



Making Progress, But Still Falling Short

The Movement to End Child Marriage in America
Updated September 1, 2024

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Overview

In August 2017, the Tahirih Justice Center (Tahirih) released the first comprehensive analysis of marriage-age provisions in all 50 states and Washington, DC that leave children more vulnerable to forced and early marriage. That report, [*Falling through the Cracks: How Laws Allow Child Marriage to Happen in Today's America*](#), provides state lawmakers and advocates in the United States with the information they need to pass laws that more effectively protect children.

Since then, significant progress has been made. But while 35 U.S. states have enacted legislation to end or limit child marriage in recent years, some of the states with the most lax laws have yet to take any action. In addition, many newly enacted laws do not go far enough, and will need to be strengthened in future legislative sessions.

At a Glance:

- **Only 13 states set the age floor at 18 – no exceptions:** Delaware, New Jersey, Pennsylvania, Minnesota, Rhode Island, New York, Massachusetts, Vermont, Connecticut, Michigan, Washington, Virginia, and New Hampshire
- **5 more states limit marriage to legal adults** by providing exceptions only for emancipated minors: Texas, Kentucky, Ohio, Georgia, and Indiana
- 13 states require all minors to get judicial approval before they can marry
- In 13 states and Washington, DC, clerks alone – without judges – can issue marriage licenses for all minors above the minimum age limit
- **4 states do not set any age floor** by statute, and 2 states set an age floor younger than 16
- 4 states still permit pregnancy to lower the minimum marriage age

A compilation, comparative analysis, and “scorecards” of every state’s law can be found at Tahirih.org/childmarriage.

Birth and Growth of the U.S. Movement to End Child Marriage

At the start of Tahirih's national campaign to end child marriage,¹ data gathered by Tahirih and other advocates indicated that tens of thousands of children had been married in recent years across the U.S. In response, after a 2016 campaign led by Tahirih, Virginia became the first state to limit marriage licenses to legal adults – individuals age 18 or older, with an exception only for 16- and 17-year-olds who had been emancipated by a special court hearing prior to being issued a marriage license. Similar reforms followed in Texas, New York, Kentucky, Ohio, Georgia, and Indiana, all of which limited exceptions to emancipated minors and established meaningful safeguards against forced marriages of children.

A critical milestone was reached in 2018 when Delaware and New Jersey became the first states to ban all marriage under age 18, without exception.² In May 2020, Pennsylvania and Minnesota became the third and fourth states to enact a “brightline” minimum marriage age of 18, followed by: Rhode Island and New York in 2021; Massachusetts in 2022; Vermont, Connecticut, and Michigan in 2023; and Washington, Virginia, and New Hampshire in 2024.

Timeline of Legislative Reforms:

- 2016: Virginia
- 2017: Connecticut, New York, Texas
- 2018: Arizona, Delaware (18), Florida, Kentucky, Missouri, New Jersey (18), and Tennessee
- 2019: Arkansas, California, Colorado, Georgia, Louisiana, Nevada, New Hampshire, Ohio, and Utah
- 2020: Idaho, Indiana, Maine, Minnesota (18), and Pennsylvania (18)
- 2021: Utah, Rhode Island (18), New York (18), and North Carolina
- 2022: Maryland, Massachusetts (18), and Alaska
- 2023: Wyoming, West Virginia, Vermont (18), Maine, Connecticut (18), and Michigan (18)
- 2024: Washington (18), Virginia (18), and New Hampshire (18)

New York's 2021 legislative victory marks a particularly meaningful milestone, as the state passed its brightline 18 law just four years after reforms that, while significant, fell short of ending all marriage under age 18. New York's swift incremental progress towards completely ending child marriage shows what is possible in other states that have made meaningful progress, but fallen short of ending child marriage.³

Connecticut, Virginia, and New Hampshire have all also followed this model, passing reforms to first limit then end child marriage.

In total, 35 states have strengthened their marriage-age laws since 2016.⁴ Over that same period many more states have considered reform bills, and many of those bills have cleared major legislative hurdles, even if they have not yet made it all the way to final passage.

