

STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

Testimony COMMENTING on HB729 HD1
RELATING TO MARRIAGE OF MINORS.

REP. DAVID A. TARNAS, CHAIR
HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Hearing Date: February 19, 2025

Room Number: 325

1 **Fiscal Implications:** N/A.

2 **Department Testimony:** The Department of Health provides the following information to the
3 Legislature in consideration of this measure, which were derived from marriage license data. In
4 general, marriage with persons under the age of 18 is an uncommon occurrence, but there are a
5 small number of outlier cases that prompt closer scrutiny.

6 Hawaii-Based Couples

7 From 1/1/2010 to 9/30/2020, out of 237,163 marriages there were 216 people under the age of 18
8 (153 brides and 63 grooms), or 0.09% where both partners claims Hawaii residency. A further
9 breakdown reveals:

10 • Brides:

11 ○ 16 years old = 30

12 ○ 17 years old = 108

13 • Grooms:

14 ○ 16 years old = 8

15 ○ 17 years old = 48

The vast majority of couples are within a few years of each other, i.e., teens marrying teens, but there are a small number of outliers ranging from 10 to 21 years age difference for both bride and groom, e.g. thirty-plus year old man/woman marrying teen girl/boy.

The vast majority are between Hawaii residents, the rest are mainland/Hawaii or foreign/Hawaii in that order. Ranked by county in descending order, partners were from the City and County of Honolulu, followed by Maui, Hawaii, and Kauai

Couples with Hawaii Resident and Mainland/Other Partner

In the same time frame, 19 marriages involved a person under 18 and a non-resident. Similar to Hawaii-only couples, most participants were within a few years of each other though there were two clear outliers where the groom was older by many years. Also, one state of origin for both bride and groom is over-represented, with the rest mostly from the West Coast but not exclusively.

- Brides:

- 16 years old = 6

- 17 years old = 9

- Grooms:

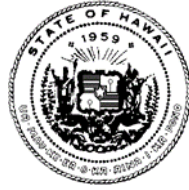
- 16 years old = 2

- 17 years old = 5

Thank you for the opportunity to testify.

Proposed Amendments: N/A.

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



RYAN I. YAMANE
DIRECTOR
KA LUNA HO'OKELE

JOSEPH CAMPOS II
DEPUTY DIRECTOR
KA HOPE LUNA HO'OKELE

STATE OF HAWAII
KA MOKU'ĀINA O HAWAI'I
DEPARTMENT OF HUMAN SERVICES
KA 'OIHANA MĀLAMA LAWELawe KANAKA
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P. O. Box 339
Honolulu, Hawaii 96809-0339

TRISTA SPEER
DEPUTY DIRECTOR
KA HOPE LUNA HO'OKELE

February 18, 2025

TO: The Honorable Representative David A. Tarnas, Chair
House Committee on Judiciary & Hawaiian Affairs

FROM: Ryan I. Yamane, Director

SUBJECT: **HB 729 HD1 – RELATING TO MARRIAGE OF MINORS.**

Hearing: Wednesday, February 19, 2025, Time 2:00 p.m.
Conference Room 325 & Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of raising the legal marriage age to 18, ensuring that both individuals involved in the marriage are at least 18 years old at the time of the marriage. DHS defers to the Department of the Attorney General and the Department of Health and provides comments.

PURPOSE: This bill raises the minimum age to enter into marriage from sixteen to eighteen years of age. Repeals the authority of parents and the family court to consent to a minor's marriage. Repeals spousal cohabitation after the parties attain legal age as an exception for an annulment based on nonage. Repeals exemptions for sexual assault of a minor if the perpetrator is married to the minor. Makes conforming amendments. Effective 7/1/3000.
(HD1)

The Committee on Health amended the measure by:

- (1) Repealing language in the Uniform Guardianship and Protective Proceedings Act that empowered a guardian of a minor to consent to the marriage of the minor;
- (2) Amending the Penal Code to remove exceptions to sexual assault offenses if the person who committed the offense was legally married to the minor;
- (3) Inserting a savings clause;

- (4) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

DHS agrees that raising the legal marriage age to 18 ensures that both individuals involved in the marriage are at least 18 years old at the time of the marriage. Requiring individuals to be 18 at the time of marriage may reduce, as noted in the preamble, the undue pressure or coercion that minors may experience, especially if the minor is pregnant or is a victim of sex trafficking.

Pregnant youth, if eligible, may receive most public benefits and a variety of supports during and after pregnancy. DHS Child Welfare Services also provides services for youth identified as victims of sex trafficking.

DHS notes that in Section 7, the measure also deletes an emancipated person's ability to consent to marry even as they are authorized to engage in other rights of adulthood, including entering into enforceable contracts.

Thank you for the opportunity to provide comments on this measure



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Barbara Hastings
President

February 16, 2025

Wilma Matsumura
Vice-President

Testimony in Full Support of HB729 HD1, Relating to Marriage of Minors
House of Representatives Committee on Judiciary & Hawaiian Affairs
Wednesday, February 19, 2025 at 2:00 pm in Conference Room 325

Laurie Higashi
Secretary

Dear Chair Tarnas, Vice Chair Poepoe, and Committee Members:

Julie Mitchell
Treasurer

Child marriage, or marriage before age 18, was legal in all 50 U.S. states as of 2017. Thanks to the advocacy of groups like Zonta International, UNICEF, and Unchained at Last, that is changing. Delaware and New Jersey in 2018 became the first two states to end this human rights abuse, followed by American Samoa in 2018; the U.S. Virgin Islands, Pennsylvania, and Minnesota in 2020; Rhode Island and New York in 2021; Massachusetts in 2022; Vermont, Connecticut, and Michigan in 2023; and Washington, Virginia, and New Hampshire in 2024.

Charlene Iboshi
Director

However, child marriage remains legal in 37 states – including Hawai'i – and is happening in the U.S. at an alarming rate. More than 300,000 children as young as 10 were married in the U.S. since 2000 – mostly girls wed to adult men.

Julie Tulang
Director &
Club President

Julie Tulang
Fundraising
Committee Chair

Based on testimony on HB729 by the Hawai'i Department of Health, from 2010-2020 there were 216 people under 18 where both claimed Hawai'i residency plus 19 marriages with a person under 18 and a non-resident. Although most are within a few years in age, some ranged from 10-21 years age difference and two had an adult groom who was older than the minor girl by many years. We feel that even one child married in Hawai'i is one too many.

Here are the four main reasons we must end child marriage in the U.S. and Hawai'i:

1. Child marriage can easily be forced marriage. The age of majority, when children become legal adults and get the rights of adulthood, is 18 or higher in every U.S. state. Children who have not yet reached the age of majority have limited legal rights and therefore can easily be forced into marriage or forced to stay in a marriage. They face overwhelming legal and practical barriers if they try to leave home to escape a forced marriage, get help from an advocate, enter a domestic violence shelter, or retain an attorney.

Perhaps most shockingly, children typically are not allowed to initiate a legal proceeding – such as seeking a protective order or even filing for divorce – unless they act through a guardian or other representative. This outrageous legal setup puts the “lock” in “wedlock.” The United Nations Office of the High Commissioner for Human Rights categorizes all child marriage as forced marriage.

2. Child marriage destroys nearly every aspect of American children's lives, including their health, education, and economic opportunities. It even undermines their physical safety. Individuals in the U.S. who were married before age 18 report high rates of physical, sexual,



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financial, or emotional abuse during their marriage as well as unwanted or unplanned pregnancies.

And the impacts of underage marriage are even more severe for teen mothers. Teen mothers who marry and then divorce are more likely to suffer economic deprivation and instability than teen mothers who stay single – and marriage before age 18 has a 70-80% divorce rate.

Child marriage is recognized globally as a harmful practice that disempowers women and girls in particular and hinders gender equality. The U.S. State Department has called child marriage a human rights abuse.

3. Child marriage undermines statutory rape laws. In most states and under federal law, sex with a child that would otherwise be considered rape – in some cases, felony rape – becomes legal within marriage. In those situations, the marriage license becomes a “get out of jail free” card for a child rapist.

