
2007	5,827	46	2
2008	5,804	48	2
2009	5,450	49	4
2010	5,684	29	1
2011	5,624	30	0
2012	5,328	20	0
2013	5,399	23	1
2014	5,567	25	0
2015	5,489	17	0

Note: This data represents marriage certificates issued by the state, not those issued by tribal courts.
Source: Alaska Health Analytics and Vital Records, Department of Health and Social Services, 2017.

The above data is provided by Alaska Health Analytics and Vital Records, Department of Health and Social Services (DHSS). As noted by Tony Newman, Legislative Liaison, DHSS, "The trend in marriages among minors has been downward over the last 15 years, and there has only been one in the under-16 age category in the last five years of data."¹

Tribal Marriages

In Alaska, a tribal court may also issue marriage certificates, and a tribal marriage may not be subject to state marriage laws. As stated in a report published by the University of Alaska Fairbanks, "Alaska tribes generally have concurrent jurisdiction over domestic relations involving tribal members including adoptions, child protection, domestic violence, marriages, divorces, and probate."²

A tribal court may issue a marriage certificate to a person under 18 years of age. These marriages have legal validity but are not licensed or tracked by the state. Hypothetically speaking, the marriage of a party younger than 14 years of age may be legally feasible for an Alaska resident only if the marriage takes place under a tribal jurisdiction, and one or both parties is a tribal member.³ However, we are not aware of any tribal laws that explicitly allow the marriage of a person who is under 14 years of age.

Our review of the relationship between tribal and state laws leads us to add that any revisions to the Alaska Statutes regarding marriage age may be applicable only to marriages licensed by the state, rather than to marriages licensed by tribal courts, especially when both parties in the marriage are tribal members who are marrying under tribal jurisdiction.⁴

We hope this is helpful. If you have questions or need additional information, please let us know.

¹ Mr. Newman may be reached at anthony.newman@alaska.gov or (907)465-1611.

² "Alaska Tribal Sovereignty and Jurisdiction: Major case law affecting Alaska tribal jurisdiction," *Federal Indian Law for Alaska Tribes*, University of Alaska Fairbanks, <http://tribalmgmt.uaf.edu/tm112/Unit-4/Alaska-Tribal-Sovereignty-and-Jurisdiction-Major-case-law-affecting-Alaska-tribal-jurisdiction>. In Alaska and elsewhere, a tribal court may establish marriage laws specific to the tribe and may license marriages according to its own laws. In recent years, tribal jurisdictions in Alaska and other states have taken steps to formalize civil procedures, such as marriages and adoptions, for their members. For more, see "Types of Tribal Court Jurisdiction in Alaska," Tribal Jurisdiction in Alaska, Alaska Legal Services Corporation, 2012, http://www.akleg.gov/basis/get_documents.asp?session=29&docid=4173.

³ Whether a tribe's legal sovereignty applies only to a marriage between two tribal members, or whether it extends to a marriage between a member and a non-member, remains a matter of legal debate nationwide.

⁴ For a legal opinion on this issue, we recommend consulting Legislative Legal Services.



CHILD MARRIAGE IN THE UNITED STATES: A Serious Problem With a Simple First-Step Solution

TAHIRIH JUSTICE CENTER

The Tahirih Justice Center is a national, non-profit organization that aims to end violence against women and girls through direct legal and social services, policy advocacy, and training and education. Tahirih serves courageous survivors of abuses such as domestic violence, rape, female genital mutilation/cutting, human trafficking, “honor” violence, and forced marriage.

Through our specialized Forced Marriage Initiative (FMI), Tahirih is leading efforts at the federal and state levels to tackle forced marriage as a domestic problem impacting U.S. citizen and immigrant women and girls from diverse backgrounds. Since launching the FMI in 2011, Tahirih has worked on over 500 forced marriage cases involving U.S. women and girls.

CHILD MARRIAGE IN THE UNITED STATES: AN OVERVIEW

- Based on state marriage license data recently obtained by advocates¹ and expanded upon by PBS Frontline, well over **20,000 children under age 18 were married between 2000 and 2015 in America**. 87% of them were girls, and 86% married adults.²
 - **Drilling down on these statistics in any given state over that time period exposes more alarming findings.** For example, records pulled from the Virginia Department of Health showed that clerks had issued marriage licenses to pregnant girls as young as age 13, and that girls were sometimes married to men who were decades older. Similar records from Maryland show that, because of the ages and age differences of the parties and because a pregnancy was involved, dozens of children were statutory rape victims married to their rapists. Texas Department of Health records revealed judicially-approved marriages of girls as young as 12, and thousands of girls married to men who were significantly older.³
 - **Children under age 18 face many practical obstacles when they try to resist or escape forced marriages.**
- State laws can also work against them.** Before a girl reaches the “age of majority,” when she gains the rights of a legal adult, she may be legally unable to take critical steps to protect herself. Depending on the state, she may not be able to leave home, stay in a shelter, file for a protective order, or even file for divorce on her own. Child protective services may also be legally unable to protect a minor from a forced marriage or from an abusive spouse once married.
- **Most U.S. states have laws that seem to set the minimum age of marriage at 18, but then allow for exceptions to the rule that can drop the true minimum age much lower in practice.** In fact, 25 states have no age “floor,” meaning that as long as exceptions are met, a child of any age may be married. Many other aspects of current state laws put children at acute risk of forced marriages and other abuse and exploitation. For example, in several states, a court clerk can approve all underage marriage license applications. Only 13 states involve judges in every case. Even in states that require judges to be involved at least in some cases, few provide any meaningful guidance for a judge’s decision making or put any other safeguards in place to protect the child from harm.⁴

CHILD MARRIAGE IN THE UNITED STATES: INCREASING RISKS, LIMITING OPTIONS

Child marriage denies young people more than the right to decide if, when, and whom to marry – it denies them the opportunity to lead healthy and fulfilling lives.

