

## What do surviving victims say about the Feinstein Substitute?

### **Sharon Rocha, mother of Laci Peterson and grandmother of unborn victim Conner**

I have looked very carefully at the “substitute” legislation proposed by the opponents of Laci and Conner’s Law, which they call “The Motherhood Protection Act,” proposed in

the House of Representatives by Congresswoman Zoe Lofgren [later sponsored in the Senate by Senator Feinstein]. This proposal would provide that if the victim of a federal crime happens to be a pregnant woman, and the crime somehow disrupts her pregnancy, a harsher sentence would be assessed than otherwise. But the Lofgren proposal would enshrine in law the offensive concept that such crimes have only a single victim – the pregnant woman. This would be a step in the wrong direction.

I hope that every legislator will clearly understand that adoption of such a single-victim amendment would be a painful blow to those, like me, who are left alive after a two-victim crime, because Congress would be saying that Conner and other innocent unborn victims like him are not really victims – indeed, that they never really existed at all. But our grandson did live. He had a name, he was loved, and his life was violently taken from him before he ever saw the sun.

The application of a single-victim law . . . would be even more offensive in the many cases that involved mothers who themselves survive criminal attacks, but who lose their babies in those crimes. I don’t understand how any legislator can vote to force prosecutors to tell such a grieving mother that she didn’t really lose a baby – when she knows to the depths of her soul that she did. A legislator who votes for the single-victim amendment, however well motivated, votes to add injury to injury.

*-- Excerpt of June 16, 2003 letter from Sharon Rocha to Sen. Mike DeWine and other sponsors of the Unborn Victims of Violence Act*

### **Tracy Marciniak, surviving mother of unborn victim Zachariah**

It really boils down to the question that I asked you earlier. Does the photograph [of Tracy holding Zachariah at his funeral] show one victim, or two? 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. For example, I have read Congresswoman Lofgren’s proposal, which she calls the “Motherhood Protection Act” [the House version of the Feinstein Substitute]. There is only one victim in that bill – the pregnant woman. So if you vote for that bill, you are really saying all over again to me, “We’re sorry, but nobody really died that night. There is no dead baby in the picture. You were the only victim.”

More importantly, you would be saying to all of the future mothers, fathers, and grandparents, who lose their unborn children in future federal crimes, “You didn’t really lose a baby.”

Please don’t tell us that. Please don’t tell me that my son was not a real murder victim. If you really think that nobody died that night, if you really think there is no dead baby in the picture, then vote for the Lofgren bill. But please remember Zachariah’s name and face when you decide.

*-- Excerpt from July 8, 2003 testimony before the House Judiciary Committee of Tracy Marciniak, whose unborn son Zachariah was killed by a criminal assault.*