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this works.   And let me call your attention, first of all, to
section (1) of Section 4, which is the intentional or knowing
causing. In subsequent sections, the two subsequent sections
talk about recklessly causing; this section talks about
intentionally causing. With respect to the intentionality here,
is it the intent to commit an act upon the mother, or the intent
to commit an act upon the unborn child?

SENATOR FOLEY: Senator, you're schooled in the law, and you're
familiar with the concept of transferred intent. And let me
give you a layman's understanding of what transferred intent is.
If I point a loaded gun at someone and pull the trigger, and
intend to kill or harm someone, but my target ducks and the
bullet sails off and hits someone who I didn't even know was
there, behind the bush, I can be prosecuted for what I did to
the man behind the bush, even though I never intended to harm
him--transferred intent.

SENATOR BEUTLER: But that is an act of recklessness towards
that third person, isn't it, not an attack...not really an act
of intentionality?

SENATOR FOLEY: No, because I had intent, I had intent to do
damage or kill a particular person, and the intent is
transferred to the ultimate victim.

SENATOR BEUTLER: If you do not know of the pregnancy and
there's no way of your knowing, how do you know that your
intentional act may cause harm to another?

SENATOR FOLEY: If I understand your question, Senator, I think
you're raising the hypothetical of the man who intends to harm a
woman, but does not know that she's pregnant, and he commits an
act against the woman, she sustains an injury, presumably, and
an unborn child that he is not aware of also sustains an injury.
He didn't have knowledge of the pregnancy, but he could still be
prosecuted if he inflicts serious bodily injury against the
child.

SENATOR BEUTLER: So even though he doesn't know of the
pregnancy, and therefore cannot have that intent, you're going