



**new york state**  
**RIGHT TO LIFE COMMITTEE, INC.**

41 State Street, Albany, New York 12207 • Telephone: 518-434-1293  
Fax: 518-426-1200

**New York State Right to Life Committee**  
**Statement of Support**

**The Unborn Victims of Violence Act**

**S.4347 (Ritchie)/A.1673 (Cusick)**

Under current law in New York State, if an unborn child is killed or injured as a result of actions taken against a pregnant mother, the offender cannot be held criminally responsible for the harm caused to the child victim unless he or she is born alive.

The Unborn Victims of Violence Act would close the existing loophole by providing that those who kill or injure an unborn child in New York at any stage of gestation may be held criminally responsible.

Twenty-five other states have statutes imposing criminal liability for the homicide of an unborn child at any stage of gestation.

There is a federal Unborn Victims of Violence law, but it applies only to federal crimes. Most crimes of violence and assault in New York are state criminal acts. A baby is a murder victim in New York based only on whether or not the crime falls under federal jurisdiction. For example, if an attack takes place on a military base and the mom and baby die – there are two murders. If the attack takes place just outside the military base - there is one murder.  $1 + 1 = 1$  depending on where you are in New York.

New York State Right to Life strongly encourages all legislators to support the passage of this legislation to correct this gross and ridiculous inconsistency.