In addition to the extensive global data about the many harms of child marriage (including its linkages to maternal and child mortality, domestic and sexual violence and human trafficking, and HIV infection), **mounting U.S.-specific evidence demonstrates the devastating, lifelong consequences that can result from child marriage, including:**

- **Family instability.** Between 70-80% of marriages involving individuals under age 18 end in divorce. For teen mothers, getting married and later divorcing can *more than double* the likelihood of poverty, making them worse off than their counterparts who do not marry as teens.⁵
- **Curtailed education and constrained work opportunities.** A girl's education can be interrupted or discontinued when she marries, limiting her ability to become financially independent in the event of domestic violence or divorce. Women who marry in their teens tend to have more children, earlier, and more closely spaced, which can prevent them from accessing education and work opportunities.⁶ Women who marry before the age of 19 are 50% more likely to drop out of high school and four times less likely to graduate from college. Not surprisingly, then, a woman who marries young is a striking 31 percentage points more likely to live in poverty when she is older.⁷
- **Diminished mental and physical health.** A major study of U.S. women who married as children found they experienced higher rates of psychiatric disorders (in some cases, nearly 3 times as high as those who married as adults), and were more likely to seek health services.⁸ Other research has shown that they are more likely to experience a range of serious medical problems.⁹

These substantial personal costs can also mean tremendous inter-generational and social costs.¹⁰

The acute vulnerability of girls and young women in the U.S. to physical, emotional or verbal abuse¹¹ also raises major red flags with respect to child marriage:

- Nationally, girls and young women aged 16-24 experience the highest rates of intimate partner violence among all such victims, and girls aged 16-19 face victimization rates *almost triple the national average*.¹² Yet in most states, while girls aged 16-17 make up the vast majority of children who are being married, they are *least protected* by minimum marriage age laws, as court clerks can issue them marriage licenses based on parental consent alone.
- The younger the adolescent, the more likely it is that if they are sexually active, they have experienced coercive sex – this is the core understanding that underlies statutory rape laws.¹³ Yet in many states, statutory rape laws are set aside by other state laws that permit marriages of adolescents younger than the legal age of consent to sex.
- In addition, “[b]eing physically or sexually abused makes teen girls six times more likely to become pregnant.”¹⁴ Yet several states have express pregnancy exceptions to their minimum marriage ages. Such provisions fail to grasp that the pregnancy may be the result of rape and abuse. Granting the marriage license could subject a pregnant teen to further rape and abuse, and moreover, isolate her from help.

For all of these reasons, Tahirih urges the elimination of child marriage throughout the United States – as a critical first step, by setting the minimum legal marriage age at the age of majority.