In some states, statutory rape remains a crime within marriage. The marriage is legal, but sex within the marriage is rape. In those situations, the state that issues the marriage license sends a child home to be raped.

At least 60,000 child marriages in the U.S. since 2000 occurred at an age or with a spousal age difference that should have been considered a sex crime. Of those child marriages, 88% gave a rapist a “get out of jail free” card, while 12% sent a child home to be raped. Either way, the marriage license made a mockery of statutory rape laws.

4. Child marriage can also be a form of human trafficking. Due to loopholes in immigration laws, thousands of American girls are being trafficked legally for their citizenship, forced to marry adult men from overseas so the men can get a U.S. visa. Similarly, American men are legally importing child brides from overseas.

Join the movement to end child marriage in the U.S. **Please pass HB729 HD1 and make Hawai'i the fourteenth state to legally ban child marriage.**

Sincerely,

Barbara Hastings
Foundation President

Julie Tulang
Club President

Testimony in Support of HB729: Relating to Marriage of Minors
Presented to the Hawai'i House Committee on Judiciary & Hawaiian Affairs | February 19, 2025

Chair Tarnas, Vice Chair Poepoe and Distinguished Committee Members:

We are a bipartisan group of state legislators who have partnered with the nonprofit group Unchained At Last to end child marriage in our 13 states. We respectfully urge you, our fellow lawmakers, to do the same. End this archaic, sexist practice that destroys girls' lives – even if you get the pushback we got at first.

Marriage before age 18 creates a nightmarish legal trap, even for the most mature 17-year-olds. Minors face overwhelming legal and practical barriers if they try to leave home, enter a confidential shelter, retain an attorney or bring a legal action.

Further, marriage before 18 is recognized as a human rights abuse.¹ It destroys nearly every aspect of American girls' lives, including their health, education economic opportunities² and even their physical safety.³

You probably will get pushback when you try to pass the simple, commonsense legislation we introduced in our states, which eliminated the dangerous loopholes that allowed marriage before age 18. Do not compromise. Do not replace one loophole with another; insist on a marriage age of 18, without exceptions. There is no room for negotiation when you are ending a human rights abuse.

You will hear, as we did at first, from legislators and others whose grandmothers married at 14. Remind them that the world has changed since grandma was a kid.

You will hear arguments about young love. Respond by asking what harm comes to a young couple if they wait a matter of months to marry. Minors must wait until 18 to enter almost any other contract, regardless of how passionately they feel about it.

But what if a girl is pregnant, some will ask you. Let them know we would be harming, not helping, if we married off pregnant girls. Teen mothers in the U.S. who marry are more likely to suffer economic deprivation and instability than teen mothers who stay single.⁴

A teen mother who wants to co-parent with the father of the baby can easily do so outside of marriage. He can simply establish paternity, and his insurance and other benefits would cover the baby. We no longer have illegitimacy laws that punish babies born "out of wedlock."

Do not be swayed by the religious argument. We do not know of any religion that requires child marriage; actually, every major religion has supported legislation to end child marriage. Besides,

¹ U.S. Department of State, et al., *United States Global Strategy to Empower Adolescent Girls* (March 2016), <https://2009-2017.state.gov/documents/organization/254904.pdf>.

² Fraidy Reiss, *Child Marriage in the United States: Prevalence and Implications*, Journal of Adolescent Health (December 2021), <https://www.sciencedirect.com/science/article/pii/S1054139X21003414>.

³ Aditi Wahi et al, *The Lived Experience of Child Marriage in the United States*, Social Work Public Health (12 February 2019), <https://pubmed.ncbi.nlm.nih.gov/30747055>.

⁴ Vivian Hamilton, *The Age of Marital Capacity: Reconsidering Recognition of Adolescent Marriage*, William & Mary Law School Scholarship Repository (2012), <http://scholarship.law.wm.edu/cgi/viewcontent.cgi?article=2467&context=facpubs>.

the U.S. Supreme Court has upheld laws that incidentally forbid an act required by religion, if the laws do not target religious practice.⁵

No, ending child marriage does not impact reproductive rights. The U.S. Supreme Court has established that states should treat minors' abortion differently from minors' marriage, because the former is time sensitive while the latter is not.⁶

And no, do not agree to a loophole that allows emancipated minors to be subjected to a human rights abuse. Emancipation is for teens who cannot be reunited with their parents; it gives them some rights of adulthood so they can fend for themselves. Teens do not need marriage to fend for themselves.

Teens do not need marriage, period. If they are in an abusive home or cannot get health insurance from their parents, they deserve resources that do not require them to enter a contractual sexual relationship.

Under United Nations Sustainable Development Goal 5.3, the U.S. joined 192 other countries in promising to end child marriage by year 2030.⁷ We have achieved that goal in 13 states so far, despite initial resistance from our colleagues.

Now we call on you, our fellow lawmakers, to join us. Every child in the U.S. is relying on us to keep our promise to the world and end all marriage before 18. No exceptions. No compromises.

Delaware Rep. Kim Williams
Delaware Former Sen. Anthony Delcollo
New Jersey Sen. Nellie Pou
New Jersey Asm. Nancy Munoz
Pennsylvania Rep. Perry Warren
Pennsylvania Rep. Jesse Topper
Pennsylvania Former Sen. John Sabatina
Minnesota Sen. Sandra Pappas
Minnesota Rep. Kaohly Her
Rhode Island Rep. Julie Casimiro
Rhode Island Sen. John Burke
New York Sen. Julia Salazar
New York Asm. Phil Ramos
Massachusetts Rep. Kay Khan
Massachusetts Former Sen. Harriette Chandler
Vermont Rep. Carol Ode
Connecticut Rep. Jillian Gilchrest
Michigan Rep. Kara Hope
Michigan Sen. Sarah Anthony
Washington Rep. Monica Stonier
Washington Sen. Derek Stanford
Virginia Del. Karen Keys-Gamarra

New Hampshire Sen. Debra Altschiller
New Hampshire Rep. Cassandra Levesque

⁵ 494 U.S. 872, *Employment Division, Department of Human Resources of Oregon v. Smith* (No. 88-1213).

⁶ 443 U.S. 622 (1979), *Bellotti v. Baird* (No. 78-329).

⁷ United Nations Department of Economic and Social Affairs, *Sustainable Development* (2015), <https://sdgs.un.org/goals/goal5>.

Testimony in Support of HB729: Relating to Marriage of Minors

Presented to the Hawai'i House Committee on Health | February 5, 2025

Chair Takayama, Vice Chair Keohokapu-Lee Loy and Distinguished Committee Members:

The Service Women's Action Network (SWAN), a not-for-profit organization advocating for servicewomen, past, present, and future. We urge you to close the loophole that allows a military exception to the marriage age in Alaska. We urge you to end all marriage before 18, without an exception for servicemembers or any other exceptions. We do not believe that marriage is acceptable under the age of 18 for any reason, including service to our nation. We understand that often the purpose of marriage for servicemembers under the age of 18 is to ensure that if a service member were to lose their life overseas, their spouse would receive full benefits for their service to our nation.

Under the Survivor Benefit Plan, service members can designate a significant other to receive benefits if the service member passes away; the Plan does not require the individuals to be married. Additionally, servicemember' military benefits extend to their children, regardless of the servicemembers' marital status so long as the child is properly recognized as a dependent. Death gratuity is also offered for service members who die while on active duty or while serving in certain reserve statuses. The death gratuity is the same regardless of the cause of death.

The longstanding purpose of the death gratuity has been to provide an immediate cash payment to assist survivors of deceased members of the Armed forces to meet their financial needs during the period immediately following a member's death and before other survivor benefits, if any, become available.

SWAN believes that using marriage for servicemembers leaving to war as a motive to keep marriage before 18 legal in this country is a misinformed stance. Servicemembers who choose to serve our country can select their beneficiaries; therefore, the requirement for marriage is needless.