These achievements are all the more remarkable considering that some states see thousands of bills introduced in an intense 40- to 60-day legislative session, all competing for attention and time in committee hearings or chamber floor.

These dynamics were exacerbated by the pandemic which interrupted 2020 legislative sessions and caused serious logistical hurdles throughout 2021, limiting the bandwidth of legislators to take on this and other critical issues while addressing pressing concerns such as pandemic relief, police reform, and voting rights. As these crises have receded or were addressed, more attention has been paid to the issue of child marriage and 2024 kept up the momentum from 2023 and may even see the most laws passed to end child marriage in a single year if the campaign to end child marriage in Washington, DC succeeds quickly.

Public education has played a critical role in every legislative campaign. Many legislators and advocates simply have no idea that their states' laws are so lax, or that child marriage really happens in America. They often have not considered the stunning inconsistencies between marriage-age laws and statutory-rape laws,⁵ for example, or the cruel irony of permitting a girl to be married before she has attained the rights and access to resources an adult would have to protect themselves from domestic violence.

The startling revelation in 2017 that over 200,000 children under age 18 were married in the United States between 2000 and 2015,⁶ documented through state marriage license data, drove home the need for states to snap into action. The overwhelming majority of minors who were married were girls, most married adult men, and many of those men were significantly older. Subsequent research into the scope of child marriage in the U.S. has filled gaps in previous efforts and revealed an even more startling picture – estimating over 300,000 marriages between 2000 and 2018.⁷

Increasing media coverage has called attention to the horrific experiences of former "child brides" who were abused and exploited under the guise of marriage.⁸ Mounting U.S.-based research, amassed and amplified by Tahirih and other advocates, has

provided further evidence of how child marriage drastically undermines girls' health, safety, and welfare. Survivors are increasingly stepping forward as advocates and movement-leaders, inspiring and driving changes in the laws.⁹

Most state lawmakers appreciate the acute concerns raised by permitting children to be married, as evidenced by the burst in bipartisan reforms since 2016.¹⁰ More and more states are adopting provisions that better protect children from forced and early marriage, including: setting floors of age 16 or higher; requiring all minors to obtain judicial approvals; setting more detailed substantive criteria; vetting not only the maturity and capacity of the minor but also the intended spouse and marriage for abuse or coercion; clarifying what a "best interests" inquiry should entail; sending cases to specialized judges; appointing counsel; ensuring that minors are emancipated before marriage; and/or informing minors of their rights and resources available to protect them in case of abuse.

Despite broad recognition of the problem, however, most states have not pursued the simple, straightforward, and powerful solution that Tahirih and other advocates, including survivors, have repeatedly urged: to set age 18, no exceptions, as the minimum legal marriage age.¹¹

Progress and Reflections from 2024: A Maturing Movement

When Tahirih launched the national campaign in 2015 no state had ended child marriage, and many legislators were reluctant to be the first. Early campaigns won incremental limits to child marriage that often succeeded in dramatically reducing harm in states like Virginia (2016) and Texas (2017) but struggled to break through to the ultimate goal of ending child marriage entirely.

For many years, legislators have been more committed to placing *limits* on child marriage rather than complete bans. By the end of 2018 when the first two states finally banned child marriage entirely, nine states had passed laws that limited it. At the end of 2021 a total of four states had ended child marriage, while 21 had passed a compromise to limit it.

Momentum has started to shift more recently. The number of reforms passed to end child marriage matched the number passed to limit it in 2021 and 2023, and this year the only reforms passed were complete ends to child marriage.

This suggests that the national campaign may have reached an exciting tipping point, with more legislatures committed to ending child marriage entirely rather than just limiting it.

There are likely a few reasons for this shift toward legislatures ending, rather than just limiting, child marriage: the issue has become mainstream, most states have already gotten started; partial successes have limited harm and built power; and positive examples have emboldened legislators.