ENDNOTES

1. See statistics from 38 states that provided records on the marriages of minors from 2000 to 2010, cited in Nicholas Kristof, "11 Years Old, A Mom, and Pushed to Marry Her Rapist in Florida," (*New York Times*: May 26, 2017) available at <https://www.nytimes.com/2017/05/26/opinion/sunday/it-was-forced-on-me-child-marriage-in-the-us.html>. Unchained At Last led this effort to collect state marriage license data, with contributions by Tahirih on several states (assisted pro bono by the law firm of Hogan Lovells).
2. See statistics cited in Anjali Tsui, Dan Nolan, and Chris Amico, "Child Marriage in America: By the Numbers" (*PBS Frontline*: July 6, 2017), available at <http://apps.frontline.org/child-marriage-by-the-numbers/>.
3. See Tahirih Justice Center, "Child Marriage in America: Current Laws Are Failing to Protect Vulnerable Children and Teens," February 20, 2016, available at <http://www.tahirih.org/news/child-marriage-happens-in-the-u-s-too/>; see also Tahirih Justice Center, *Falling Through the Cracks: How Laws Allow Child Marriage to Happen in Today's America*, August 2017, available at <http://www.tahirih.org/pubs/falling-through-the-cracks-how-laws-allow-child-marriage-to-happen-in-todays-america/>.
4. See Tahirih Justice Center, *Falling Through the Cracks: How Laws Allow Child Marriage to Happen in Today's America*, August 2017, p. 35, available at <http://www.tahirih.org/pubs/falling-through-the-cracks-how-laws-allow-child-marriage-to-happen-in-todays-america/>. In 2016, after a legislative campaign led by the Tahirih, Virginia became the first state in the nation to limit marriage to adults age 18 or older, with a narrow exception only for court-emancipated minors age 16 or older who have been given the full legal rights of adults. In June 2017, Texas and New York also signed bipartisan bills into law that limit marriage to legal adults and establish meaningful safeguards against forced marriage.
5. See research cited by College of William & Mary Law School Professor Vivian E. Hamilton, in "The Age of Marital Capacity: Reconsidering Civil Recognition of Adolescent Marriage" (*Boston University Law Review*: December 2012) 92 B. U. L. Rev. 1817, 1820 and at n. 10, 11, and 15, available at <http://scholarship.law.wm.edu/cgi/viewcontent.cgi?article=2467&context=facpubs>.
6. See, e.g., Naomi Seiler, "Is Teen Marriage a Solution?" (Center for Law and Social Policy, April 2002), at pp. 7-9, available at <http://www.clasp.org/resources-and-publications/archive/0087.pdf>.
7. See Gordon B. Dahl, "Early Teen Marriage and Future Poverty," *Demography* (August 2010: 47(3): 689-718), available at <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3000061/>.
8. See Yann Le Strat, Caroline Dubertet & Bernard Le Foll, "Child Marriage in the United States and Its Association with Mental Health in Women" 128 *Pediatrics* 524 (September 2011), available at <http://pediatrics.aappublications.org/content/pediatrics/early/2011/08/24/peds.2011-0961.full.pdf>.
9. See Matthew E. Dupre and Sarah O. Meadows, "Disaggregating the Effects of Marital Trajectories on Health," *Journal of Family Issues* (Vol. 28, No. 5, May 2007, 623-652), at pp. 646-647 ("Results show that females who marry before age 19 years or experience one or more divorces are at an increased risk of developing a serious health condition"), available at <http://journals.sagepub.com/doi/pdf/10.1177/0192513X06296296>; see also Bridget M. Kuehn, "Early Marriage Has Lasting Consequences on Women's Mental Health," news@JAMA (August 29, 2011), medical news posts by *The Journal of the American Medical Association* ("research has linked such early marriages to a higher risk of HIV or other sexually transmitted infections, cervical cancer, unintended pregnancy, maternal death during childbirth, and abortion; early marriage is also associated with malnutrition among offspring"), available at <http://newsatjama.jama.com/2011/08/29/early-marriage-has-lasting-consequences-on-women%e2%80%99s-mental-health/>.
10. A major study co-sponsored by the Centers for Disease Control and Prevention found a powerful relationship between adverse emotional experiences as children on our physical and mental health as adults. See information about the "Adverse Childhood Experiences" ("ACEs") Study at <http://www.cdc.gov/NCCDPHP/ACE>, <http://www.cdc.gov/violenceprevention/acestudy/about.html>, and <http://www.cdc.gov/violenceprevention/acestudy/findings.html>. These findings suggest that not only individuals who themselves marry as children, but also the children produced of such marriages, may be more susceptible to lifelong health problems.
11. See Centers for Disease Control and Prevention, information about Teen Dating Violence, available at http://www.cdc.gov/violenceprevention/intimatepartnerviolence/teen_dating_violence.html.
12. See loveisrespect.org factsheet available at http://www.loveisrespect.org/pdf/Dating_Abuse_Statistics.pdf.
13. See "Statutory Rape: A Guide to State Laws and Reporting Requirements," prepared by The Lewin Group for the U.S. Dept. of Health and Human Services, December 15, 2004, p. 1, available at <http://aspe.hhs.gov/hsp/08/sr/statelaws/report.pdf>, citing research findings that almost three-quarters of women who had intercourse before age 14, and 60 percent who did so before age 15, reported having a forced sexual experience.
14. See loveisrespect.org factsheet available at http://www.loveisrespect.org/pdf/Dating_Abuse_Statistics.pdf.

Learn more at tahirih.org/childmarriagepolicy



CHILD MARRIAGE IN AMERICA

By the Numbers

July 6, 2017 by Anjali Tsui, Dan Nolan and Chris Amico

SCROLL TO BEGIN

At first, almost no one believed Fraidy Reiss when she said child marriage happens in the United States.

"That's not a problem here," people would say. But the laws in every state allow minors to get married under certain circumstances. As the founder of Unchained At Last, an advocacy group that's working to outlaw marriage before the age of 18, Reiss would hear from teenage girls who were looking to get out of a marriage.

Reiss wanted to know how often minors were getting married, so she went looking for an actual count.

Her group is based in New Jersey, and that's where her search began.

Has child marriage affected you?

SHARE YOUR STORY

"When I got that spreadsheet from the state health department, I was literally shaking," Reiss said.

The spreadsheet showed nearly 3,500 minors married in New Jersey between 1995 and 2012. Most minors were 16 and 17 years old.

"That number was so much higher than I had thought it would be," she said. "Then, the fact that the children were as young as 13 and the fact that it was mostly girls married to adult men."

After New Jersey, she requested marriage license data from New York. And then more states, until she had numbers from more than 30 states.

Reiss shared that initial dataset with FRONTLINE. We requested data from additional states in an effort to get a fuller picture of how many minors are getting married in the U.S., how old they are and where these marriages are taking place.

Here is what we learned:

Between 2000 and 2015, at least

207,468

minors were married in the United States

Note: Total includes data from 41 states and three counties. [View full list](#)

This count is incomplete. While health departments in most states keep track of how old people are when they get married, some states — including [New Mexico](#), [Nevada](#) and [Arizona](#) — only keep records at the county level. We've requested information from the biggest counties in some of those states, but gaps remain. We did not receive data from [California](#), [Georgia](#), [Maine](#), [North Carolina](#), [Oklahoma](#), [Pennsylvania](#) or the [District of Columbia](#).

States made different years' worth of data available. While most provided records for 2000 through 2010, some were able to give us more recent numbers.

It is impossible to know exactly who got married or why, as public records only show the age and gender of each person.

