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**TESTIMONY IN SUPPORT OF HB 2422: ENDING CHILD MARRIAGE IN KANSAS
SUBMITTED TO HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE | MARCH 26, 2021**

Chair Barker, Vice Chair Arnberger and Distinguished Committee Members:

AHA Foundation wishes to be recorded in strong support of HB 2422. AHA Foundation thanks Representative Clayton for her leadership on this bill, and the Committee for prioritizing a hearing on this important legislation.

HB 2422 eliminates exceptions to the marriage age, and reserves marriage, a serious legal contract, for those who have reached the age of majority.

While the current minimum marriage age in Kansas is 18, the state allows a major exception: children who are 16 and 17 years old can marry with the parental consent of both parents or the consent of one parent and judicial approval. Meanwhile, children who are 15 may also be permitted to marry if it is determined to be in the “best interest of the child.”

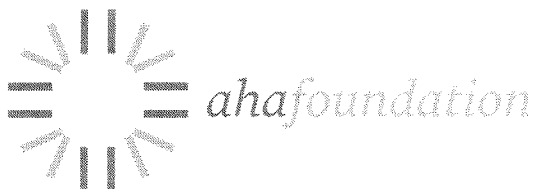
In cases in which 16- and 17-year-olds request a marriage license, there is no mechanism in place to ensure that the required parental consent is not in fact parental coercion. Children who have not yet reached the age of majority can easily be forced or coerced into marriage or trapped in an abusive marriage. Minors being coerced into marriage may fear familial violence should they refuse to comply, or they may be physically or emotionally manipulated into accepting an unwanted marriage. Children under the age of 18 also face significant legal and practical barriers if they try to leave home, enter a domestic violence shelter, retain an attorney, file a legal action such as a divorce, etc.

16- and 17-year-olds are also automatically emancipated in Kansas upon marriage, and although an emancipated minor in Kansas is given some rights of adulthood, those rights arrive too late and only after a child has endured the trauma of an early or forced marriage. Furthermore, emancipation does not negate the negative consequences associated with marriage before 18. In fact, a minor who marries before 18 is much more likely to drop out of school, have more children closely spaced, live in poverty, suffer serious health consequences, and experience domestic violence.

Meanwhile, there is no criteria provided to determine what is in the “best interest of the child,” for 15-year-olds. Of even greater concern, is the fact that sex with a 15-year-old is usually a crime in Kansas, however, as the law currently stands, this only applies if the perpetrator doesn’t first marry the child. Consequently, Kansas is currently granting marriage licenses much like “get out of jail free” cards.

AHA Foundation has worked with potential victims of forced and child marriage from across the U.S. and knows full well that these barriers are grounded in reality. In one case, Mena¹, a U.S.-born minor, reached out to AHA Foundation due to her fear of being forced into an unwanted marriage. In spite of the fact that she could not yet legally vote, and was only just learning how to drive, her parents were planning her wedding to an older man whom she had never met. Due to state laws, all the courts needed was her parents’ permission for the marriage to move forward. While AHA Foundation was ultimately able to help Mena escape the situation, the reality is that it should not have been legally

¹ Name changed to protect survivor’s identity



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possible for Mena's parents to coerce her as a minor to marry. Those at risk must be protected by a comprehensive legal framework that guarantees their human rights.

Individual stories like Mena's are also supported by data. Between 2000 and 2018, 3,028 children as young as 15 were married in the state of Kansas, with 81 percent of them being girls wed to adult men. These marriages have devastating consequences for girls including limited opportunities to health, education, economic freedom and an increased risk of domestic violence. Given these factors, one case of forced or child marriage is one too many. AHA Foundation urges you to vote "yes" to close the existing loopholes that fails to protect Kansas' children from forced and child marriage.

About AHA Foundation

AHA Foundation is a 501(c)3 non-profit founded by women's rights activist Ayaan Hirsi Ali, and is the leading organization working to end honor violence that shames, hurts or kills thousands of women and girls in the U.S. each year, and puts millions more at risk. We ensure that women and girls of all races, cultures, religions, beliefs and backgrounds who are facing female genital mutilation, forced marriage, child marriage, or honor violence have a way out, and that survivors get the help they need to thrive.

Since 2010, the focus of the Foundation's programs includes: 1) compiling data on these crimes, which are not currently tracked by U.S. law enforcement or government agencies, 2) publishing reports and articles and organizing conferences about the continued oppression of women and girls in the U.S., 3) lobbying and outreach to expand and strengthen state and national legislation for the protection of women and girls, 4) training of law enforcement and service providers, and 5) connecting women and girls in crisis to appropriate services. AHA Foundation has trained over 3,000 frontline service providers on responding to cases of female genital mutilation, honor violence and forced marriage, and partnered with Crisis Text Line to create America's first honor violence and forced marriage helpline.