CHILD MARRIAGE IS NOW A MAINSTREAM ISSUE

In 2015 every state allowed child marriage, and hardly anyone was talking about the issue. Since then, the chorus of voices calling on legislators to end child marriage and raising the profile of the issue has grown steadily. Reporters cover every new campaign, making more people aware of the issue of child marriage even when those campaigns do not ultimately succeed in passing a new law. Tahirih and others have gathered data and published a library of reports, making it easy for anyone interested in this issue to learn more and begin their own advocacy. And most importantly, survivors have gripped the public with their personal stories and determination to put an end to the harms they endured.

People are much more likely to be aware of the harms of child marriage in the United States today than they were back in 2015. The issue is no longer restricted to dedicated policy wonks prone to complex and technocratic legislation; more people see the harms of child marriage and are calling on lawmakers to implement a common sense solution: age 18, no exceptions.

MOST STATES HAVE GOTTEN STARTED

As we approach 10 years of the campaign to end child marriage, there are only a few states left that have not taken any action on the issue. 35 states have passed a law to at least limit child marriage, with 13 of those ending it entirely. That leaves only 15 states that could still start fresh on an incremental approach today.

For the 35 states that have already acted, there is little appeal to spending more political capital on legislation that falls short of banning child marriage entirely. Committed legislators and advocates will look to finish the job by ending child marriage entirely. There simply is not much space left for further incrementalism in states where this first step has already been taken.

PARTIAL SUCCESSES LIMIT HARM AND BUILD POWER

There are now 35 states where a coalition to end child marriage both exists and already has enough power to pass laws. Some of these coalitions may have accepted

harm-reducing compromises as an interim measure, but their goal is to end child marriage entirely and they will likely continue pushing toward that goal.

This has played out in four states already. New York, Connecticut, Virginia, and New Hampshire all passed compromise legislation limiting child marriage early in the national campaign. In each state, the coalitions that worked on the issue kept working, building power and relationships, and have since succeeded in coming back to end child marriage entirely. This path to ultimate victory remains open in the 22 states that have passed a limit but not an end to child marriage, and many of those legislators and advocates have continued introducing “18, no exceptions” legislation in the years since their initial reform.

As the movement matures, these coalitions continue building power, and more states move to end child marriage entirely, we can expect more of the 22 states currently stuck with partial progress to reach their ultimate destination.

POSITIVE EXAMPLES EMBOLDEN LEGISLATORS

Being the first person to do something is hard. The same is true for state governments. They love to learn from each others’ experiences, both positive and negative, and craft legislation based on what their colleagues in other states have done. Back in 2017 it was hard to convince legislators why their state should be the first to end child marriage, and even in 2020 there were only a handful of examples advocates could point to.

That is not the case anymore: 13 states have ended child marriage, and most of these did so with broad and bipartisan support. Bills have been sponsored and championed by legislators from both major parties, and signed into law by liberal, moderate, and conservative governors. As the list of positive examples continues to grow, and especially as it expands to more regions of the country, it becomes easier to assure lawmakers that ending child marriage is a commonsense solution embraced by many of their colleagues and constituents.

In this context of a maturing movement that has built and demonstrated its power over nearly a decade, moving forward advocates and legislators should be more committed to efforts that end – not just limit – child marriage.

Notable Shifts in Child Marriage Laws

Protective Practices Are Increasing

Protective Measures	Laws in 2015	Laws in Sept. 2024
Age floor of 18, no exceptions	0	13
Floor of "legal adulthood"	0	18
Age floor of 17	2	10
Age floor of 16	12	22
Maximum age difference between a minor and intended spouse	0	13
All unemancipated minors must get judicial approval to marry	8	13
Minors are appointed counsel for judicial hearings	2	7
Waiting period is required before issuing a minor a marriage license	2	7
Judges approving underage marriages must consider the minor's best interests	17	18
Parental consent does not prove a marriage is in the minor's best interests	0	3
Pregnancy does not prove a marriage is in the minor's best interests	6	8
Judges must consider the minor's maturity/capacity	6	14
Judges must consider whether the marriage is voluntary	6	13
Judges must consider criminal records, protection orders, and/or a history of abuse	2	5
Minors are given information on the rights, responsibilities, and resources available to parties to a marriage and/or emancipated minors, and to victims of domestic violence	0	5