Fewer Minors Are Getting Married

23,583 married in 2000



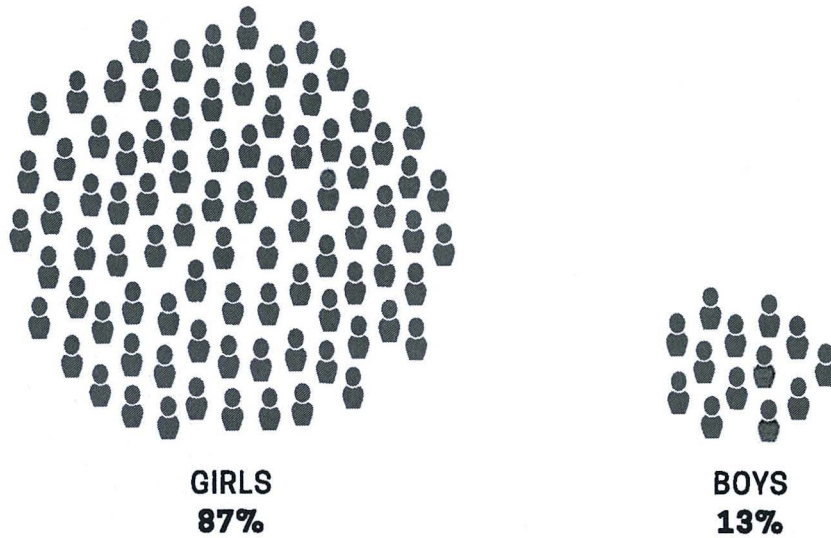
9,247 married in 2010

Note: 175,194 total minors, 38 states and two counties, 2000–2010. [View full list](#)

The number of people marrying before the age of 18 fell by about 61 percent between 2000 and 2010 in states where we have records.

Fewer Americans overall are getting married, according to the U.S. Census, and those who do are more likely to wait until their 20s or early 30s. Still, advocates argue that gaps in state laws are failing to protect minors from being forced or coerced into marriages where they may face violence and sexual assault.

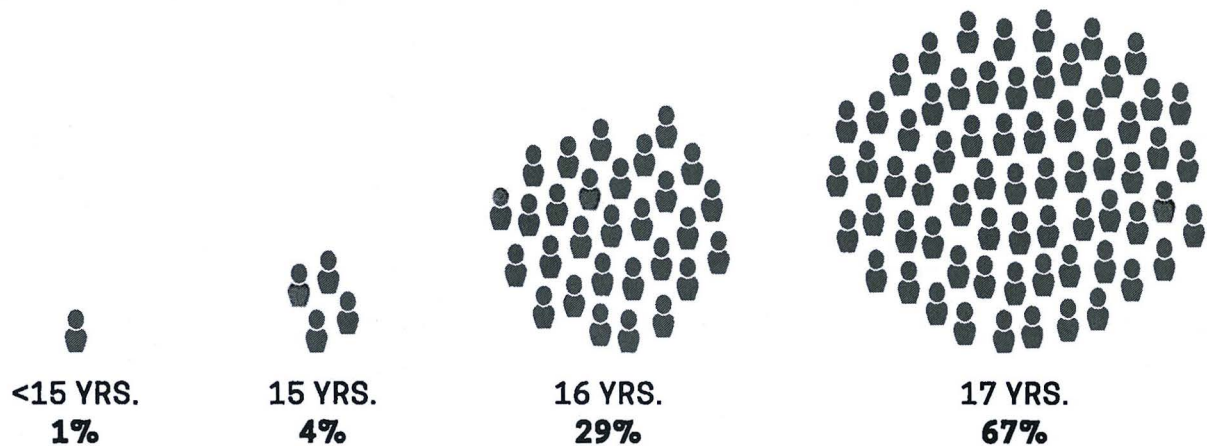
Most of the Minors Who Married Were Girls



Note: 198,729 total minors, 40 states and one county, from 2000–2015. [View full list](#)

Almost 90 percent of minors who married between 2000 and 2015 were girls. Most of them were 16 or 17 years old.

How Old Were the Minors Who Married?



Note: 197,617 total minors, 38 states and three counties, from 2000–2015. Due to rounding, numbers don't add up to 100 percent. [View full list](#)

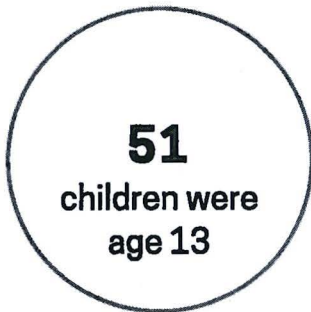
The youngest children to marry were three 10-year-old girls in [Tennessee](#) in 2001, who were married to men ages 24, 25 and 31, according to state data. The youngest groom was an 11-year-old boy, also in

— Tennessee, who married a 27-year-old woman in 2006.

Children as young as 12 were granted marriage licenses in Alaska, Louisiana, South Carolina and Tennessee.

Thirteen-year-olds were given the green light to marry in Alabama, Florida, Idaho, Kentucky, Louisiana, Mississippi, Missouri, New Hampshire, New Jersey, New Mexico, South Carolina, Tennessee, Texas and Washington.

