



THE OHIO  
**WOMEN'S**  
PUBLIC POLICY NETWORK

# FACT SHEET: CHILD MARRIAGE IN OHIO

## NOVEMBER, 2017

Child marriage, or marriage in which one or both parties is under the age of 18, is a reality in the U.S., including here in Ohio. While there are laws in place that dictate the legal age of marriage, exceptions exist in every state in the U.S. that allow for those under the age of 18 to wed.<sup>1</sup> Ohio's marriage laws allow child marriage to continue at alarming rates, often with grave consequences overwhelmingly impacting girls and women.

## THE ISSUE:

In Ohio, 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. Yet, there are 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.**

A recent investigation into the prevalence of the issue in the state of Ohio found that **between 2000 and 2015, nearly 4,400 girls 17 years and younger — some even as young as 14 — were married.** This is not an issue unique to a certain part of the state; these marriages were documented in cities, rural towns, and suburban areas.<sup>2</sup>

In the United States and across the world, child marriage and forced marriage is an issue that disproportionately impacts women and girls. Data collected in a study of child marriages in the US between 2000 and 2015 found that **an overwhelming 85.01 percent of the children being wed were girls.** And for the majority of these cases, the marriages were between teen girls and adult men. In fact, that same study discovered that **77 percent of the children were minor girls being wed to adult men,** often with substantial age differences.<sup>3</sup>

# HOW WOMEN AND GIRLS ARE IMPACTED:

Currently, antiquated marriage laws in Ohio have led to thousands of child marriages that are disproportionately disadvantageous to women and girls. The consequences of child marriage have lasting impacts on girls' opportunities, health, and economic stability.

- ✓ Women who marry as minors are significantly more likely to have mental and physical health issues, and **girls marrying under 18 are three times more likely to experience domestic violence.**<sup>4</sup>
- ✓ 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 into the marriage.
- ✓ Educational and employment opportunities are often limited as a result of child marriage. 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>5</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.<sup>6</sup>
- ✓ 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. **Between 70 percent and 80 percent of marriages involving individuals under the age of 18 end in divorce.**<sup>7</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, there will be **long-term impacts on communities as it may 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>8</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.
- ✓ For minors that 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. 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.
- ✓ Children married before the age of majority (18 years old) also face obstacles in accessing other resources they need to protect themselves from a forced or coerced marriage or seek help in ending an abusive marriage. **For example, they may face a difficulty in accessing public assistance or housing.**
- ✓ Unless a child 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 (which would include housing and public benefits, the right to seek a protective order, and the right to live on their own) to resist forced or coerced marriage or end an abusive marriage.**
- ✓ Some states have put laws in place to ensure that minors are on equal legal footing upon entering the marriage, such as limiting marriage eligibility for minors to court-emancipated minors. **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. Because of this lack of clarity and difficulty in actually going through the process to be emancipated, **the strongest and most clear strategy to end child marriage is to set the legal age of marriage to 18 years old.**

For more information, visit our website at  
**WWW.WOMENSPUBLICPOLICYNETWORK.ORG**

<sup>1</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>2</sup>Bischoff, 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/aku65cwegGyrfI19uRzISM/>

<sup>3</sup>Unchained at Last (2017). *Child Marriage - Shocking Statistics*. Retrieved Retrieved October 2017, from Unchained at Last: Un-arrange a Marriage...Re-Arrange a Life: <http://www.unchainedatlast.org/child-marriage-shocking-statistics/>

<sup>4</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>5</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>6</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>7</sup>Hamilton, *The Age of Marital Capacity*, p. 1820

<sup>8</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>