Harmful Practices Are Decreasing:

Harmful Measures	Laws in 2015	Laws in Sept. 2024
No age floor	28	4
Low age floor, below age 16	9	2
Different exceptions based on gender, leaving girls more vulnerable	5	1
Pregnancy exception can drop the legal age to marry	10	4
Older minors can marry with only parental consent	41	24
Judges receive little or no guidance	29	8
Judges need not specialize in family law or juvenile matters	30	17

A Deeper and Broader Agenda for Legislative Advocacy

The progress made in changing the state laws that govern the issuance of marriage licenses has been hugely impactful. However, additional state and federal legislative reform is needed to prevent the life-long harms that can be caused by child and forced marriage.

For example, child marriages sometimes take place through religious or cultural ceremonies solemnized without a license. Marriages of U.S. children have also happened overseas, after the child has been taken (at times forcibly or through deception) to another country to be married. Changing the minimum legal age at which an individual can be civilly married in a U.S. state will not prevent these kinds of cases. Additionally, such reforms do not protect children born overseas who are brought to the U.S. as spouses and fiancés of adult U.S. citizens by the thousands.¹²

Minimum marriage age reforms also only address child marriage - marriage under the age of majority. Such reforms do not help adults who are forced or coerced into marriage against their will.¹³ Ensuring that civil protection orders are accessible to anyone facing a forced marriage could make a critical difference for both children and adults, in all these scenarios. The U.K., in fact, has a specialized "forced marriage protection order" created by statute in 2008 and U.K. courts issued more than 1,800 such orders, to minors and adults, in the first decade of their existence.¹⁴

Civil protection orders take into account the unique dynamics often present in forced marriage cases. The perpetrators of a forced marriage are commonly a victim's parents or other family members. Many victims, especially minors, are understandably reticent to press criminal charges, but are more willing to consider civil legal options.¹⁵ Yet to date, Texas is the only U.S. state that specifically makes forced marriage a basis for a civil prevention order, and it is limited to the forced marriage of a child.¹⁶ One other state to take a novel civil approach to forced marriage is Tennessee. Legislative amendments enacted in 2018 alongside marriage-age reforms established a new civil cause of action and up to \$250,000 in damages for anyone who, at any age, was forced into a marriage.¹⁷

There is also a role for federal leadership to end child marriage in the U.S. Although the division of authority outlined in the Constitution leaves most family law matters to the states, Congress should enact legislation to incentivize states to strengthen their marriage-age laws. Tahirih's recommendations for federal action on child marriage

are outlined in our report *Time to Lead: The Federal Government's Role in Ending Child Marriage in the United States*.¹⁸

Previously, we have also called on Congress to clarify that federal funding to serve victims of domestic violence, dating violence, sexual assault, stalking and human trafficking encompasses victims of forced marriage and to eliminate the “marriage defense” in the federal statutory rape law. Through the 2022 reauthorization of the Violence Against Women Act (VAWA) we achieved these two momentous goals. The law also mandates that the Attorney General’s office will study and report on the disconnect between states’ laws on minimum age of marriage laws and statutory rape.

Survivor Advocates Show the Way

Courageous and passionate survivor advocates are driving marriage-age reforms across the United States. Woven through their painful personal stories have been many common threads – perpetrating parents, predatory older men, threshold vulnerabilities like poverty and family instability, repeated system-failures to protect them, and a lack of self-help options to protect themselves. These stories have inspired not only a broad investment in change, but also specific safeguards incorporated in reform legislation.

It is striking, and appropriate, that many laws untouched for decades have been replaced in a single legislative session in some states where legislators have been moved by the stories of survivors. But the fast pace of these reforms can have a downside, at times inclining legislators towards lowest-common-denominator approaches that can more easily garner broad consensus and a quick win. In states where only surface-level reforms have been enacted, we know that despite new laws, old tragedies can easily repeat themselves.

In the next phase of this historic movement, legislators must carefully examine their laws and legislative proposals through survivors’ eyes and experiences.

