One Victim or Two?

The Unborn Victims of Violence Act (S. 1019) would recognize as a legal victim an unborn child who is injured or killed during commission of a *federal* crime against the baby's mother. A substitute amendment to be offered by Senator Dianne Feinstein would increase penalties for federal crimes against pregnant women – but would recognize only *one* victim, the mother, and without recognizing any loss of human life if the mother survives the assault. Sharon Rocha, mother of Laci Peterson and grandmother of Conner Peterson, has called such a single-victim proposal "a step away from justice, not toward it." But what does the general public say? If a criminal assaults a woman who carries an unborn child, does that crime have two victims, or only one? Here are three recent national polls on that issue.

Polls	One Victim	Two Victims
"If a violent physical attack on a pregnant woman leads to the death of her unborn child, do you think prosecutors should be able to charge the attacker with murder for killing the fetus?" Yes 79% (**including 69% of "pro-choice**") No 10% Not sure 11% Fox News/Opinion Dynamics, July 15-16, 2003. *(900 registered voters. Margin of error: +/- 3%.)*	**10%**	**79%** ***(includes 69% of "pro-choice")***
"We're interested in how you think the criminal justice system should deal with cases involving the murder of a pregnant woman. 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% Fetus Viable 28% Not at all 9% DK 7% Newsweek/Princeton Survey Research Associates, May 29-30, 2003.*(1,009 adults, age 18+. Margin of error: +/- 3%.)*	**9%**	**84%** ***(total "all cases" 56% and "fetus viable" 28%)***
"If Scott Peterson is convicted of killing his pregnant wife Laci, do you think he should be charged with one count of homicide for murdering his wife or two counts of homicide for murdering both his wife and unborn son?" One count 7% Two counts 84% Something else (vol.) 1% Not sure 8% Fox News/Opinion Dynamics, April 22-23, 2003. *(900 registered voters. Margin of error: +/- 3%.)*	**7%**	**84%**