A secondary consideration is the military health and housing benefits afforded to spouses. Military health and housing benefits through a spouse are not a solution for underage marriage. A child's economic dependency should not justify marriage before 18 years old. Underage marriage can create a long-term level of dependence that increases a spouse's chance of experiencing domestic violence.

Thank you for your consideration. Please do not hesitate to reach out to our organization for additional information. We appreciate your continued support of our nation's service members and veterans.





Testimony in Support of HB729: Relating to Marriage of Minors

Presented to the Hawai'i House Committee on Judiciary & Hawaiian Affairs | February 19, 2025

Chair Tarnas, Vice Chair Poepoe and Distinguished Committee Members:

Protect Our Defenders is the pre-eminent national human rights organization dedicated to ending sexual violence, victim retaliation, misogyny, sexual prejudice, and racism in the military and combating a culture that has allowed it to persist. We honor, support, and give voice to survivors of military sexual violence. We seek reform to ensure all service members are provided a safe and respectful work environment free from misogyny and racism, and have access to a fair, impartially administered system of justice.

In order to fulfill our mission, we provide pro bono legal services to survivors of military sexual assault, advocate for military sexual assault reform, and publish and proliferate ground-breaking reports that expose the crises of sexual assault and racial discrimination in the military. Since our founding in 2011, we have assisted a number of child victims of military sexual assault and their families, who are left devastated following incidents that no child should ever have to endure. In FY 2020 alone, the DoD's Sexual Assault Prevention and Response Office (SAPRO) reported that there were 209 unique victims of child sexual abuse, 92.3% of which were female, and 7.7% were male.¹

When it came to our attention that some lawmakers have resisted ending child marriage so that an active duty servicemember might be able to marry a child for the child to be able to benefit from spousal death benefits, we were left deeply shaken. The military has a crisis on its hands in the form of sexual assault, which has been acknowledged by the Secretary of Defense², military leaders such as General Mark Milley³, and the Commander in Chief, President Joe Biden⁴.

¹ Department of Defense Annual Report on Sexual Assault in the Military, Fiscal Year 2020, Appendix H: Child Sexual Abuse; https://www.sapr.mil/sites/default/files/Appendix_H_Child_Sexual_Abuse_FY2020.pdf

² Lolita C. Baldor, "SECDEF backs change in military sex assault prosecution," Military Times, June 22, 2021; <https://www.militarytimes.com/news/pentagon-congress/2021/06/22/secdef-backs-change-in-military-sex-assaultprosecution/>

³ Missy Ryan and Dan Lamothe, "'We haven't moved the needle' on sexual assault in the military, general says," The Washington Post, May 6, 2021; https://www.washingtonpost.com/national-security/military-sexualassault/2021/05/06/a8f51a7c-ae98-11eb-8109-f8ba1ea2eeab_story.html

⁴ Andrew Solender, "Joe Biden Says He Would Take A Hard Line on Military Sexual Assault," Forbes, April 29, 2020; <https://www.forbes.com/sites/andrewsolender/2020/04/29/joe-biden-says-he-would-take-a-hard-line-onmilitary-sexual-assault/?sh=ec2ef7678629>

Protect Our Defenders | 950 N. Washington Street, Suite 234, Alexandria, VA 22314 | (703) 639-0396 www.protectourdefenders.com

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Protect our Defenders Foundation is a registered 501(c)(3). Our Federal EIN number is 45-4044997

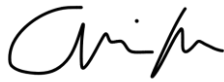


Allowing for the perpetuation of child marriage under the guise that children stand to benefit is a fallacy. Under the Survivor Benefit Plan, servicemembers have the ability to designate a recipient for their death benefits, and that recipient is NOT limited only to spouses, thus enabling a servicemember to designate their benefits to whomever he or she desires.

We fear that continuing to proliferate the narrative that a servicemember should be allowed to marry children to ensure that child receives spousal benefits will enable those to wish to prey on children to do so under the guise of a legal union. This is very dangerous in any profession and in any setting, but especially within the U.S. military, which is already contending with a sexual assault crisis it cannot control.

Thank you for your time and consideration.

Very Respectfully,



Col Don Christensen, USAF (Ret)
President, Protect Our Defenders

Protect Our Defenders | 950 N. Washington Street, Suite 234, Alexandria, VA 22314 | (703) 639-0396 www.protectourdefenders.com

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Barbara Hastings
President

February 16, 2025

Wilma Matsumura
Vice-President

Testimony in Full Support of HB729 HD1, Relating to Marriage of Minors
House of Representatives Committee on Judiciary & Hawaiian Affairs
Wednesday, February 19, 2025 at 2:00 pm in Conference Room 325

Laurie Higashi
Secretary

Dear Chair Tarnas, Vice Chair Poepoe, and Committee Members:

Julie Mitchell
Treasurer

Child marriage, or marriage before age 18, was legal in all 50 U.S. states as of 2017. Thanks to the advocacy of groups like Zonta International, UNICEF, and Unchained at Last, that is changing. Delaware and New Jersey in 2018 became the first two states to end this human rights abuse, followed by American Samoa in 2018; the U.S. Virgin Islands, Pennsylvania, and Minnesota in 2020; Rhode Island and New York in 2021; Massachusetts in 2022; Vermont, Connecticut, and Michigan in 2023; and Washington, Virginia, and New Hampshire in 2024.

Charlene Iboshi
Director

However, child marriage remains legal in 37 states – including Hawai'i – and is happening in the U.S. at an alarming rate. More than 300,000 children as young as 10 were married in the U.S. since 2000 – mostly girls wed to adult men.

Julie Tulang
Director &
Club President

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Fundraising
Committee Chair

Based on testimony on HB729 by the Hawai'i Department of Health, from 2010-2020 there were 216 people under 18 where both claimed Hawai'i residency plus 19 marriages with a person under 18 and a non-resident. Although most are within a few years in age, some ranged from 10-21 years age difference and two had an adult groom who was older than the minor girl by many years. We feel that even one child married in Hawai'i is one too many.

Here are the four main reasons we must end child marriage in the U.S. and Hawai'i:

1. Child marriage can easily be forced marriage. The age of majority, when children become legal adults and get the rights of adulthood, is 18 or higher in every U.S. state. Children who have not yet reached the age of majority have limited legal rights and therefore can easily be forced into marriage or forced to stay in a marriage. They face overwhelming legal and practical barriers if they try to leave home to escape a forced marriage, get help from an advocate, enter a domestic violence shelter, or retain an attorney.

Perhaps most shockingly, children typically are not allowed to initiate a legal proceeding – such as seeking a protective order or even filing for divorce – unless they act through a guardian or other representative. This outrageous legal setup puts the “lock” in “wedlock.” The United Nations Office of the High Commissioner for Human Rights categorizes all child marriage as forced marriage.

2. Child marriage destroys nearly every aspect of American children's lives, including their health, education, and economic opportunities. It even undermines their physical safety. Individuals in the U.S. who were married before age 18 report high rates of physical, sexual,



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financial, or emotional abuse during their marriage as well as unwanted or unplanned pregnancies.

And the impacts of underage marriage are even more severe for teen mothers. Teen mothers who marry and then divorce are more likely to suffer economic deprivation and instability than teen mothers who stay single – and marriage before age 18 has a 70-80% divorce rate.

Child marriage is recognized globally as a harmful practice that disempowers women and girls in particular and hinders gender equality. The U.S. State Department has called child marriage a human rights abuse.

3. Child marriage undermines statutory rape laws. In most states and under federal law, sex with a child that would otherwise be considered rape – in some cases, felony rape – becomes legal within marriage. In those situations, the marriage license becomes a “get out of jail free” card for a child rapist.

In some states, statutory rape remains a crime within marriage. The marriage is legal, but sex within the marriage is rape. In those situations, the state that issues the marriage license sends a child home to be raped.

At least 60,000 child marriages in the U.S. since 2000 occurred at an age or with a spousal age difference that should have been considered a sex crime. Of those child marriages, 88% gave a rapist a “get out of jail free” card, while 12% sent a child home to be raped. Either way, the marriage license made a mockery of statutory rape laws.