Call to Action

This is an exciting and pivotal moment in the national movement, and there is much more work to do to end child marriage in the U.S.

We call on every state to set an age floor for marriage of 18 without exception. For states where incremental progress is the only strategic way forward in the short term, an age floor of 16 should be the firm minimum, and those minors should be court emancipated prior to marriage. For those states that already have, or newly enact,

judicial approval alternatives to a minimum marriage age of 18, we expect to see more robust vetting and safeguards built into those proceedings. Finally, we recommend a more holistic approach taken to the problem – to address the needs of already-married girls, and of girls and women who face forced marriages that are religious or cultural rather than legal, or who are taken abroad for marriages that happen under the laws of a foreign country rather than a U.S. state.

To achieve this the following work is needed at the federal level as well as across all 50 states and Washington DC:

AT THE FEDERAL LEVEL

Enact thoughtful, bipartisan reforms to marriage-based visa statutes that currently permit children to sponsor/be sponsored on fiancé(e)/spouse visas and leverage the federal government's power to convene key actors and promote model approaches in order to guide and drive reforms at the state level.

FOR THE 15 STATES AND DC THAT HAVE NOT YET PASSED ANY REFORM

All 15 states, plus Washington DC, urgently need to enact bills to end marriage before age 18. Among these, the highest priorities are:

- the states with the highest numbers of children married in recent years, as revealed by marriage license data¹⁹
- the 4 states that have no age floor: California, Mississippi, New Mexico, and Oklahoma
- the 2 states that have a low age floor (below age 16): Hawaii and Kansas
- the 4 states that maintain an exception that lowers the age floor in case of pregnancy: Arkansas, Maryland, New Mexico, and Oklahoma
- the states and DC in which a judge is never involved
- the states in which judges are involved only superficially
- *any state that has a toxic combination of the above factors, which puts girls at heightened risk*

Alongside or following marriage-age reforms, these jurisdictions also need to:

- strike any "marriage defense" that shields perpetrators from prosecution for statutory rape
- consider civil options for individuals at risk or survivors of forced marriage, like ensuring access to protection orders or providing for compensatory damages

FOR THE 35 STATES THAT HAVE PASSED A REFORM

The 13 states who have ended child marriage (Delaware, New Jersey, Pennsylvania, Minnesota, Rhode Island, New York, Massachusetts, Vermont, Connecticut, Michigan, Washington, Virginia, and New Hampshire) must:

- consider civil options for individuals at risk or survivors of forced marriages, like ensuring access to protection orders or providing for compensatory damages
- strike any “marriage defense” that shields perpetrators from prosecution for statutory rape

The 5 states that have limited marriage to legal adults (Texas, Kentucky, Ohio, Georgia, and Indiana), as well as the 18 states whose reforms stopped short of setting the floor at “legal adulthood” must:

- consider civil options for individuals at risk or survivors of forced marriages, like ensuring access to protection orders or providing for compensatory damages
- strike any “marriage defense” that shields perpetrators from prosecution for statutory rape
- closely monitor marriage license data post-reforms to identify any gaps in implementation or the shortcomings of existing safeguards
- strengthen laws with the ultimate goal of setting the age of majority, without exception, as the minimum marriage age in every state²⁰

These transformative shifts will broadcast a powerful message to survivors, individuals at risk, and to the world: the United States takes seriously its role in the global movement to end forced and child marriage.

¹ The tallies reflected in this policy brief are up-to-the-minute as of September 1, 2024, and may differ from Tahirih's *Child Marriage in the U.S.: Survivor Story Compilation* released on January 10, 2020, and from other Tahirih materials at tahirih.org/childmarriage or www.preventforcedmarriage.org with earlier publication dates. All tallies include the laws of all 50 states plus Washington, DC. Tallies do not include laws of U.S. territories.

