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Protecting Conner and Heaven

By Congressman Joseph R. Pitts

Many of us have been glued to the television following news of the Laci Peterson case. This week we learned that the police have charged her husband, Scott Peterson with the December 23rd murders of Laci and their unborn son, Conner Peterson. Conner was supposed to be born in late January.

Mr. Peterson was charged under California's law that makes it a crime kill a "fetus" beyond eight weeks of development in the act of a crime. The law is meant to protect those like Conner who are not able to defend themselves.

This horrifying story reminds me of a similar one I heard not too long ago.

On August 26, 1999 Shiwona Price was a 23-year-old college student in Little Rock, Arkansas. She had a five-year-old son and an unborn daughter – Heaven Lashay.

That night, one day before her expected delivery date, Shiwona was brutally attacked by three men who choked her, punched her, and hit her in the face with a gun while shouting, "Your baby is dying tonight!"

After thirty minutes they left her sobbing on the floor. At the hospital, Shiwona learned that Heaven had died in her womb.

The assailants were arrested. The police learned that Erik Bullock, Shiwona's former boyfriend, had paid them \$400 to kill their baby, Heaven.

A month before this incident, Arkansas had adopted a new state law that recognized unborn children as crime victims. Thanks to that law, Erik Bullock and the men he hired were prosecuted and convicted for their attack on Shiwona and her baby. The law was meant to protect the Heavens of the world who cannot defend themselves.

Today, twenty-six states have enacted similar laws that recognize unborn victims of at least some violent crime, during some or all of the period of pre-natal development.

The laws vary from state to state. For instance, the California Supreme Court has interpreted the term "fetus" in a highly technical manner, to apply only after seven or eight weeks of development.

These laws are a just protection for those who have no defense against violent crime.

But in response to the Peterson case this week Marva Stark, president of the National Organization of Women's Morris County, NJ chapter said, "If this is murder, well, then any time a late-term fetus is aborted, they could call it murder."

Ms. Stark's comment reveals how little is really known about this issue. This case has nothing to do with abortion. But it has everything to do with defending the defenseless.

These laws have had no impact on the legality of abortion as they work to protect the Heaven Lashays and Conner Petersons of the world against violent crime.

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 any Supreme Court ruling regarding legalized abortion.

Last year, a bipartisan majority of the House of Representatives passed a bill called the Unborn Victims of Violence Act by a vote of 252-172.

The bill stated that “whoever engages in conduct that violates specified provisions of the Federal criminal code or specified articles the Uniform Code of Military Justice (conduct constituting certain Federal violent crimes) that causes the death of, or bodily injury to, a child who is in utero, shall be guilty of a separate offense.”

That “separate offense” would be prosecuted in addition to the original criminal act.

The bill protects abortion by barring prosecution “of any person for conduct relating to an abortion for which the consent of the pregnant woman, or a person authorized by law to act on her behalf, has been obtained or for which such consent is implied by law.”

The intent is to protect women and their unborn babies from boyfriends, husbands, relatives or criminals who might want to harm both the mother and the baby against the mother’s wishes.

I believe this is a just protection for the unborn children whose mothers have chosen to give birth.

This year, the bill has been introduced in the Senate. The President has stated that he supports the idea and once both chambers pass their bills we will be one step closer to protecting these defenseless victims of violent crime.

Congressman Pitts lives in Chester County. He represents Pennsylvania’s Sixteenth Congressional District – spanning all of Lancaster County and parts of Berks and Chester counties.

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