4. Child marriage can also be a form of human trafficking. Due to loopholes in immigration laws, thousands of American girls are being trafficked legally for their citizenship, forced to marry adult men from overseas so the men can get a U.S. visa. Similarly, American men are legally importing child brides from overseas.

Join the movement to end child marriage in the U.S. **Please pass HB729 HD1 and make Hawai'i the fourteenth state to legally ban child marriage.**

Sincerely,

Barbara Hastings
Foundation President

Julie Tulang
Club President

Thank you Chair Tarnas, Vice Chair Poepoe and members of the committee.

My name is Dré Fields and I represent Unchained At Last, the survivor led nonprofit dedicated to ending forced and child marriage in the US through direct services and systems change and I am here to testify in strong support of HB729.

The current law in Hawaii is dangerous because it allows a 16- or 17-year-old to be entered into a marriage with nothing more than parental consent and it allows parents to enter a 15-year-old into marriage with judicial approval.

As direct service providers, we can tell you that when someone is forced to marry, their own parent almost always plays a crucial role in facilitating that forced marriage. Parental consent is often parental coercion. And the judicial approval process does not help. The judge is not required to interview the 15-year-old. And even if they did have to interview the minor, in our experience when a minor is forced to marry, they are also forced to lie to the judge about it.

Another danger of the current law is that minors are automatically emancipated upon marriage, regardless of their level of financial independence. This can lead to the minor being financially dependent on their spouse; a huge risk factor for domestic violence.

Additionally, as you'll see in my written testimony, the current statute undermines Hawaii's statutory rape law and creates a get-out-of-jail free card for some would-be child rapists.

Also in my written testimony, you will see outlined how the current law legalizes and incentivizes the trafficking of minors under the guise of marriage, due to a loophole in federal law which the federal government is in no hurry to amend.

But it isn't just the law that is dangerous. Child marriage is inherently dangerous because of the horrific legal trap it creates for the minor. Before someone turns 18, they face overwhelming legal and practical barriers if they try to leave home, get into a domestic violence shelter, hire a lawyer or file a legal action. For these reasons, the UN Office of the High Commissioner on Human Rights considers all child marriage to be forced marriage.

Unfortunately, when girls facing a forced marriage reach out to us and learn of their limited legal options, we have seen some turn to self-harm and even suicide attempts.

Additionally, studies show that child marriage produces devastating lifelong repercussions and destroys nearly every aspect of a minor's life including their health, education, economic opportunities and physical safety. For those reasons, the US State Department calls marriage before 18 a human rights abuse.

Child marriage is occurring at an alarming rate in Hawaii. Between 2000-2022 835 minors were married in Hawaii. 82% were girls wed to adult men with an average age difference of 4 years older.

The simple, common-sense solution is to set the marriage age at 18, with no exceptions. It costs nothing, harms no one and ends a human right abuse.



February 17, 2025

Position: Support of HB729 HD1, Relating to Marriage of Minors

To: Representative David A. Tarnas, Chair
Representative Mahina Poepoe, Vice Chair
Members of the House Committee on Judiciary & Hawaiian Affairs

From: Llasmin Chaîne, LSW, Executive Director, Hawai'i State Commission on the Status of Women

Re: Testimony in Support of HB729 HD1, Relating to Marriage of Minors

Hearing: Wednesday, February 19, 2025, 2:00 p.m.
Conference Room 325, State Capitol

On behalf of the Hawai'i State Commission on the Status of Women, I would like to thank the committee for hearing this important bill. I would like to express my **strong support of HB729 HD1**, which raises the minimum age to enter into marriage from sixteen to eighteen years of age and repeals the authority of parents and the family court to consent to a minor's marriage.

Child marriage is more likely to happen to **girls (86%)** than boys (14%), **most often at age 16 or 17**, which is usually too young to enter a domestic violence shelter or to file for divorce.¹ **Women who marry before age 19 face a 23 percent higher risk of heart attack, diabetes, cancer and stroke²** than do women who marry between ages 19 and 25, partly **due to the added stress and loss of education** that comes with early marriage.³

As young women and **girls aged 16-19 face intimate partner violence victimization rates almost 3 times** the national average and the majority **(70-80%) of child marriages ultimately ending in divorce⁴**, I respectfully urge this Committee to pass HB729 HD1.

Thank you for this opportunity to submit testimony.

¹ Child Marriage – Shocking Statistics. Unchained At Last. <https://www.unchainedatlast.org/child-marriage-shocking-statistics/>

² Dupre, M. E., & Meadows, S. O. (2007). Disaggregating the Effects of Marital Trajectories on Health. Journal of Family Issues, 28(5), 623-652. <https://doi.org/10.1177/0192513X06296296>

³ Reiss, Fraidy. (2017, February 10) Why can 12-year-olds still get married in the United States? *The Washington Post*. <https://www.washingtonpost.com/posteverything/wp/2017/02/10/why-does-the-united-states-still-let-12-year-old-girls-get-married/>

⁴ Child Marriage Poses Serious Risks to Children. Tahiri Justice Center. <https://www.tahiri.org/wp-content/uploads/2020/05/Child-Marriage-Impacts-One-Page-updated-5.8.-2020-REGULAR-PRINT.pdf>



**Testimony in SUPPORT of HB729: Relating to Marriage of Minors
Presented to the Hawai'i House Committee on Judiciary & Hawaiian Affairs
February 19, 2025**

Chair Tarnas, Vice Chair Poepoe and Distinguished Committee Members:

Zonta International is a 105-year-old organization that seeks to build a better world for women and girls. The Zonta USA Caucus conducts nonpartisan advocacy for women and girls representing hundreds of Zonta Clubs in the U.S. including clubs in Hawai'i: Hanalei, Hilo, Kauai, and Oahu (formerly Leilehua). **We strongly urge you to vote "YES" on HB729.**

Child Marriage is a Serious Problem: Hawai'i's marriage law has dangerous loopholes allowing 16-and-17-year-olds to marry with parental "consent" and 15-year-olds to marry with parental consent and judicial approval.¹

Dangers in the Current Law

- When a child is forced to marry, the perpetrators are typically the parents. Parental consent is often parental "coercion."
- Judges have wide discretion to approve child marriages, this is dangerous as it allows a child who is too young to consent to sex to marry. Improving the judicial process would still be burdensome on a vulnerable child who is being forced to marry having to decide whether to lie to the court or be honest about coercion and face consequences at home.
- A child is automatically emancipated upon marriage,² which likely ends their parents' financial obligation of them, regardless of the child's level of financial security.
- If an adult aged 20 or older has sex with a 15-year-old, they can be charged with sexual assault – but not if they are married to each other.³ This is a get out of jail free card.
- 835 minors aged 15 to 17 were married in Hawai'i between 2000 and 2022. Of these, 82% were girls married to adult men that were on average 4 years older.⁴

Devastating Lifetime Consequences of Child Marriage

- Child marriage destroys every aspect of a child's life: health, education, economic opportunities, freedom, physical safety, and increases their risk of experiencing violence.⁵
The U.S. State Department calls all marriages before 18 a "human rights abuse."⁶
- Teens can easily be forced into marriage or forced to stay in a marriage before they turn 18.⁷ Even at 15, 16, or 17, they cannot easily leave home,⁸ enter a domestic violence

¹ Haw. Rev. Stat. §§ 572-1, 572-2, 572-9, 572-10.

² Haw. Rev. Stat. § 577-25.

³ Haw. Rev. Stat. §§ 707-730, 707-732.

⁴ Based on marriage-license data Unchained at Last retrieved from the Hawai'i Department of Health.

⁵ Fraidy Reiss, Why Can 12-Year-Olds Still Get Married in the United States, Washington Post (10 February 2017).

⁶ <https://2009-2017.state.gov/documents/organization/254904.pdf>.

⁷ Haw. Rev. Stat. § 577-1: The age of adulthood is 18.