The Youngest Children To Marry

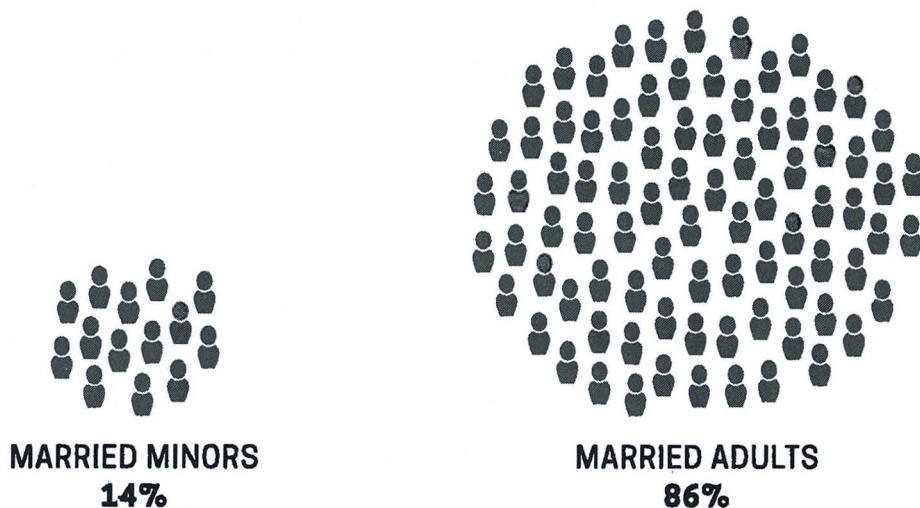


985
children were
age 14

Note: 170,372 total children, 33 states and three counties, 2000–2015. [View full list](#)

Most states set the age of sexual consent between 16 and 18. A person can be charged with sexual abuse or statutory rape for having sex with a minor. Yet, we found numerous examples of children who were given marriage licenses before they could legally consent to sex. These marriages were almost always approved by court clerks and judges.

Minors Who Married Other Minors Versus Adults

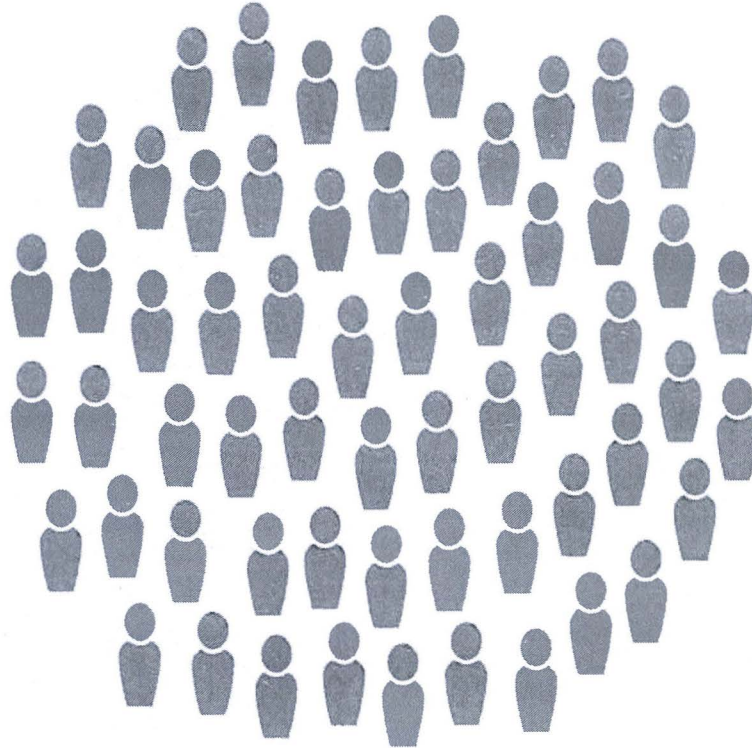


Note: 199,544 children, 39 states and three counties, 2000–2015. [View full list](#)

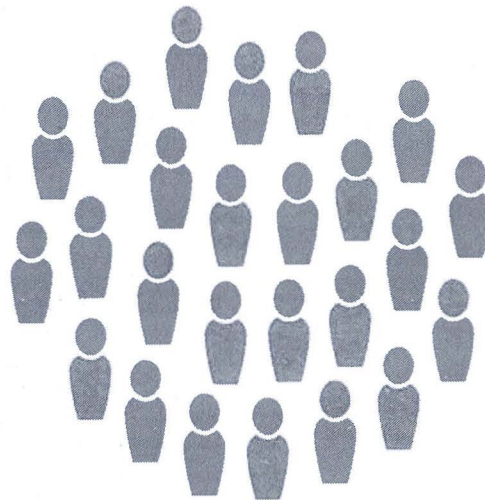
While some minors married other minors, these cases were less common. Most married adults who were 18, 19 or in their early 20s.

How Old Were the Adults Who Married Minors?

18-20 YRS. 60%

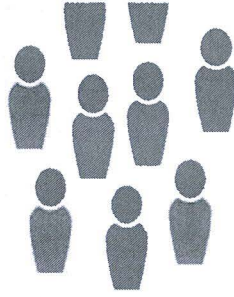


21-23 YRS. 25%



24-26 YRS. YRS. 9%





27-29 YRS. YRS. **3%**



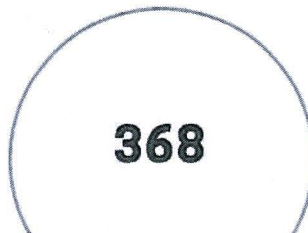
>29 YRS. **3%**

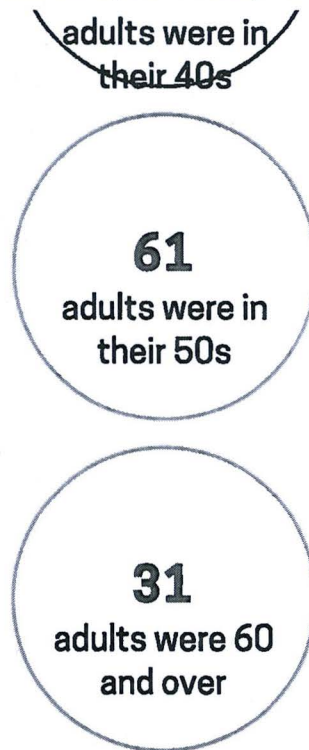


Note: 113,513 adults, 25 states, 2000-2015. [View full list](#)

In rare cases, minors were permitted to marry adults who were decades older.

