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FLOOR DEBATE

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pregnant women and killed their unborn children. Let me cite one quick example. In the summer of 2004, Kevin Mattini was out driving in the Omaha area. His blood alcohol content was three times the legal limit, and there were traces of methamphetamine in his system as well. Kevin Mattini was driving the wrong way down 30th Street in Omaha, and smashed his vehicle into Linda (sic) Turco, an 18-year-old woman who was eight months pregnant at the time. Linda (sic) Turco, thankfully, did not lose her life, but she did suffer a broken leg. However, her unborn child was killed. Kevin Mattini is in prison today because of his drunk driving that led to the killing of Linda (sic) Turco's baby. The legislation before us today takes the law on fetal homicide a step--a small, incremental step--further, and says if the unborn child survives the act of violence but suffers serious bodily injury, then the actor who inflicted the injury can and should be prosecuted for the injuries sustained by the child. As we enter the debate on this bill, I make this plea. I respect the fact that on the central questions associated with Roe v. Wade there are differing points of view on this floor. But the legislation before us does not address our differences on that matter. This legislation, please understand, is simply an effort to address questions associated with protecting unborn children outside of the context of abortion. The bill only relates to third-party attacks against pregnant women and their unborn children. It does not in any way address actions taken by the mother of the child. Some 33 years ago, the U.S. Supreme Court issued its now infamous abortion decision, Roe v. Wade. Writing for the majority on the court, Justice Harry Blackmun specifically indicated that outside of the context of abortion, it would continue to be permissible to give legal recognition to what he referred to as unborn children. Over the years, as the court has further spoken on matters of this nature, the court has consistently used the term "unborn child" or "unborn children" to give recognition to those instances outside of the context of abortion where the unborn could continue to enjoy legal status and rights. Consistent with those U.S. Supreme Court decisions, I offer today LB 57. LB 57 creates the criminal offense of assault of an unborn child. If a person causes an unborn child to receive serious bodily injury, as that term is already defined in our criminal code, he or she could be subject to