⁸ Leaving home before 18 is a status offense. See Haw. Rev. Stat. §§ 571-2, 571-11(2)(B).

shelter, retain an attorney,⁹ or bring a legal action including divorce or seeking a protective order.¹⁰

- Marriage before 18 results in divorce 70% to 80% of the time.¹¹

Simple Legislative Solution: **HB729** costs nothing, harms no one and saves girls from a human rights abuse. **Passing HB729** keeps the marriage age at 18 and eliminates the dangerous loopholes that allow marriage before that age. Other states are passing the same legislation.

Learn more at: www.unchainedatlast.org

Zonta USA Caucus engages in non-partisan advocacy to build a better world for women and girls. You can make a difference in the lives of children by ending child marriage.

Respectfully,

Zonta USA Caucus

<https://zontausa.org/>

hello@zontausa.org

Zonta International District 1

Zonta International District 2

Zonta International District 3

Zonta International District 4

Zonta International District 5

Zonta International District 6

Zonta International District 7

Zonta International District 8

Zonta International District 9

- Zonta Club of Hanalei
- Zonta Club of Hilo
- Zonta Club of Kauai
- Zonta Club of Oahu (formerly Leilehua)

Zonta International District 10

Zonta International District 11

Zonta International District 12

Zonta International District 15

⁹ Contracts with minors, including retainer agreements with attorneys, are generally voidable. See Haw. Rev. Stat. § 577-1. See also *Jellings v. Pioneer Mill Co.*, 30 Haw. 184, 186-87 (Haw. 1927).

¹⁰ Haw. Rev. Stat. §§ 551-2, § 587A-16(a). Note that children are automatically emancipated upon marriage and should get the rights listed here, but those rights arrive too late for a child facing a forced marriage.

¹¹ <http://scholarship.law.wm.edu/cgi/viewcontent.cgi?article=2467&context=facpubs>.

HB-729-HD-1

Submitted on: 2/18/2025 1:32:13 PM

Testimony for JHA on 2/19/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Edith Neumiller	Zonta Club of Kauai	Support	Written Testimony Only

Comments:

Aloha House of Representatives,

I continue to support HB729 to raise the age of consent for marriage from 16 to 18 years old.

Mahalo,

Edith Ignacio Neumiller

Zonta Club of Kauai



BREAKING THE SILENCE
PROTECTING LIBERTY
CELEBRATING DIGNITY

TESTIMONY IN SUPPORT OF HB729: ENDING CHILD MARRIAGE IN HAWAII

PRESENTED TO THE HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS ON FEBRUARY 19, 2025

Chair Tarnas, Vice Chair Poepoe and Distinguished Committee Members:

AHA Foundation wishes to be recorded in strong support of HB729. AHA Foundation thanks the introducers of this bill for their efforts, and the Committee for prioritizing a hearing on this important legislation.

The marriage age is 18, but dangerous loopholes allow 16- and 17-year-olds to marry with parental “consent” and 15-year-olds to marry with parental consent and judicial approval. HB729 eliminates these dangerous loopholes, and ensures minors cannot be exploited or abused under the guise of marriage.

Minors, having not yet reached the age of majority, can easily be forced into marriage or trapped in an abusive marriage in which they are forced to stay. Minors being coerced into marriage may fear familial violence should they refuse to comply, or they may be physically or emotionally manipulated into an unwanted marriage. Because they have not yet reached the legal age of majority, minors face significant legal and practical barriers if they try to leave home, enter a domestic violence shelter, retain an attorney, or file a legal action such as a divorce.

AHA Foundation has worked with victims, including minors, facing forced marriage, and knows full well that these barriers are grounded in reality. The individual stories we have seen are also supported by the data. Between 2000 and 2022, approximately 835 minors age 15 to 17 were married in Hawai'i. Between these years, at least 82% percent of the children married were minor girls wed to adult men.¹

Child marriage severely limits opportunities in health, education and economic freedom. It also increases risk of domestic violence. Given these harms, one case of child marriage is one too many. If mechanisms are in place that allow for hundreds of cases to slip through the cracks, the common sense solution is to enact the necessary law to close these gaps.

Governments should not participate in child marriage or make it legally possible for parents to force minors to marry. Those at risk must be protected by a legal framework that guarantees their human rights. The solution is simple: eliminate the dangerous loophole in the marriage laws that place the children of the Hawai'i at risk of exploitation and abuse and **vote YES on HB729**.

¹ Based on the nonprofit Unchained At Last's analysis of marriage-certificate data from the Hawai'i Department of Health.



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About AHA Foundation

AHA Foundation is a 501(c)3 nonprofit 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 honor violence have a way out, and that survivors get the help they need to thrive.

Since 2010, the Foundation's programs include: 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) outreach and education 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 3,400 frontline service providers on responding to cases of gender based violence, honor violence and forced marriage, and partnered with Crisis Text Line to create America's first honor violence and forced marriage helpline.



AMERICAN ATHEISTS

February 19, 2025

The Honorable Rep. David A. Tarnas
Chair, House Judiciary & Hawaiian Affairs Committee
415 S. Beretania Street
Honolulu, Hawaii 96813

Re: SUPPORT HB 729, Ending Child Marriage

Dear Chairperson Tarnas and Members of the House Judiciary & Hawaiian Affairs Committee:

American Atheists, on behalf of its constituents in Hawaii, thanks you for holding a hearing on HB 279, a bill to protect young people by ending child marriage. This bill would protect children from being coerced into marriage against their will, a harmful and archaic practice that happens all too frequently across the country. We urge you to support this necessary legislation.

American Atheists is a national civil rights organization that works to achieve religious equality for all Americans by protecting what Thomas Jefferson called the “wall of separation” between government and religion created by the First Amendment. We strive to create an environment where atheists are accepted as members of our nation’s communities and where bigotry against our community is seen as abhorrent and unacceptable. We promote understanding of atheists through education, outreach, and community-building, and work to end the stigma associated with being an atheist in America. American Atheists believes that children should never be coerced into marriage, especially due to the religious beliefs of their parents or guardians.

Currently, Hawaii allows children as young as fifteen to marry with judicial consent. Appallingly, there are no guardrails in place to protect children from forced marriage so long as both parties are over the age of sixteen and they obtain parental consent. These loopholes invite abuse and endanger young people in Hawaii. Over 800 children were married in Hawaii between 2000 and 2022, including at least one marriage in which the age difference between the child and their spouse would otherwise be considered child abuse or statutory rape.¹ This means the current loopholes in state law have allowed criminal conduct against children in Hawaii. These loopholes must be closed immediately to prevent further harm.

The harm caused by child marriage cannot be understated. Young people who marry before the age of eighteen are significantly more likely to experience disastrous health, education, and economic outcomes and have a heightened risk of experiencing violence. They have a 70- to 80-percent

¹ Child Marriage in Hawaii. Unchained At Last. (2025). Available at:
<https://www.unchainedatlast.org/child-marriage-in-hawaii>.

chance of getting divorced, and teen mothers who marry and then divorce are much more likely to end up in poverty than teen mothers who remain single.² Even if the marriage does not end in divorce, child brides are more likely to drop out of high school, less likely to attend college, and often spend their lives in poverty.³ Raising the minimum age of marriage to eighteen means that hundreds of children in Hawaii will be spared the heartbreaking consequences of child marriage.

The fact that a family court or a minor's parent or guardian consents to the marriage does not provide sufficient protection against entering a marriage the child may never be able to leave. In fact, one of the main reasons a child is compelled into marriage is because of parental coercion. Children experiencing teen pregnancy and financial instability, for example, are at risk of being coerced into entering a marriage they do not want by their parents.⁴ When this happens, the children face overwhelming legal and practical barriers to escaping the marriage because, as minors, they are unable to access many of the resources that are available to adults, including domestic violence shelters or even retaining a divorce attorney. Simply requiring judicial or parental consent is not a safeguard against the potentially horrific outcomes associated with child marriage. On the contrary, it provides a legal mechanism for parents and guardians to irreversibly limit the rights of vulnerable children.

Enacting HB 729 would close the dangerous loopholes that currently exist and ensure children throughout Hawaii can no longer be placed in harm's way. We strongly urge you to advance this bill and protect young people from coerced marriage. Should you have any questions regarding American Atheists' support for HB 729, please contact me at vanderson@atheists.org.

