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President Bush Urges Congress to Approve Unborn Victims of Violence Act “This Year;” Believes that When an Unborn Child is Injured or Killed in Crime, “Such a Crime Has Two Victims”

WASHINGTON (April 25, 2003) -- President Bush calls for congressional approval this year of the Unborn Victims of Violence Act, a bill to recognize as legal victims all unborn children who are injured or killed during the commission of federal crimes, the White House said today.

The National Right to Life Committee (NRLC) applauded the statement by White House press secretary Ari Fleischer, which came in response to a question on the Peterson double murder case in California.

Mr. Fleischer told reporters, **“The President does believe that when an unborn child is injured or killed during the commission of a crime of violence, the law should recognize what most people immediately recognize, and that is that such a crime has two victims.”** President Bush calls on Congress to pass the federal bill “this year,” Mr. Fleischer said.

NRLC has strongly backed the bill, the Unborn Victims of Violence Act (S. 146), which is sponsored by Sen. Mike DeWine (R-Ohio) and soon to be introduced in the House of Representatives by Rep. Melissa Hart (R-Pa.). This year’s bill is the same as bills that passed the House in 1999 and 2001, which were not acted on by the Senate.

“If not for the opposition of groups like NARAL and the ACLU, the Unborn Victims of Violence Act would have passed the Senate years ago,” commented NRLC Legislative Director Douglas Johnson. **“These groups callously insist that a crime like the Peterson murder has only one victim -- but two bodies washed up on that beach in California.”**

Under the proposed federal bill, if an unborn child is injured or killed during commission of a federal crime of violence, a second charge could be brought on behalf of the second victim. The bill specifically excludes legal abortions, and it does not allow the death penalty to be imposed for an unborn victim charge.

The Unborn Victims of Violence Act would apply only to federal crimes, not to crimes of violence covered by state laws. Currently, in federal jurisdictions (including the military), an act of violence that kills an unborn baby but not the mother is treated as a mere assault, not a homicide.

Twenty-six states currently have laws that recognize unborn victims of violence, including California, where Scott Peterson has been charged with the double murder of his wife Laci and their unborn son Conner. A reporter asked Mr. Fleischer a question inspired by the Peterson case. Mr. Fleischer declined to comment on that specific case, but he spoke clearly to the underlying issue.

Although the proposed federal bill explicitly does not apply to abortion, and the 26 state unborn victim laws have not affected abortion, NARAL says the federal bill “threatens women's rights.” (Jan. 17, 2003, www.naral.org/mediareources/fact/pdfs/prosecutors.pdf)

A breakdown of the current state unborn victim laws is posted on the NRLC website here: http://www.nrlc.org/Unborn_victims/Statehomicidelaws092302.html

Numerous federal and state courts have ruled that laws recognizing unborn victims of violent crimes do not violate any provision of the Constitution, and do not conflict with *Roe v. Wade* or other U.S. Supreme Court rulings mandating legal abortion. A summary of federal and state court rulings on unborn victim laws (including the 1989 U.S. Supreme Court ruling in *Webster v. Reproductive Health Services*) are here: http://www.nrlc.org/Unborn_victims/statechallenges.html

Extensive additional information on the issue of unborn victims of violence, including case histories, is posted here:

http://www.nrlc.org/Unborn_Victims/index.html

The official transcript of Mr. Fleischer's remarks is posted here:

<http://www.whitehouse.gov/news/releases/2003/04/20030425-4.html>