

One Victim . . . Or Two?

My name is Tracy Marciniak. On February 8, 1992, I carried within my womb an unborn baby boy, Zachariah. We were in our ninth month, only four days from delivery.

That night, the man to whom I was then married brutally beat me. He knew that I very much wanted my unborn son. He punched me very hard twice in the abdomen. Then he refused to call for help, and prevented me from doing so. By the time I reached a hospital, my baby was dead. Zachariah had bled to death within my womb because of blunt-force trauma. I nearly died, but I recovered.

In 1992, Wisconsin, where the crime occurred, did not have an unborn victims law, so Zachariah was not legally recognized as a victim of a crime. As a result, my attacker was convicted for his assault on me, but he was not punished for the loss of Zachariah's life. That man is already eligible for parole.

In 1998, in response to my case and others like it, the Wisconsin Legislature overwhelmingly enacted one of the nation's strongest unborn victims laws. But *federal* law still fails to recognize unborn victims like Zachariah. Even today, if someone kills an unborn baby in a federal jurisdiction, or during commission of a violent federal crime, his killer can be prosecuted only for assault on the mother. And that is wrong.

That is why the U.S. Senate should approve the Unborn Victims of Violence Act, which has already been passed by the House of Representatives. Under this bill, if an unborn child is injured or killed during the commission of a federal crime of violence, that child will be recognized as a victim.

Who could oppose such a bill, you ask? Tragically, it is being blocked by pro-abortion advocacy groups – even though the bill explicitly says that it *does not apply* to legal abortions. The ideology of these groups causes them to insist that when a criminal attacks a pregnant woman and kills her unborn baby, there is only one victim – the pregnant woman.

This “one-victim” position is offensive to me, because they are really saying that Zachariah didn't exist. They are really saying that on the night I was attacked, nobody died. They are really saying that there is no dead baby in the photograph shown on this page – taken at Zachariah's funeral.



Tracy Marciniak holds the body of her son Zachariah, who was killed in her womb by a violent assault. This photo was taken at Zachariah's funeral, which was delayed nearly three weeks to allow his mother to recover from her injuries.

**If you see two victims in the photograph,
then please urge your two U.S. Senators to support the
Unborn Victims of Violence Act (H.R. 503, S. 480).**



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