

The Colorado Fraternal Order of Police strongly supports passage of HB-1032 which creates a long overdue statute that criminalizes certain acts which result in the death of an unborn child. Each year pregnant women are the victims of violent criminal acts which result in the death of their unborn children. Annually pregnant women are victims of serious motor vehicle accidents involving both reckless and DUI drivers that results in the death of their unborn children. When a criminal attacks a pregnant woman, and injures her or kills both her and her unborn child, he has claimed two victims. The same applies to that of injury or death caused by a reckless or drunk driver.

In 2004 the US Congress enacted "The Unborn Victims of Violence Act of 2004". Under this law, it is a separate crime to harm a fetus during an assault on the mother. The law grants the federal government the power to prosecute, as a separate offense, those who, during the commission of a federal crime, cause death or bodily injury to a child who is in utero at the time the conduct takes place. The federal penalty is the same as that for conduct had the injury or death occurred to the unborn child's mother.

Colorado is one of just 15 states that do not recognize unlawful termination of a pregnancy as a separate violent criminal act. Under current Colorado law the perpetrator of such an act cannot be charged an offense against an unborn child. House Bill 1032 seeks to change that by creating a statute for offenses against unborn children. This statute will hold the perpetrators of these heinous acts accountable for

their criminal actions providing punishment for certain violent crimes against women and their unborn children.

This is not an abortion issue. Nothing in this bill will allow the prosecution of a medical professional for legally terminating a pregnancy, nor will it allow the prosecution of a mother who chooses to legally terminate her pregnancy. The bill does not confer the status of "person" upon a human embryo, fetus, or unborn child at any stage of development prior to live birth.

The fundamental role of every government is to provide security for its citizens and to maintain public order. This cannot be done without legislating against certain acts. The Fifth and Fourteenth Amendments guarantee against being deprived of life, liberty, or property, without due process of law. It is no accident that life is mentioned first in this phrase, as it is first among the rights listed in our Declaration of Independence. The right to life underlies and sustains every other right we have. House Bill 1130 protects the most defenseless of human beings.

It is for these and other compelling reasons that the Colorado Fraternal Order of Police strongly supports this legislation. We respectfully ask the members of the House Judiciary Committee to move House Bill 1032 forward.



**FRATERNAL ORDER
OF POLICE
COLORADO STATE LODGE**

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