The Oldest Adults Who Married Minors





Note: 113,513 adults, 25 states, 2000–2015. [View full list](#)

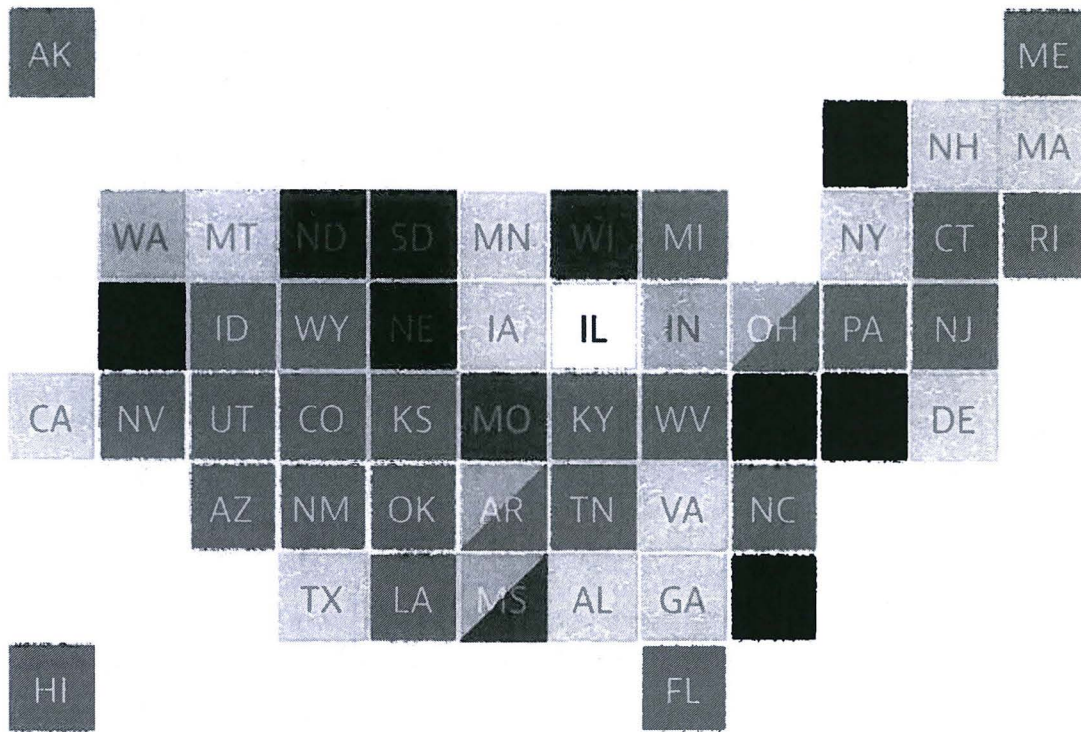
In 2010, a 17-year-old girl married a 65-year-old man in [Idaho](#).

One of the oldest people to marry a child was a 74-year-old in [Alabama](#). His bride was 14. (The state later raised its minimum marriage age to 16).

"A large age difference is an automatic red flag, but a small age difference is not an automatic green flag," said Jeanne Smoot, an attorney with the Tahirih Justice Center, an organization that offers legal services for women and girls fleeing violence, and which has advocated to ban marriage for all minors.

Advocates say it's rare for law enforcement to charge an adult with statutory rape if he or she is married to a minor. In some states, "the same acts that would be statutory rape outside of marriage are made lawful within," Smoot added.

How Early Can You Get Married?



Age where judicial approval is needed

none <15 <16 <17 <18

special
circumstances

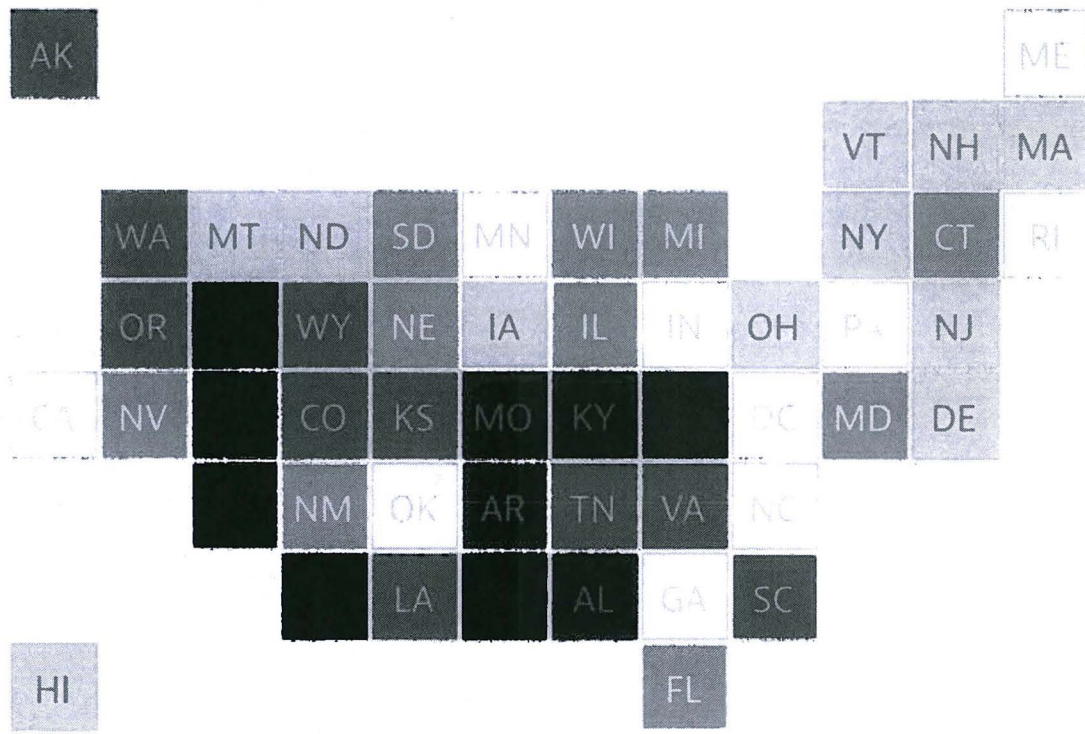
ages differ with gender
(male upper left / female lower right)

