



**TO:** Honorable Members of the Senate Appropriations Committee

**FROM:** Marci Hamilton, Esq. & Kathryn Robb, Esq.

**RE:** SB 404, raising the minimum marriage age to 18, except by court order

**DATE:** May 17, 2023

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Dear Honorable Members of the Senate Appropriations Committee

Thank you for allowing us, Professor Marci Hamilton of CHILD USA and Kathryn Robb of CHILD USA Advocacy, to submit testimony regarding SB 404. Marci Hamilton is the Founder & CEO of CHILD USA, an interdisciplinary think tank dedicated to the prevention of child abuse and neglect at the University of Pennsylvania, where she is a Professor in the Fels Institute of Government and a Senior Resident Fellow in the Program for Research on Religion. Kathryn Robb is the Executive Director of CHILD USA Advocacy, a 501(c)(4) advocacy organization dedicated to protecting children’s civil liberties and keeping children safe from abuse and neglect.

**We urge you to vote “YES” on SB 404.**

This legislation, if passed, would place California in the top five states in the nation for protecting children from the trauma of child marriage. Currently, **nearly every state in the United States permits child marriage in some form**. While many states set a marriage age floor at 18, their laws still include an array of exceptions that “can in effect drop the true minimum marriage age much lower.” These loopholes—most commonly including parental consent, judicial approval, the lack of official proof of age requirements, and pregnancy exceptions—endanger children.

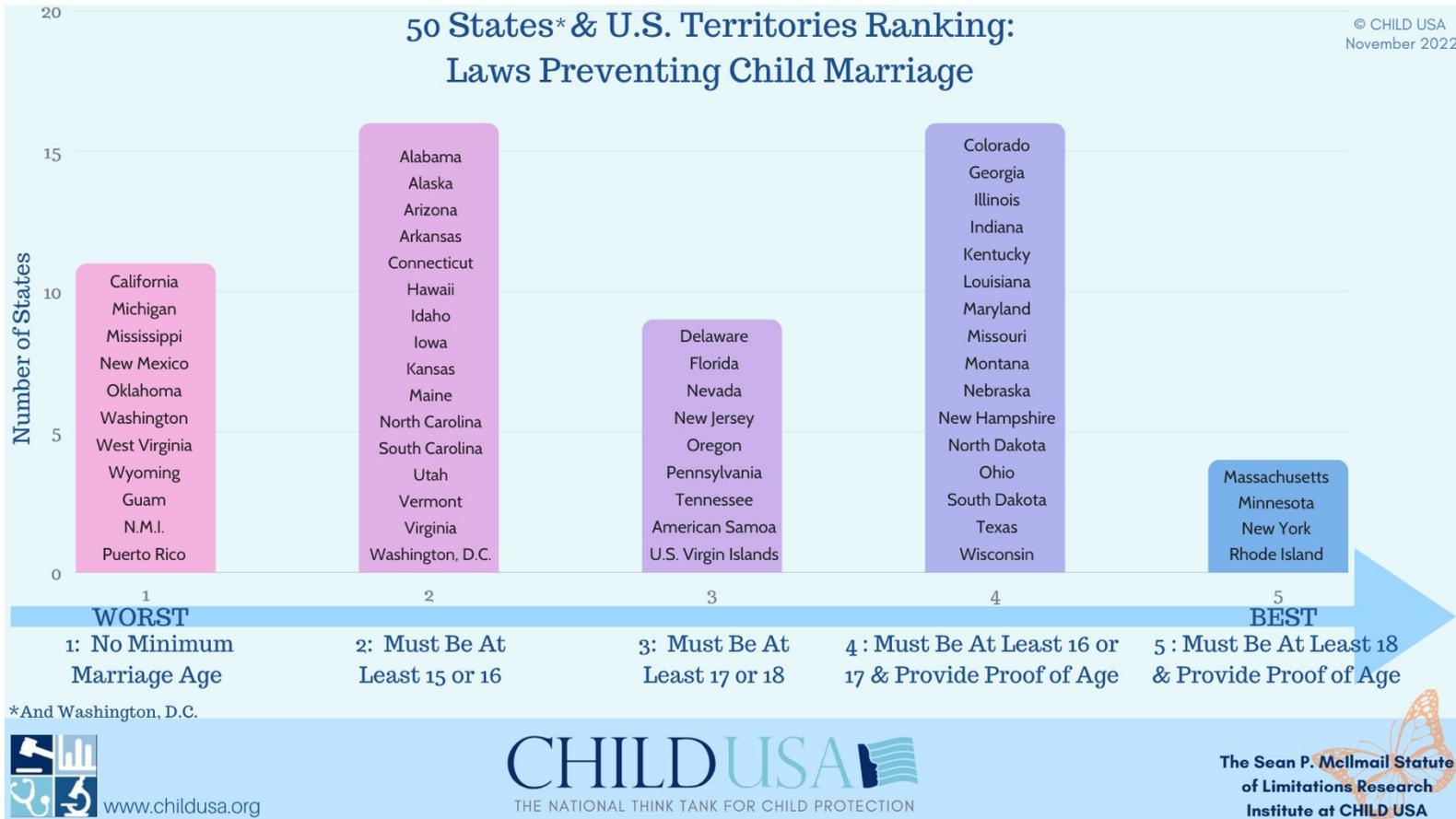
**Child Marriage is Pervasive in the U.S. with Devastating Domestic Consequences**

The above-mentioned legal loopholes may seem trivial on paper, but they result in tragic, life-altering consequences for children in the United States.

- Between 2000 and 2018, almost 300,000 adolescent minors were legally married in the U.S.—this is an average of 45 child marriages per day.
- An estimated 30,000–60,000 marriages occurred “at an age or spousal age difference that should have been considered a sex crime.”
- The majority of U.S. states permit marriage as a defense to statutory rape.
- Between 70% and 80% of marriages involving a child in the United States end in divorce, and child marriage followed by divorce doubles the likelihood that child mothers will descend into poverty.



- Girls in the United States who marry before the age of 19 are also 50% more likely to drop out of high school and four times less likely to graduate from college.
- Victims of child marriage in the United States are acutely vulnerable to higher rates of psychiatric disorders as well as physical, emotional, or verbal abuse.



**California does not escape these consequences. As evidenced in the graph above, California has some of the weakest child marriage laws in the nation.** Unfortunately, these laws have permitted abusers to harm children.

To protect children and secure their futures, the practice of child marriage must be prohibited under the law. In the absence of a federal prohibition against child marriage, it falls to each state to establish marriage laws that close these loopholes and effectively ban child marriage.

**Ultimately, state and federal laws that (1) ban marriage for persons under the age of eighteen, without exception, and (2) require all marriage applicants to furnish official proof of their age, will most effectively thwart child marriage nationally and truly protect children.** We commend you for moving towards this goal and taking up the charge on behalf of California's children.



For more information about child marriage reform, visit <https://childusa.org/child-marriage/> or email [info@childusa.org](mailto:info@childusa.org). Please do not hesitate to contact us if we can be of assistance on this or any other child protection issues.

Sincerely,



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