

# *New Hampshire Right to Life*

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## **Fetal Homicide bill a tragic failure**

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The passing of H 217, the Fetal Homicide Bill, in the NH House last week is a complete travesty. The O'Brien/Bettencourt language, adopted over the objection of the bill's Prime sponsor, denies most babies equal protection of the law and makes prosecution virtually impossible for those it purports to protect.

HB217, as adopted, denies homicide protection to babies less than 24 weeks old, exacerbates the anguish of families who suffer the loss of their unborn child at an age earlier than 24 weeks by creating an arbitrary line defining the value of their unborn child, and creates a major obstacle to prosecution due to the difficulty of determining gestational age of the baby.

The bill also precludes prosecutions for the death of a pre-born child at any age without explicit criminal intent to kill the baby. Thus one who sexually assaults a mother and kills her pre-born child can't be charged with homicide as is typical for other deaths during the commission of crimes. . Also, if one attacks and kills a pregnant woman, there is no crime for the death of the baby.

New Hampshire Right to Life Committee strongly urges the NH Senate to restore HB217 to its original language, simply including "Fetus" in the RSA 631 definition of "another", or to dispatch this atrocity to the garbage heap where it belongs.

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