Source: [Tahirih Justice Center](#)

Ten states require all minors to petition a judge for a marriage license, according to a forthcoming Tahirih report. In most states, only children under 16 have to make their case before a judge.

Laws in nine states allow minors to marry before the age of 16 with a judge’s approval if the bride is pregnant. When a pregnancy is involved, parental consent is not always necessary.

Child Marriage Rates, 2010



Rate per 10,000 marriages

2-14

17-23

26-37

38-84

data not
available

Source: [Unchained at Last](#), FRONTLINE

We calculated the rate of child marriage in the U.S. for 2010 — the most recent year for which we have data for the greatest number of states. The numbers show that marriages involving minors occurred most often in states like [Idaho](#), [Kentucky](#) and [West Virginia](#), which have large rural populations.

Minors are most likely to get married in places that are rural and poor, according to Nicholas Syrett, who combed through historical marriage records while researching his book, *American Child Bride: A History of Minors and Marriage in the United States*.

"Almost all the evidence indicates that girls in cities don't get married young, that girls from middle class or wealthy families, don't get married young," Syrett said. "This is a rural phenomenon and it is a phenomenon of poverty."

Explore our database to learn how many children married in each state. Click on the cards to see the laws that allowed them to marry.

Anjali Tsui is the Abrams Journalism Fellow for the FRONTLINE/Columbia Journalism School fellowship program.

Child Marriage: State by State

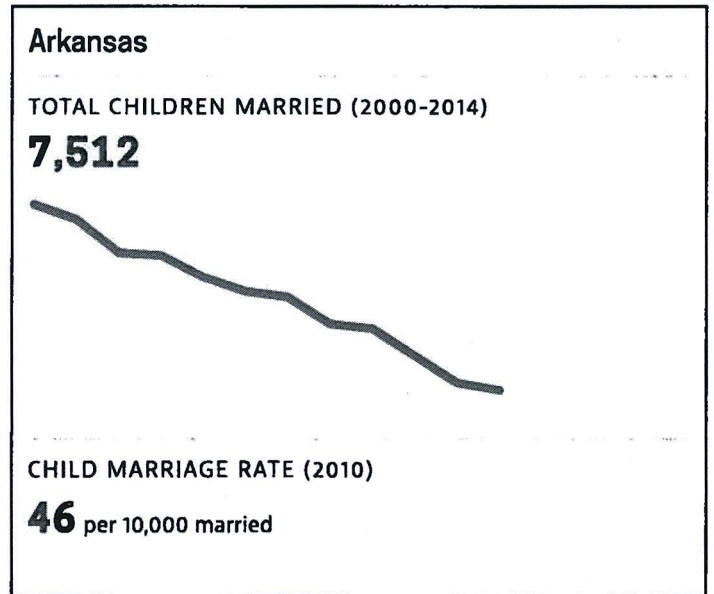
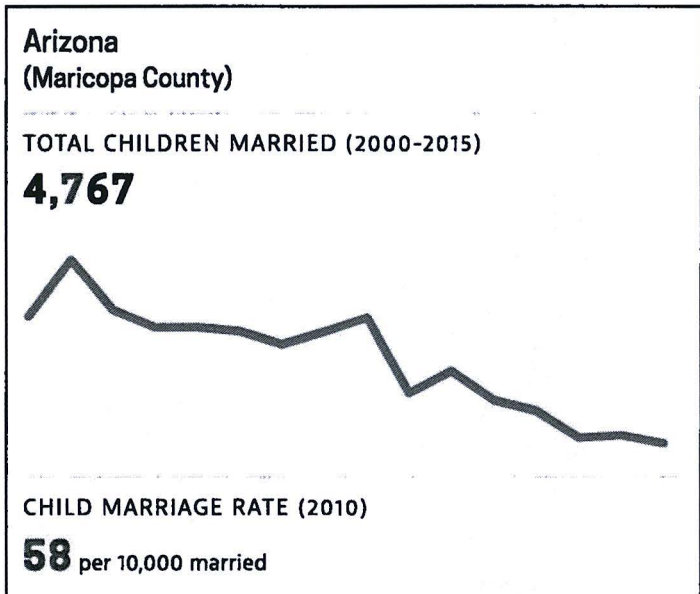
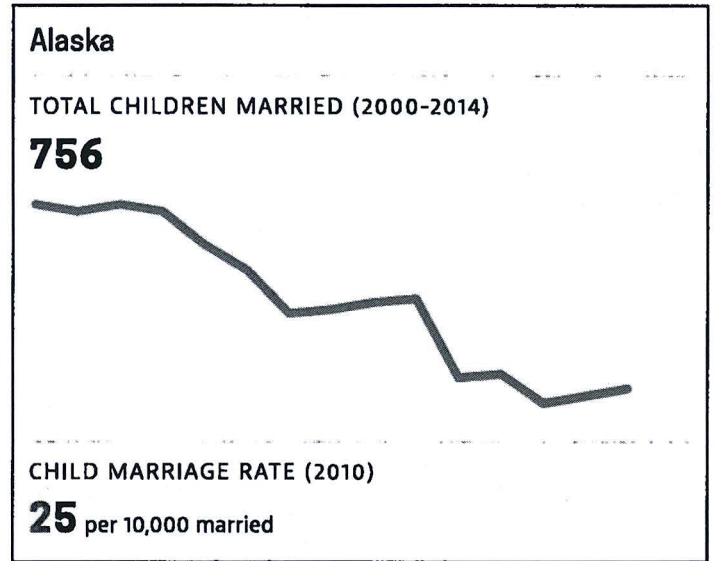
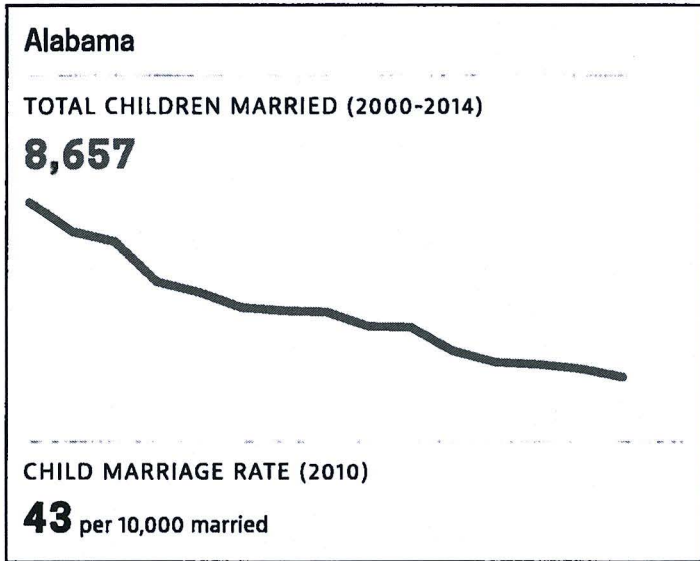
Select state

