

OTHER OPINIONS

Seeking justice for unborn victims

BY DOUGLAS JOHNSON

On April 19, 2002, Ronda Robinson was gunned down in her Lynchburg home, as her 4-year-old and 8-year-old daughters watched in horror. Her husband Anthony also was shot to death.

For firing nine bullets into the bodies of Ronda and Anthony Robinson, the Commonwealth of Virginia tried Leon Jermain Winston, who was convicted of capital murder.

But a third member of the Robinson family died that night, on whose behalf the commonwealth brought no homicide charge. Ronda Robinson was six months pregnant when she was slain. If not for the murder, Unborn Baby Robinson might have been born prematurely the very next day and lived for a hundred years.

Yet, in the eyes of Virginia law, this baby was not a victim.

The Robinson case highlights an issue currently being hotly debated in both the Virginia General Assembly and the Congress: When a criminal attacks a pregnant woman, injuring or killing both her and her unborn

child, has he claimed one victim, or two?

The forthcoming trial of Scott Peterson in California has helped push that issue into the national spotlight. The state of California will try Peterson on two homicide charges: for his wife, Laci, and for their unborn son, Conner. California is one of 29 states that prosecute for fetal homicide.

Virginia may soon become the 30th. In the Assembly, both houses have approved fetal homicide bills. Soon a final bill will be sent to

Gov. Mark Warner, who has not said whether he will sign or veto it.

At the same time, a show-down is fast

approaching in Congress. Last Thursday, the U.S. House of Representatives passed the Unborn Victims of Violence Act, a bill to extend recognition to unborn victims of federal crimes. The U.S. Senate, which has never before considered the issue of fetal homicide, is expected to take up the bill soon. Federal criminal laws apply to murders on federal lands, tribal lands, and military bases, and to a host of specific acts, including killings associated with interstate

stalking, major drug activity, and terrorist attacks.

Sen. George Allen is a cosponsor. Sen. John Warner has not yet taken position on the bill.

Abortion-rights advocacy groups strongly oppose fetal homicide laws. They say that crimes like the Peterson case really have only one victim — the pregnant woman. Kent Willis, executive director of the Virginia ACLU, asked about Conner Peterson on a Lynchburg radio program on Jan. 21, replied, "That baby was not a murder victim."

Gov. Warner and Sen. Warner should consider:

■ In three national polls, about 80 percent of the public supports fetal homicide charges.

■ None of the state fetal homicide laws have had any impact on abortion.

■ Federal and state courts across the nation have uniformly rejected all legal attacks on fetal homicide laws, because they exempt abortion.

In answering the question, "One victim, or two?," every lawmaker should listen carefully to the voices of those who have lost loved ones — born and unborn — in terrible crimes. Voices like that of Sharon Rocha — mother of Laci Peterson, grandmother of Conner — who sent a letter to Sen. John Kerry, D-Mass., urging him to reconsider his

declared opposition to the bill.

"Our grandson did live," she wrote. "He had a name, he was loved, and his life was violently taken from him before he ever saw the sun. ... There were two bodies that washed up in San Francisco Bay, and the law should recognize that reality."

Voices, also, like that of Carol Lyons of Scott County, Kentucky. On Jan. 7, her daughter Ashley, 18, was found shot to death in her car. Only hours earlier, Ashley and Carol had watched a brand-new ultrasound videotape of Ashley's unborn son, Landon.

"Nobody can tell me that there were not two victims," Carol Lyons said. "I placed Landon in his mother's arms, wrapped in a baby blanket that I had sewn for him, just before I kissed my daughter goodbye for the last time and closed the casket."

Let's hope that Gov. Warner and Sen. Warner will keep those voices in mind, so that in the future, justice can be done on behalf of those — like Baby Robinson, Landon Lyons and Conner Peterson — whose lives are taken from them before they see the sun.

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