Sincerely,



Victoria Anderson
State Policy Counsel
American Atheists

² Hamilton, Vivian E., "The Age of Marital Capacity: Reconsidering Civil Recognition of Adolescent Marriage" (2012). *William & Mary Law School Scholarship Repository, Faculty Publications*, 1430. Available at <http://scholarship.law.wm.edu/cgi/viewcontent.cgi?article=2467&context=facpubs>.

³ Fraidy Reiss, "Child Marriage in the United States: Prevalence and Implications" (2021). *Journal of Adolescent Health*. Available at: [https://www.jahonline.org/article/S1054-139X\(21\)00341-4/fulltext](https://www.jahonline.org/article/S1054-139X(21)00341-4/fulltext).

⁴ Paige Cassidy and Tyehimba Turner, "The Fight Continues to End Child Marriage in the U.S." (2021). UNICEF USA. Available at: <https://www.unicefusa.org/stories/fight-continues-end-child-marriage-us>.



Date: February 19, 2025

To: Rep David Tarnas, Chair
Rep Mahina Poepoe, Vice Chair
Members of the Committee on Judiciary and Hawaiian Affairs

From: Lynn Costales Matsuoka, Executive Director 
The Sex Abuse Treatment Center
A Program of Kapi'olani Medical Center for Women & Children

RE: Testimony on HB 729, HD1
Relating to Marriage of Minors

Hearing: February 19, 2025, Conference Room 325; 2:00pm

Good morning Chair Tarnas, Vice Chair Poepoe, and Members of the Committee on Judiciary and Hawaiian Affairs

The Sex Abuse Treatment Center (SATC) submits comments on HB 729, HD1.

We agree that underage marriage is concerning particularly when that marriage facilitates further victimization of that child or is coerced. To that end, we support the intent of this legislation. However, the bill mentions that at least 800 children have married in Hawai'i since 2000, without breaking that data down by year. Assuming there are children who have recently married and may be currently under the age of 18 years old, this bill could have unintended consequences to those marriages, to include potential criminal prosecution for engaging in intimate relations between spouses. The strict liability attached to the criminal sexual assault statutes referenced in the bill could be problematic for those already married. Similarly, given that the majority of states still allow underage marriages, those marriages legally sanctioned in another state, could be impacted as well, should that married couple relocate to Hawai'i.

Thank you for allowing us to provide comment on this important legislation.

HB-729-HD-1

Submitted on: 2/14/2025 5:02:51 PM

Testimony for JHA on 2/19/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Andrew Crossland	Individual	Support	Written Testimony Only

Comments:

I STRONGLY SUPPORT this common sense Bill to protect minors. I urge all members of the Committee to **VOTE YES** on this Bill.

HB-729-HD-1

Submitted on: 2/14/2025 8:27:00 PM

Testimony for JHA on 2/19/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Olderr	Individual	Comments	Remotely Via Zoom

Comments:

This bill is essential; so much trafficking of children has been done legally and under the guise of marriage all over the country, as the bill suggests. I wholeheartedly support this bill as the state should preserve and respect children and their quality of life. But if I may add to one comment, it is to enshrine in this bill that no religious exemptions could be made in favor of the child's marriage. Religion has been weaponized by a lot of predators on the mainland, and I want to make sure that the children are protected by bad-faith people of faith. Please support and pass this bill

To: Chair Tarnas, Vice Chair Poeppoe, and Committee Members
For: House Committee on Judiciary & Hawaiian Affairs on Wednesday, February 19, 2025 at 2:00 pm
Re: Strong Support of HB729 HD1, Relating to Marriage of Minors

Did you know that child marriage is happening right here in the United States?

UNICEF and Zonta International have joined forces to raise awareness and enact change to end child marriage globally and locally, with the ultimate goal of ensuring that girls fully enjoy their childhood free from the risk of child marriage. The United Nations (UN) Sustainable Development Goal (SDG) 5 is to “achieve gender equality and empower all women and girls.” UN SDG 5.3 is to “eliminate all harmful practices, such as child, early and forced marriage and female genital mutilations.”

I stand for the rights of all children to live a life free from violence and exploitation. I believe that these rights extend to children who may be forced into marriage right here in our state. This is why I support the passage of legislation to make 18 years old the minimum age of marriage in our state, with zero exceptions. As your constituent, I urge you to do the same.

Worldwide, more than 640 million women and girls alive today were married before their 18th birthday, some are right here in the United States. Nearly 300,000 children — some as young as 10 — were married in the U.S. between 2000 and 2018, most of them girls wed to adult men. Yet there is no federal law regarding child marriage; rather, every state sets its own requirements. In fact, several states throughout the country have no minimum age for marriage. UNICEF calls child marriage a harmful practice and a violation of child rights and states that marriage under age 18 should be prohibited in all circumstances.

In all cases, child marriage has negative impacts on children. It leads to separation from family and friends, lack of freedom to interact with peers and participate in community activities, and decreased opportunities for education and economic participation. Because child marriage often results in child pregnancy, girls married at a young age face serious health risks. Teenage girls are much more likely to die in pregnancy and childbirth than women in their 20s. In addition, childhood pregnancy increases risks of nutritional deficiencies for both mother and baby, with permanent consequences.

These risks are just as real for child marriages in the United States as they are in low- and middle-income countries. For the sake of protecting children from abuse and protecting their futures, I believe that every single U.S. state must take legislative steps to ban child marriage.

Based on Department of Health testimony on HB729, from 1/1/2010 to 9/30/2020, there were 216 people under the age of 18 (153 brides and 63 grooms) where both claimed Hawai'i residency and 19 marriages involved a person under 18 and a non-resident. Although the majority of are within a few years of each other, there are a small number of outliers ranging from 10-21 years age difference for either bride or groom and two clear outliers where the groom was older by many years. In addition, we do not know how many Hawai'i based minors were married in another state.

Although these numbers might seem small, even one child marriage is too many.

Currently, only 13 U.S. states – Connecticut, Delaware, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and Washington – prohibit child marriage with no exceptions. Let's make our state the 14th!

Let's be on the right side of history. Please support HB729 HD1 and end child marriage in Hawai'i.

Mahalo,
Julie Mitchell
P.O. Box 139
Kurtistown, HI 96760-0139

HB-729-HD-1

Submitted on: 2/16/2025 6:35:31 AM

Testimony for JHA on 2/19/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rodrigo Romo	Individual	Support	Written Testimony Only

Comments:

Aloha members of the Committee:

It is hard to believe that in this day and age we even have to discuss this issue. A 16 year old teenager should not be allowed to marry with or without consent from a guardian. Please pass this bill and put an end to this medieval practice.

Mahalo

HB-729-HD-1

Submitted on: 2/16/2025 8:15:23 PM

Testimony for JHA on 2/19/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ruth Love	Individual	Support	Written Testimony Only

Comments:

Thank you

Mrs Ruth Love

HB-729-HD-1

Submitted on: 2/17/2025 7:17:31 AM

Testimony for JHA on 2/19/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mele Spencer	Individual	Support	Written Testimony Only

Comments:

Child marriage is any formal or informal union where one or both of the parties are under 18 years old, [according to Girls Not Brides](#). Early and forced marriage happens across countries, cultures and religions. Each year, 12 million girls are married before they turn 18. This is 28 girls every minute. Overall, global progress would need to be 20 times faster to eliminate child marriage by the United Nation's SDG goal of 2030.

It is estimated that 640 million women alive today were married as girls. Child brides are often pulled out of school and are at a greater risk of violence, being trapped in poverty and serious health complications or even death due to early pregnancy.

- Globally, one in every five girls is formally married or in an informal union, before reaching age 18. In the least developed countries, that number almost doubles – 36% of girls are married before age 18, and 10% of girls are married before age 15.
- Girls with no education are three times as likely to marry by 18 as those with a secondary or higher education.
- 90% of adolescent pregnancies in the developing world are to girls who are already married.
- Girls between the ages of 15 and 19 are twice as likely to die in childbirth as women in their 20s, and newborn children of younger mothers face greater risks of dying.
- Early marriage doubles a teenager's chances of living in poverty and triples the likelihood she will be beaten by her spouse, compared to married adults.