SORT:

ALPHABETICAL A-Z Z-A

MARRIAGE RATE LOWEST HIGHEST

TOTAL MARRIAGES LOWEST HIGHEST



California

Colorado

TOTAL CHILDREN MARRIED
Not available

CHILD MARRIAGE RATE
Not available

TOTAL CHILDREN MARRIED (2000-2014)
4,813

CHILD MARRIAGE RATE (2010)
37 per 10,000 married

Connecticut

TOTAL CHILDREN MARRIED (2000-2014)
1,211

CHILD MARRIAGE RATE (2010)
17 per 10,000 married

Delaware

TOTAL CHILDREN MARRIED (2000-2011)
204

CHILD MARRIAGE RATE (2010)
2 per 10,000 married

District of Columbia

TOTAL CHILDREN MARRIED
Not available

CHILD MARRIAGE RATE
Not available

Florida

TOTAL CHILDREN MARRIED (2000-2015)
16,486

CHILD MARRIAGE RATE (2010)
22 per 10,000 married

Georgia

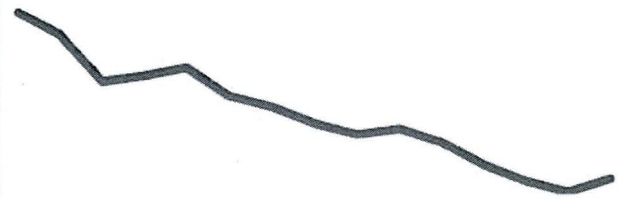
TOTAL CHILDREN MARRIED
Not available

Hawaii

TOTAL CHILDREN MARRIED (2000-2014)
721

CHILD MARRIAGE RATE

Not available



CHILD MARRIAGE RATE (2010)

7 per 10,000 married

Idaho

TOTAL CHILDREN MARRIED (2000-2014)

4,752



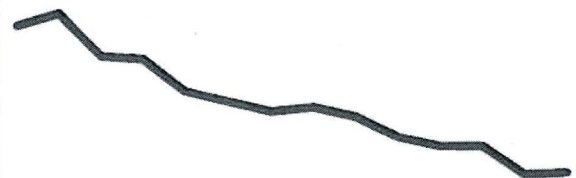
CHILD MARRIAGE RATE (2010)

84 per 10,000 married

Illinois

TOTAL CHILDREN MARRIED (2000-2013)

7,005



CHILD MARRIAGE RATE (2010)

21 per 10,000 married

Indiana

TOTAL CHILDREN MARRIED (2000-2014)

3,108



CHILD MARRIAGE RATE

Not available

Iowa

TOTAL CHILDREN MARRIED (2000-2014)

1,260



CHILD MARRIAGE RATE (2010)

11 per 10,000 married

Kansas

TOTAL CHILDREN MARRIED (2000-2014)

2,916

Kentucky

TOTAL CHILDREN MARRIED (2000-2015)

10,618

