

## Lori Lautar's written testimony for HB1140 with amendments

There is an old saying, "Mommy's baby, and Daddy's maybe." Since the 1700's the Lord Mansfield law has been in effect and states that married men have no right to question whether the children that were born in their marriage are truly their biological children.

The definition of Fraud according to [helpstopfraud.org](http://helpstopfraud.org),

"When someone provides false information in order to gain something of value that they would not have received if the truth had been told, they've committed fraud.

In Pennsylvania, this type of dishonest act is classified among the most serious of crimes – it's considered a felony. Those convicted of the crime face prison time, fines, legal fees and more – not to mention a wide range of personal and professional consequences."

### The Act

"Most women view support as a type of "security blanket" that can protect them against financial burdens. Those who commit fraud undermine the positive aspects of child support by taking advantage of opportunities to lie in an attempt to receive undeserved money. How do they do it? Mothers provide false information to secure money they would not have received had they been honest with the man. Truth is, women lie and have lied for years about who their baby's Daddy is. DNA is the game changer. It allows all to know the truth from birth.

### The Impact

Fraud is hardly a victimless crime. When dishonest women take support money they know they don't deserve from innocent men, this act results in the destruction of a civilized world. This crime can and does also put innocent human lives in harm's way.

This is why fraud is such a serious crime. In Pennsylvania, fraud is a felony, punishable by up to seven years in prison and up to \$15,000 in fines. There's also restitution, court costs, and lawyer's fees to pay. Plus, those who are convicted should get a felony charge on their record that follows them for life, and that can stand in the way of securing employment or housing.

The crime also brings with it consequences on the home front. Someone with a felony conviction often risks damaging his or her relationship with friends and family, is made an outcast within the community, and is viewed as an undesirable employee – or ex-employee, in some cases.

The information I read to you came from [helpstopfraud.org](http://helpstopfraud.org). I have taken the liberty of making a few changes to prove a point. Simply place Paternity fraud in place of Insurance Fraud there is no difference except Insurance Fraud is considered a felony and Paternity fraud is enforced by law.

Ladies, those of you who are Mothers, did your Husband ask you to take a DNA test at the time of birth of your child(ren)? In the same token may I ask you Fathers if you asked your wives to take a DNA test at the time of birth of your child(ren)? I would bet the answer is 99.9% no. Why should the law hold it against men like my Husband for not requesting a test at the time of the child's birth? What you are saying to these men is, "You are responsible for not knowing your wife/partner lied to you." When someone commits insurance fraud do the courts hold insurance companies responsible for not knowing their insured lied? How this logic hold water in a court of

law is beyond me. I now ask you to put yourself in the shoes of an average duped Man's shoes. He is married and or not married to a woman and they have a child. The man is delighted to have a child with his wife/partner and has no idea she's slept with another man during conception. Not knowing she cheated would it be normal for him so say, "Honey, you're the love of my life and I trust you completely, but, you know, just in case, I'd like to get a paternity test for our darling child who was just born so I know for sure you weren't sleeping around." The women who cheated would be upset and the women who did not cheat would also be upset. A man should not be put in this position. A man should be able to trust his wife and or partner but as you can see, that trust is used and abused in over 50% of cases by the State of PA stats. That is why DNA testing at the time of birth should be part of the entire birth process. The child's welfare should trump any privacy issues for the woman or the man. Just as a drug test is needed for most jobs. If you want the job, you take the test. If the DNA matches the man's name is put on the birth certificate and if it does not match then it's left blank. That would give the woman and the state the incentive to find the biological Father. It is often said that Paternity Fraud only affects the child. That description is not accurate, however. All children, men and women suffer under the crime of Paternity fraud. It is a real problem that affects every American and it is a crime that should carry a significant punishment for the perpetrator. There is a problem with a Justice system that has to blind themselves to the truth because the law does not permit the truth to be a part of the entire process as stated by Judge David Wecht. True justice should make laws and judgments based on truth and not by legal fiction for the good of every child, man and woman in the state of Pennsylvania.

At the very least a Mother should have to sign a form at the time of birth that says she has given all the names of the men she has had sexual relations with at the time of conception. That if she does not tell the whole truth and it's found out that she lied she has just committed a FELONY. It should be made clear that she will be prosecuted to the full extent of the law. Perhaps this would make Mothers think twice, but this would not cure the need for child to know the biological Fathers medical history if the Mother still chooses to lie. This is why DNA testing at birth is truly the only true answer.

As a women who has lived, worked and paid taxes as a law abiding citizen I was shocked to learn that the state knows over 50% of men who are DNA tested are not the Fathers. This does not include the men like my Husband who were not allowed to submit evidence to prove he is not the biological Father. I say to the committee, this is no small number of lives affected. This is hardly something that is new; this has gone on for years. DNA is used to get men and women off of death row, but cannot get a man out of paying support for a child that is not his.

I am the second wife. I am also a victim of Paternity Fraud. I may never be called Mommy because we can't afford to have a child of our own. You see, we are court ordered to support another man's child. This other man is a biological Father who enjoys all the benefits of living with his biological child and has been married to the biological Mother since April of 2006.

We all have choices to make in life. You have a choice, a choice to change the law so innocent men and children in the state of PA are protected from this fraud, a choice to see that the biological Fathers are responsible for their children, a choice to demand that Mothers are honest about whom they slept with at the time of conception, a choice to change the law so innocent lives are saved.