Zonta in Action

Child marriage directly hinders eight of the 17 [Sustainable Development Goals](#). While the prevalence of child marriage is declining, efforts to address this human rights violation must be significantly scaled up. At this rate, more than 9 million girls will still marry in the year 2030. The world is at least 300 years away from ending child marriage.

Zonta International has partnered with UNICEF USA and UNFPA to support the [UNFPA-UNICEF Global Programme to End Child Marriage](#), which is working to achieve lasting change on a significant scale by tackling the human rights violation in a dozen of the most high-prevalence or high-burden countries.

Since the program's launch in 2016, more than 7.7 million adolescent girls and more than 4.2 million community members have been reached with information, skills and services. The Global Programme has successfully completed Phases I and II with tremendous results through government support and civil society partners including women's groups and youth-led groups directly in 12 countries (Bangladesh, Burkina Faso, Ethiopia, Ghana, India, Mozambique, Nepal, Niger, Sierra Leone, Uganda, Yemen and Zambia). Progress in the past decade has prevented 25 million child marriages, of which 18 million were because of the acceleration efforts. By 2023, the program will begin its Phase III and focus efforts on empowering adolescent girls to use their voices against social norms, making health resources and education accessible, and encouraging local government commitment to provide gender-responsive services and implement law to align with human rights standards.

Because of programs like the Global Programme to End Child Marriage, awareness of this human rights violation on a global level has accelerated and 25 million child marriages have been prevented in the past decade. In the spring of 2024, the program launched Phase III of the program, which will focus on empowering adolescent girls to use their voices against social norms, making health resources and education accessible, and encouraging local government commitment to provide gender-responsive services and implement law to align with human rights standards.

In addition to its support of the Global Programme, Zonta has participated in advocacy efforts around the world to shine a light on child marriage through the [Zonta Says NO to Violence Against Women campaign](#) and other partnerships and events.

The [Zonta USA Caucus](#), a member of the National Coalition to End Child Marriage in the United States, is helping thousands of Zonta members and other supporters in the U.S. speak out against child marriage in the United States.

In April 2020, the Zonta USA Caucus, in partnership with [UNICEF USA](#), launched a yearlong national Public Service Announcement billboard campaign to stop child marriages in the United States. The billboards direct people to stopchildmarriages.org, which provides facts about child marriage in the United States and allows users to call on their state representative and state senator to support legislation to end child marriage with zero exceptions in their state. Since then, the United States has seen nine states join this important effort, making it a total of thirteen states.

Additionally, clubs around the world—from the Philippines to Austria—are holding events to create awareness of early and forced marriage. With our international project to end child marriage and advocacy efforts from members around the world, Zonta is actively working to put an end to this human rights violation.

I cannot understand why some lawmakers continue to resist. Please move on this now.

HB-729-HD-1

Submitted on: 2/17/2025 3:34:43 PM

Testimony for JHA on 2/19/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Karen Y. Foissotte	Individual	Support	Written Testimony Only

Comments:

Full Support: HB729, Relating to Marriage of Minors.

Please accept my testimony in full support of HB729, that aims to:

- Raise the minimum age to enter into marriage from sixteen to eighteen years of age.
- Repeal the authority of parents and the family court to consent to a minor's marriage.
- Repeals spousal cohabitation after the parties attain legal age as an exception for an annulment based on nonage.
- Makes conforming amendments.

Currently, Hawaii's laws allow children as young as sixteen years of age to marry. State law further authorizes the family court to approve a marriage of a child who is fifteen years of age. Comparatively, sexual assault laws criminalize sexual conduct with a fifteen-year-old, though an exception is made if the fifteen-year-old is legally married to the sexual partner or the sexual partner is not more than five years older than the minor victim. Based on department of health data, at least 800 children were married in Hawaii since 2000, with eighty per cent of these marriages being girls marrying adult men.

We know that child marriage is a human rights violation and a severe impediment to social and economic development, resulting in states and countries considering legislation to end the practice of allowing children to marry. The United Nations Children's Fund describes child marriage as any formal marriage or informal union between a child under the age of eighteen and an adult or another child. United Nations Sustainable Development Goal 5, relating to gender equality, sets the year 2030 as the target for ending child marriage. The Sustainable Development Goals were unanimously adopted in 2015 by all one hundred ninety-three United Nations member states including the United States.

It's time for Hawaii to end child marriage and join the ranks of other states that have already taken the step: Delaware, New Jersey, Pennsylvania, Minnesota, Rhode Island, New York, Massachusetts, Vermont, Connecticut, Michigan, Washington, Virginia, and New Hampshire, along with American Samoa and the United States Virgin Islands. Similar legislation has been introduced in several other states as well as Congress. I strongly urge you and members of the committee to support HB729 to end child marriage.

HB-729-HD-1

Submitted on: 2/17/2025 6:04:37 PM

Testimony for JHA on 2/19/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Aliya Abbas	Individual	Support	Remotely Via Zoom

Comments:

Chair Takayama, Vice Chair Keohokapu-Lee Loy and Distinguished Committee Members:
My name is Aliya Abbas and I am a child marriage survivor and activist to end child marriage in the USA. I wholeheartedly urge you to vote "YES" on HB729.

Child Marriage Is a Serious Problem: The marriage age is 18, but dangerous loopholes allow 16- and 17-year-olds to marry with parental "consent" and 15-year-olds to marry with parental consent and judicial approval.

Voting "Yes" would mean eliminating the abuse of placing children in the most vulnerable, hopeless, and abusive situations. It is a fact that parental consent is most often parental coercion. The U.S. State Department has called marriage below 18 a "human rights abuse," and a human rights abuse is never in the best interest of a child. Even a more robust judicial review process would be dangerous: It would put the child being forced to marry in the most terrifying position of choosing between being honest with the court and facing the repercussions at home, or lying to the court. Why would we want to put children in that dangerous position anyway? Child marriage destroys girls' health, education and economic opportunities, and increases their risk of experiencing further violence & trauma.

What does life look like for children who are forced into this abuse? To start off with, children who are forced to endure the trauma of the forced marriage are also likely be pulled out of school as I was. We know how important education is for children, especially girls. Child brides are physically, mentally, & emotionally abused, manipulated, and raped; ALL before they could even gain the rights (legally) they need to escape at 18. Child marriage puts the health, well being, & safety of children into jeopardy.

70 to 80 percent of marriages before 18 ends in failure which does put children in such situations at risk of homelessness because they lack financial independence and support. So, what would we be really doing here other than putting the lives of these children at risk to all sorts of danger?

I whole heartedly support this bill because it hits home. It's extremely personal. I am a product of child marriage and who better than a child bride to know the reality of this injustice. At 17 years old, in January of 2003, I was taken out of school in Maryland, my home state and was flown to a foreign country where I was forcefully married off to a complete stranger without my consent. That one instance changed my life forever. I was raped and became a teenage mother of two without my consent. Being a mother is one of the most fulfilling jobs I have, but I won't lie,

it took every ounce of my being to get to where I am today and it still takes a toll. It's actually a miracle that I am still here and standing strong. No child should ever have to endure that unimaginable heavy load of abuse that child marriage results in. The years I spent in the marriage if you can even call it that were the most painful years of my life where I endured mental, emotional, and physical torture. I was bullied. I was beaten. I was raped. I would like to stop here and just say one thing; I've never defined myself as a victim even though I have been brutally victimized. I am a survivor who had the courage to finally stand up for myself, most importantly for the sake of my children at any cost even when that cost was death as per my uncle. Even though I didn't know how to swim in an ocean of uncertainty, I took a huge risk towards our freedom and jumped. I taught myself how to swim within that uncertainty. I don't know where I got all that strength from, perhaps, God, but what I do know is that I don't wish this experience upon anyone! Unfortunately, most child brides aren't as lucky and they end up experiencing a lifetime of abuse in all forms, dehumanization, torture, and sadly even death in some case. Fortunately, we, together can do something about it. We can end child marriage once and for all by eliminating all loopholes which allows for this horrific abuse to continue.

