

Please don't tell me that my dead son was not a real crime victim!

My name is Tracy Marciniak. In this photo, I am holding the body of my son, Zachariah, at his funeral. Zachariah was killed in my womb when I was terribly beaten. While I was hospitalized and grieving for my dead baby, law enforcement authorities told my family that they could charge the man who attacked me only with assault. In the eyes of the law, they said, nobody had died in the attack. I was devastated.

Later, my home state passed a strong unborn victims law. Twenty-eight states now allow criminal charges to be brought on behalf of unborn victims of violence. These laws do not affect legal abortion, but they do recognize that these terrible crimes have two victims.

Thank God, California has such a law. That's why prosecutors were able to file a double homicide charge in the brutal murders of Laci Peterson and her unborn son Conner. They didn't have to tell surviving family members that legally, Conner had never lived and never died. Yet even today, that's what a surviving mother would be told if her unborn child is killed during the commission of a *federal* crime, such as a terrorist bombing. Also, if her unborn child were killed by a criminal attack on a military base or some other federal

jurisdiction, she would be told that nobody died.

That is callous and it's wrong. That's why we need the Unborn Victims of Violence Act to cover federal crimes.

Some lawmakers say that criminals who attack pregnant women should be punished more severely, but that the law must never recognize someone's unborn child as a legal victim. These lawmakers are really telling me, all over again, that nobody died the night we were attacked. I say, no surviving mother, father, or grandparent should ever again be told that their murdered loved one never even existed in the eyes of the law.

If you see *two* victims in my photograph, then you should support the Unborn Victims of Violence Act – and reject the single-victim lie.

President Bush Urges Approval of Unborn Victims Bill

"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." – White House Press Secretary Ari Fleischer, April 25, 2003



Newsweek Poll: 84% Favor Fetal Homicide Charge

Poll Question: "When, if ever, do you think prosecutors should be able to bring SEPARATE murder charges against someone who kills a fetus still in the womb? In other words, try them for two murders instead of one. Do you think this should be done in ALL cases where a pregnant woman is murdered, only in cases where the fetus is viable — that is, is able to survive outside the womb, or not at all?"

ALL CASES: 56% } 84%
FETUS VIABLE: 28% } total

NOT AT ALL: 9%

Newsweek / Princeton Survey Research Associates, national scientific sample of 1,009 adults, May 29-30, 2003. Margin of error +/- 3%.