The tallies do not include South Carolina, though a new law relating to marriage-age has been enacted there. On May 13, 2019, South Carolina's governor signed SB 196 into law, effective upon signature, to clarify that South Carolina has a firm minimum marriage age of 16. The legislation responded to

investigative reporting that confirmed that judicial interpretations of prior minimum marriage age statutes had been inconsistent, and that some probate judges were granting marriage licenses in case of pregnancy notwithstanding the fact that a girl was younger than age 16. *See* Lauren Sausser, "In SC, pregnant girls as young as 12 can marry. There've been 7,000 child brides in 20 years" (*The Post and Courier*, June 21, 2018).

As interpreted by the South Carolina Office of the Attorney General, legislative reforms back in 1997 had *already* instituted age 16 as the minimum marriage age (*see* S.C. Office of the Attorney General, 1997 WL 665423 (S.C.A.G. Sept. 2, 1997), available at <http://www.scag.gov/archives/category/opinions/1997opinions>). However, the 1997 reforms did not harmonize all statutory provisions related to marriage age, such as a pregnancy exception to age 18 that was set forth in Section 20-1-300 of the 1976 Code. By definitively repealing Section 20-1-300, South Carolina has now made clear that there is a firm age floor of 16, regardless of pregnancy. But because the new law simply underscores what was already the legislature's intent in enacting earlier reforms, South Carolina is not included in the tallies of the 35 states that have *moved* since 2016 to end or limit child marriage.

² In 2018, American Samoa also raised the minimum marriage age for girls to age 18; the law already set age 18 as the minimum for boys. *See* "[Governor Signs Marriage Age Bill into Law](#)," *Talane'i* (September 11, 2018); Fili Sagapolutele, "[Bill Raising The Marriage Age for Girls Is Signed into Law](#)," *Samoa News* (September 12, 2018). On January 18, 2020 the governor of the U.S. Virgin Islands signed Bill #33-0109, which sets age 18 as the minimum marriage age for all, into law; previously, the minimum was age 14 for girls and age 16 for boys. In 2020, Puerto Rico's Ley 55-2020 overhauled the territory's civil code, and included a minimum marriage age of 18. This does not end child marriage in the territory, however, as the age of majority is 21.

³ In 2021, New York was the first U.S. state to show that such incremental progress toward a brightline prohibition on child marriage is possible, followed by Connecticut in 2023 and Virginia and New Hampshire in 2024.

⁴ Alabama is the only state that has recently *regressed* in its approach to child marriage. [SB 69](#), a bill signed into law on May 31, 2019, abolished across the board, for parties of all ages, the requirement that marriage licenses be issued by probate judges. Previously, a probate judge was at least nominally involved in the process of granting a marriage license for the marriage of a minor, to verify the consent of both parents or guardians of the minor. As of the new law's effective date on August 29, 2019, the parental consent requirement can be satisfied by one parent or guardian simply filing an affidavit with the court.

⁵ For more on the disconnect between contradictions between statutory rape laws and marriage age laws across the United States, *see* "[The Alarming Disconnect Between Age-Based Sex Offenses and Minimum Marriage Age](#)," *Tahirih Justice Center* (August, 2020). *See also* "[Conflicts between State Marriage Age and Age-Based Sex Offenses](#)," *United States Department of Justice Office on Violence Against Women* (February, 2024).

⁶ Anjali Tsui, Dan Nolan, and Chris Amico, "[Child Marriage in America: By the Numbers](#)," *Frontline*, (July 6, 2017).

⁷ Data compiled in "[Child Marriage in North Carolina: New Evidence and Policy Recommendations](#)," *International Center for Research on Women* (August 2020) and "[United States' Child Marriage Problem](#)," *Unchained at Last* (April 2021).

⁸ See, e.g., "[Child Brides Call on U.S. States to End 'Legal Rape'](#)," *Reuters* (October 24, 2018); "[Grown Men Are Exploiting Loopholes in State Laws to Marry Children](#)," *Huffington Post* (August 30, 2017).

⁹ For more information the survivor-advocates leading the campaign to end child marriage, see "[Child Marriage in the U.S.: Survivor Story Compilation](#)," *Tahirih Justice Center* (2020).