The following are some alarming statistics:

- 835 minors age 15 to 17 were married in Hawai'i between 2000 and 2022.
- 82% were girls wed to adult men an average of 4 years older.¹⁴

Simple Legislative Solution: HB729 costs nothing, harms no one and saves girls from a human rights abuse:

It keeps the marriage age at 18 and eliminates the dangerous loopholes that allow marriage before 18. HB729 will simply end child marriage and that is what we need to do. We need to step up and protect our children.

HB-729-HD-1

Submitted on: 2/17/2025 8:45:11 PM

Testimony for JHA on 2/19/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tasman Kekai Mattox	Individual	Support	Written Testimony Only

Comments:

I support this measure.

Testimony in Support of Hawai'i HB 729 Ending Child Marriage in Hawai'i
Presented to the House Committee on Health
Pepeluali 5, 2025

Kauka Eileen A. Schweickert ko'u inoa. No 'O Haleiwa. I am a residency and fellowship trained Family Practice Physician now living in Michigan. I am a graduate of Waialua High and Intermediate School and the University of Hawai'i. Prior to retirement I served as Clinical Faculty for the medical schools at Michigan State University, University of Michigan and Wayne State University. I also served on the National Board of Directors for the American Medical Women's Association. I submit this testimony in support of HB729 that would make marriage age in Hawai'i 18 without exception due to the deleterious effect child marriage has on health of Hawai'i's citizens.

Numerous studies correlate lower educational levels with increased divorce rate and increased family size, as well as lower wages, lower employment rates, and lower health status. Staying in school is the single greatest determinant of future health and well-being for children. Children that marry are 50% more likely to drop out of school.

A child that is married has an increased likelihood of experiencing abuse, a high risk pregnancy, of going into preterm labor, having a sexually transmitted disease, genital cancer, psychiatric illness, substance abuse, and dying prematurely.

All of these consequences are born by the child that marries, their children, extended ohana and community as a whole. All of these negative health consequences can be impacted in a positive direction with the intervention put before you today. I urge you to pass this bill and do away with child marriage in Hawai'i

If you desire data to support the assertions above I will be happy to provide that additional information from the medical literature. Additionally please refer to the testimony submitted separately by the National Coalition to End Child Marriage for further reasons why child marriage is an antiquated practice that we should discontinue.

HB-729-HD-1

Submitted on: 2/18/2025 10:11:01 AM

Testimony for JHA on 2/19/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ryan Willis	Individual	Oppose	Written Testimony Only

Comments:

I oppose becuase marraige is not a function of the state, it is a function of the chruch.

HB-729-HD-1

Submitted on: 2/18/2025 12:02:48 PM

Testimony for JHA on 2/19/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Barbara Adams	Individual	Support	Written Testimony Only

Comments:

Testimony

Barbara Adams

Age 63

State of Georgia

I married at the age of 16. I was not pregnant at the time in case you may think that was the reason. After many years of suffering, grieving and processing through my past, I am just now learning how to be an adult in the world and be accountable and responsible for myself first. To get to know myself, love myself truly and unconditionally as a person AND as a feminine.

I became a wife and mother before I became a fully recognized person in my own eyes which of course, is a vital and necessary part of “growing up”. So many rights of passage I missed in my life, up until now when I can actually see myself and my part in my own life. Please be reminded that the commitments of marriage is not something some 16 year olds can comprehend, much less live out in healthy ways to develop into an adult. Becoming a wife or husband should be reserved for those who can decide and choose clearly and fully, based on clear facts and what is absolutely best for them as an individual.. not on “the feelings” of being intertwined in a “couple”. Maturity is essential! Often times some of us became parents before we even knew how to finish raising ourselves to a responsible level to participate in our own lives and the lives of our loved ones and family members. Hence, we then only survived the best we could. This all can (and in my case did) create dysfunction and failure to thrive. Please ensure a more reasonable age for legal marriage to ensure maturity and emotional development is intact. Personally I would suggest 30’s and above minimum. Thank you for reading this and considering my testimony.

Barbara Adams

February 18, 2025

**Testimony in Support of HB729: Relating to Marriage of Minors
Presented to the Hawai'i House Committee on Judiciary & Hawaiian Affairs
February 19, 2025**

Chair Tamas, Vice Chair Poepoe, and Distinguished Committee Members:

My name is Marilyn Smith and I am presenting my testimony as a child-marriage survivor to **urge you to vote "YES" on HB729.**

ALL children should be protected from this abuse of basic human rights, and the U.S. Department of State has declared that marriage before 18 is abuse of human rights. Children who are 15 to 17 years old need the same protection as those who are younger. Ideally, parents would make wise decisions based on what's best for their children (and judges definitely should) but some parents are more concerned with their own best interest. These children need you to step in on their behalf.

My husband and I were both 16 years old when our mothers decided we should marry. We were too young to live on our own so we lived with his family. My husband was immediately pulled from school to work on the farm. He worked seven days a week and was never paid. His parents were demeaning and sometimes even hostile to me. When we turned 18 and were finally old enough to get a place of our own, I watched his step-father point a loaded rifle at him and tell him he wasn't going anywhere. My husband said, "Go ahead and shoot." That's how bad it was, that a teenager would rather be shot than have to stay there.

It took years for us to work through the psychological trauma we had endured from the adults who had failed us as children. Most couples look back on their wedding day with loving memories. We were told to forget ours. We look back with regret, disappointment, and anger at our mothers who recklessly tossed aside our rights to make the life-altering decision to marry after we became grown adults.

No child should have to suffer at the mercy of the adults in charge, who may have little to no mercy. Passing HB729 and ending the loophole for marriage of 15- to 17-year-old children with parental consent/judicial approval will end the injustice of child-marriage in Hawai'i.

Thank you for your consideration.

Sincerely,

Marilyn Smith
Child-marriage survivor

HB-729-HD-1

Submitted on: 2/18/2025 4:12:50 PM

Testimony for JHA on 2/19/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dara Carlin, M.A.	Individual	Support	Written Testimony Only

Comments:

Stand in Support

HB-729-HD-1

Submitted on: 2/18/2025 4:14:14 PM

Testimony for JHA on 2/19/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Patricia Blair	Individual	Support	Written Testimony Only

Comments:

18 years old to marry, I support

House of Representatives
Thirty-Third Legislature, 2025
State of Hawaii
HB729: Relating to Marriage of Minors

Chair, David Tarnas
Vice Chair, Mahina PoePoe
And the Committee

Aloha,

My name is Alenah Ayoso, I am a current BSW student at the University of Hawaii at Manoa. Being a social work student, we are told to always advocate, especially for those who can not advocate for themselves. I am writing this testimony in **SUPPORT** of H.B.729, which seeks to raise the minimum age of marriage in Hawai'i from 16 to 18. In addition, it also repeals the authority of parents and family court to consent a minor to marriage. This bill is a crucial step in protecting the rights, well-being, and futures of young individuals across our state.

Child marriage has long-term consequences, often limiting educational and economic opportunities while increasing vulnerability to abuse and exploitation. HB729 reinforces that marriage should be a decision made in adulthood not forcibly as a child.

I urge the committee to pass HB729 and ensure that marriage in Hawai'i is a commitment made by consenting adults—not minors who may have been pressured or forced into marriage. Mahalo for your time and consideration.

Sincerely,
Alenah Ayoso

HB-729-HD-1

Submitted on: 2/19/2025 4:40:53 AM

Testimony for JHA on 2/19/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mary Healy	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill.

HB-729-HD-1

Submitted on: 2/19/2025 12:08:53 PM

Testimony for JHA on 2/19/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Elena Cabatu	Individual	Support	Written Testimony Only

Comments:

Please accept my strong support in favor of 729 HB RELATING TO MARRIAGE OF MINOR.