

## Veto No. 1978-16

HB 2369

October 5, 1978

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 2369, Printer's No. 3703, entitled "An act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for summary criminal contempt proceedings for persons who willfully fail to comply with lawful support orders."

This bill would make it a crime for a person to willfully fail to comply with a support order when he has the financial ability to pay. To criminalize the nonpayment of a debt is very bad public policy.

The bill also provides for mandatory imprisonment for this crime, even for as little as one day, when imprisonment is totally inappropriate in almost every factual instance.

This bill represents bad public policy because the criminal process is not the manner in which to resolve domestic relation disputes. Furthermore, imprisonment for debt is anathema to the American way of life. Indeed, this country was founded by men and women fleeing the debtor prisons of Europe.

I am aware of the complexities of the current method of criminal contempt proceedings for failure to pay support. Until such time as the General Assembly completely overhauls the support laws of the Commonwealth, however, that method will have to suffice.

For these reasons, I withhold my signature from this bill.

MILTON J. SHAPP