

Polygamy & Bigamy Defense Lawyer, Salt Lake City, Utah

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Some people view multiple marriages as a way of life sanctioned by their freedom as consenting adults. So, why is polygamy illegal? Because other people perceive polygamy (bigamy) as a threat to society's traditional family norms. Compared to other states, polygamy in Utah is not uncommon. Polygamy is a crime in all 50 states. The crime between consenting adults is not often prosecuted. However, it remains a serious offense that carries severe punishments for people convicted.

If you have been charged with polygamy in Utah, you need an experienced defense lawyer to protect your rights and build the most effective defense in your case.

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Utah Polygamy Law

Polygamy (bigamy) is defined under Utah Code 76-7-101 as having multiple marriages simultaneously, or marrying or cohabitating with a person while knowing that that person is married to someone else. Is polygamy legal in Utah or other states? The Edmunds Act enacted in the mid-1800s made polygamy a federal crime, but that law was repealed in the latter part of that century. Still, through the generations, the Supreme Court has declared polygamy illegal in the United States. But, both the Utah state code and federal law against Polygamy has been modified over time.

How long ago was polygamy outlawed in Utah?

In 1854, legislators viewed polygamy as a problem akin to slavery. By 1862, the U.S. congress voted the Morrill Act into law. The new federal law against polygamy made plural marriage in the United States and its territories a crime. The legislature dissolved the incorporated status of the Mormon Church, and the law limited property ownership rights of that religious institution.

Is polygamy legal in Utah today?

In 2013, a federal judge's ruling struck down some parts of Utah's bigamy law that prohibit the cohabitation of polygamous couples but maintained the law against having multiple marriage licenses.

No, polygamy is not legal in Utah. It is a serious crime in the state today. Plural marriage was decriminalized only very briefly just two years ago (in 2020), which reduced the level of offense on conviction of polygamy to the seriousness of only the most minor civil infractions. Some have likened the penalties at that time as similar to those for a parking ticket. But, that newly established statute did not hold up legally, and this year (2022) it has already been repealed.

Currently, in 2022, under polygamy laws in Utah, plural marriage is once again a criminal offense. Polygamy is a felony crime in Utah with severe penalties for conviction. See a more detailed history of polygamy in Utah in *The Salt Lake Tribune* article and the *Utah History Encyclopedia* article accessible through the links above.

In 2020, the Utah legislature decriminalized polygamy among consenting adults, reducing the crime from a third-degree felony, punishable by a prison sentence, to an infraction similar in penalties to a traffic offense.

Is there currently polygamy in Utah?

Yes, polygamy still exists here in Utah even in 2022, even after the recent legislation making plural marriage a felony has been passed into Utah polygamy law. However, it is not an open practice as it once was prior to re-criminalization.

Today, occurrences of polygamy in this state are much rarer than in the past. There are now reportedly only some small pockets of adherents to the practice of polygamy remaining in scattered small rural towns in a few areas of the state.

What is the biggest concern about polygamy in Utah?

Some may ask, why is polygamy illegal? The issue with polygamy in 2022 is not that some consenting adults have opted to enter and maintain unconventional marital relationships with multiple people. The serious problem is that most polygamous marriages occur between underaged children or young women barely aged 18 and much older men in the Fundamentalist Church of Jesus Christ of Latter Day Saints.

In the FLDS organization, children and young women are groomed to become victims of illegal marriages. They are conditioned to believe that their life role in their church and community is to become one of the wives of one of the older men and obey their rules.

It forces female children and young women into a frightening predicament. So, naturally, polygamy involving child victims is abhorrent criminal behavior in the perception of U.S. American society outside those FLDS groups.

What is the punishment for polygamy in Utah?

Along with the punishments discussed in the section below, a man who marries a child under age 18 will probably face additional criminal charges aside from those addressed under Utah bigamy law. For example, he can likely expect to also be charged with child rape, forcible sexual abuse, and possibly other very serious crimes.

See the [Utah state penalties for polygamy](#), detailed in the section [Utah Bigamy Penalty](#), below.

- In 2013, a federal judge's ruling struck down some parts of [Utah bigamy law](#) that prohibit cohabitation of polygamous couples but maintained the law against having multiple marriage licenses.
- In 2020, the Utah legislature decriminalized polygamy among consenting adults, reducing the crime from a third-degree felony, punishable by a prison sentence, to an infraction similar in penalties to a traffic offense.

Utah Bigamy Penalty

Due to the 2020 change to [polygamy laws in Utah](#), the now minor offense of polygamy carries a sentence to community service and a maximum fine of \$750. (That's reduced from the long-standing third-degree felony classification for polygamy in Utah, which has carried a sentence of up to five years prison time and a \$5,000 fine.) However, if a new spouse has not entered into the marriage or cohabitation voluntarily, i.e., if it involved threats, force, [abuse](#), or fraud, polygamy is still a felony crime. A second-degree felony in Utah can carry a maximum sentence of 15 years in prison and a fine of up to \$10,000.

Defenses Against Polygamy Charges

These, among other legal arguments, can be used in defense against polygamy charges: *Unaware*: To be guilty of the crime of polygamy in Utah, the defendant must have entered the illegal marriage or cohabitation knowing that the person he or she was marrying was already married to someone else. Being unaware of the person's relationship status can be a viable defense. *Fearful*: If a person can show sufficient evidence that she got away from the marriage or cohabitation because she feared being coerced or incurring bodily injury, she has an effective defense against polygamy charges.

Polygamy Resources

*Utah Code 76-7-101: Use this link to access the current [Utah polygamy laws](#). *Holding out Help: Use this link to access support for people who need [help to leave the polygamist subculture](#).**

Polygamy Defense Attorney, Salt Lake City Utah

If you have been charged with the crime of polygamy (bigamy) in Utah, you need a defense lawyer who is highly knowledgeable in the legal nuances of this type of case. [Wasatch lawyers](#) have many years of combined experience to build the best possible defense for you.

If you are facing bigamy or polygamy charges, call [Wasatch Defense Lawyers](#) at (801) 845-3296 for a free review of your case and to discuss your options for defense.

Guard Your Rights

Do NOT Waive Your Right to Legal Counsel! Authorities will try get you to incriminate yourself and suggest there is no need for an attorney. Stay calm and call us immediately: [801.845.3296](tel:801.845.3296)

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