

PRO/CON ON 'ALEXA'S LAW'

Protect unborn victims of violence

BY REP. STEVEN R. BRUNK

My heart goes out to the Brooks family. I can't begin to imagine or feel the anguish that must be theirs over the loss of a



Brunk

daughter and soon-to-be-born granddaughter. It may be of little comfort, but please know that the entire community

grieves with you. Our prayers are with you, and for you.

Unfortunately, prosecutors will only be allowed to press charges for one death. Kansas is one of 16 states that will not protect the unborn victims of a violent act.

The Eagle recently reported Chelsea Brooks' sister, Annie, as saying that the family plans to start a petition supporting a law that would mandate that anyone who kills a pregnant woman be charged in the death of a fetus. In a statement to the media, Terri Brooks, Chelsea's mother, said, "Two lives were taken from us last week, and we will do whatever it takes to make sure that the law, in the future, recognizes all life, even if it is too late for our girls."

I couldn't agree more. In fact, such a bill already exists.

For the past four years, I have introduced a bill in the Legislature known as the Unborn Victims of Violence Act. Section 2 of the act reads, "As used in the Kansas Criminal Code, 'person' and 'human being' also mean an unborn child."

This act has been embraced by a majority in the House, pass-



ing 85-38, but has been ignored by Senate leadership, causing this much-needed bill to fail.

Opponents of this bill — Planned Parenthood, ProKanDo, the National Organization of Women and other pro-abortion groups — have falsely claimed that this legislation is an attempt to stop abortions. Julie Burkhart, executive director of ProKanDo, has said that this bill would jeopardize a woman's right to an abortion and could be used to penalize pregnant women. Her claims are unwarranted and untrue.

This act specifically shall not apply to (HB 2300, Section 1 c) "any act committed by the mother of the unborn child; any medical procedure, including abortion, performed by a physician . . . or the lawful dispensation or administration of lawfully prescribed medication."

I have intentionally excluded abortion from this bill to keep it from being politicized. This legislation has nothing to do with abortion.

It has everything to do with justice. And in the face of such an atrocious crime, justice must be served. It is just, it is right, and it is the duty of Kansas lawmakers and the governor to enact this fetal homicide law, the Unborn Victims of Violence Act.

It is a shame that in our culture we use such impersonal words to describe the loss of something so precious. Fetal homicide. Unborn victims of violence. Today we can put a name to this tragedy. It is Alexa, Chelsea's baby girl. With the permission of the family, I would like to rename the Unborn Victims of Violence Act, and call it "Alexa's Law."

When the 2007 legislative session begins, I will again introduce this important piece of legislation, and I call now on my fellow representatives, senators and the next governor of Kansas to enact Alexa's Law.

Steven R. Brunk, a Republican who lives in Bel Aire, represents District 85 in the Kansas House.

Focus on violence against women

BY JULIE A. BURKHART

Chelsea Brooks, 14 years old, pregnant and from Wichita, was brutally murdered. Police suspect that her abusive boyfriend



Burkhart

helped commit a crime that caused her death and the death of the child she hoped to have. The primary response to this horrific attack has not been to address the issue of widespread violence against women. Instead, the public debate has been almost exclusively about the rights of fetuses and the claim that Kansas needs an Unborn Victims of Violence Act law.

The problem is that as long as the response to rampant violence against women is replaced by a debate about fetuses, the violence will continue.

Six years ago, one of my sisters was beaten to death by her boyfriend. She left behind her 12-year-old son.

On average, more than three women are murdered by their husbands or boyfriends in this country every day. Domestic violence is the leading cause of injury to women between the ages of 15 and 44, and pregnant and recently pregnant women are more likely to be victims of homicide than to die of any

other cause.

The federal government has passed an Unborn Victims of Violence Act, and more than 30 states have similar laws. The violence against women has not stopped.

South Carolina has had such a law for more than 20 years. South Carolina ranks as one of the top two states for the number of murders of women by men. The violence against women has not stopped.

We know from experience in other states that UVVA laws not only fail to protect women from violence, but they are used primarily to punish pregnant women themselves. Across the country, pregnant women who have drug, alcohol and other health problems — for which they have virtually no access to treatment — have been arrested based on these laws.

In Utah, a woman who suffered a stillbirth, allegedly because she delayed having a Caesarean section, was arrested for murder. Prosecutors cited Utah's version of the UVVA as support for this arrest. Some state versions of this law have proposed to punish pregnant women who are unable to leave their batterers.

Instead of using Chelsea Brooks' tragic murder to advance the political agenda regarding fetuses, we need laws that will actually protect pregnant women and their children. Chelsea was murdered in spite of a protection order. What we need is a full and honest conver-

sation about the high rate of male violence against women.

The problem isn't that we don't value fetal life; the problem is that we don't value the lives of the women who give fetuses that life.

I call on the Kansas Legislature to pass legislation that will be meaningful to women who are pregnant. We need a full legislative commission to study why protection orders don't protect, and to look at all the research and data regarding male violence against women.

The Legislature needs to send a strong message that we value pregnant women and mothers. It could do this by implementing paid maternity leave, by strengthening laws that prohibit workplace discrimination against pregnant women, and by increasing access to health care for the thousands of Kansas pregnant women and mothers who do not have health insurance. It also could increase funding for the state's domestic and sexual violence shelters, so that women can more easily leave abusive relationships.

The death of Chelsea Brooks and her baby should not be turned into a tool to drive the abortion debate; rather, we all need to be having meaningful conversations and looking at ways to reduce violence against women.

Julie A. Burkhart of Wichita is executive director of ProKanDo, a pro-choice political action committee.