



To: Judiciary Committee
From: Marion Miner, Associate Director for Pro-Life & Family
Nebraska Catholic Conference
Subject: LB141 (Enhanced Penalties for Strangulation & Suffocation) (Support)
Date: January 23, 2019

Chairman Lathrop and Members of the Judiciary Committee,

The Nebraska Catholic Conference advocates for the public policy interests of the Catholic Church and advances the Gospel of Life through engaging, educating, and empowering public officials, Catholic laity, and the general public. I would like to express our support for LB141.

While LB 141, among other things, creates a unique offense for the crime of suffocation, which may be a worthwhile endeavor in its own right, our particular interest in this legislation is for something else it does that we think is worth highlighting and lending our support; namely, its provision for enhanced penalties where the victim is a pregnant woman.

Assaults on pregnant women are particularly heinous, as I think we all understand intuitively, for several reasons:

- 1) First, a woman who is pregnant is more vulnerable and less able to defend herself against an attacker than if she were not pregnant, and for that reason she deserves special protection;
- 2) Second, and of equal importance, a woman who is pregnant is necessarily also carrying another human person inside of her – her pre-born child – and that child is in the most vulnerable state a human being can be. For that reason, the child also deserves special protection; and
- 3) Finally, the law should and does provide for greater protections for the vulnerable in our society and for more severe penalties for those who attack them. That is true in many areas of the law, including, among others, our existing homicide of an unborn child statutes (Neb. Rev. Stat. § 28-388 *et seq.*) and assault against an unborn child statutes (Neb. Rev. Stat. § 28-395 *et seq.*).

We have many good laws in our state which afford special protection to those who are vulnerable. Because a pregnant woman and her pre-born child deserve special recognition and special protection under the law, the Nebraska Catholic Conference respectfully urges your support of this legislation.

Thank you for your time and consideration of our position.