¹⁰ That said, some states do not yet appear ready to acknowledge the seriousness or urgency of the problem, despite appeals directly from survivors of child marriage as well as by leading advocacy organizations. Many bills have languished post-introduction without a committee hearing or vote, and in other states bills favorably reported out of committee have been defeated in floor votes.

¹¹ More specifically, Tahirih has urged that the age of marriage be set at the age of majority – either age 18 or *higher* in states where the age of majority is higher, as in Alabama and Nebraska where the age of majority is 19 or Mississippi where it is 21.

¹² See "How the U.S. Immigration System Encourages Child Marriages" *available at* <https://www.hsgac.senate.gov/imo/media/doc/Child%20Marriage%20staff%20report%201%2009%202019%20EMBARGOED.pdf> and the data provided by U.S. Citizenship and Immigration Services referenced in the report is *available at* <https://www.hsgac.senate.gov/imo/media/doc/USCISdatareport011019.pdf>.

¹³ Of note, about one third of the clients of Tahirih's Forced Marriage Initiative were minors at time of initial contact. The rest have been adults, though some sought help to leave a marriage into which they had been forced while under the age of 18 and many reach out to Tahirih after turning 18, but regarding a forced marriage that has been planned since before they were an adult.

¹⁴ See "Family Court Tables," Table 18, "Applications and disposals of Forced Marriage Protection Orders made in the High Court and county courts, England and Wales, annually 2009 - 2018 and quarterly Q4 2008 - Q4 2018," *available at* <https://www.gov.uk/government/statistics/family-court-statistics-quarterly-october-to-december-2018>.

¹⁵ See "[National Consultation: Should Forced Marriage Be A Crime in the United States?](#)" (Tahirih Justice Center, 2016). This report reflected on discussions on criminal approaches to forced marriage that Tahirih convened in 2016 among 30 participants, including survivors. While 9 U.S. states have criminal statutes specifically on forced marriage, to Tahirih's knowledge, no recent prosecutions have

been brought under those statutes. Instead, when charges have been brought for a forced marriage, it is because the facts satisfy the elements of another crime, such as rape, abduction, or child endangerment. Prosecutors may, in fact, prefer to bring charges under such other statutes, which do not require proof of the perpetrator's intent to force someone into a marriage against their will. *See* "Criminal Laws Addressing Forced Marriage in the United States," *available at* <https://preventforcedmarriage.org/forced-marriage-resource-toolkit-for-service-providers/>.

¹⁶ Tahirih successfully advocated for these protection order reforms alongside marriage-age reforms enacted in 2017. *See* [Tex. Fam. Code §261.001\(1\)\(M\)](#) (adding "forcing or coercing a child to enter into a marriage" to the definition of child abuse) and [Tex. Fam. Code §71.004\(2\)](#) (adding forced marriage of a child to the bases for family violence protection orders). In Texas, any adult can petition for a family violence protection order to protect any child. Some other states have protection order statutes for domestic violence or stalking that are expansive enough to encompass a threatened forced marriage, but in many states, minors are not able to petition for civil protection orders on their own behalf. *See* Lisa V. Martin, "[Restraining Forced Marriage](#)," *Nevada Law Journal*: Vol. 18: Iss. 3, Article 8 (2018).

¹⁷ *See* [Tenn. Code Ann. § 36-3-108](#). This section also clarified that forced marriages are void and unenforceable.

¹⁸ *See* "Time to Lead: The Federal Government's Role in Ending Child Marriage in the United States," *available at* <https://www.tahirih.org/pubs/time-to-lead-the-federal-governments-role-in-ending-child-marriage-in-the-united-states/>.

¹⁹ *See supra*, n. 6 This article was based on available data at the time, but noted that some states do not separately track or publicly report the numbers of minors married. Subsequent efforts to obtain marriage license data by the Tahirih Justice Center in Georgia (on file with Tahirih) and the International Center for Research on Women in North Carolina (International Center for Research on Women, *supra* note 7) have revealed thousands of minors were married in recent years.

²⁰ For further specific guidance about the kinds of elements that, working together, can better protect children from forced marriages and other harm, please see the extensive resources available at tahirih.org/childmarriage.