

The Presbytery of Boise overtures the 219<sup>th</sup> General Assembly (2010) to do the following:

### **On Violence of Pregnant Women**

1. Condemn assaults, attempts, and actual acts of pressure, force, violence, and coercion upon a pregnant female, especially where the activity inflicts mental or physical injury or death on the pregnant female;
2. Acknowledge that the voices of pregnant females and their unborn children are weak and many times powerless to combat acts of violence and coercion thereby depriving females of personal choice, leaving them physically and mentally victimized as well as spiritually damaged;
3. State that the PC (USA) affirms that pregnant females are precious to God and as Christians we share a common commandment to exercise care, compassion, and to seek justice on behalf of our pregnant sisters who are subjected to assaults and batteries that injure or kill them and their unborn children. The media and court systems record that the purposes behind the violence include: acts to destroy evidence of child molestation or incestuous activities; acts to eliminate personal responsibilities or inconvenience to the perpetrator's lifestyle; dislike for biracial unborn children; or desire to destroy pregnant females.
4. Commend and encourage the work of congregations, sessions, and ministers of Word and Sacrament who are proactively providing shelter, medical care, and counseling for pregnant females who have experienced such pressures, force, violence and coercion;
5. Call for identification of assaults, attempts, and acts of force, violence, and coercion upon a pregnant female as violations against females, children, and creative acts of God. A report on the incidents of violence against vulnerable pregnant females shall be included as part of the regular human rights reports to the General Assembly;
6. Instruct the Stated Clerk of the General Assembly to communicate with each state legislative body and to the U.S. Congress by sending a copy of this Overture together with a letter urging them to adopt legislation that recognizes the special vulnerability of pregnant females and to protect them from assaults, attempts and acts of force, coercion, and violence, that inflict physical or mental injury, or death, on the pregnant female.

### **RATIONALE** Victimization

There are certain things in our society that we keep hushed up and from which we turn away our eyes so that we might purposely remain in ignorance. But evil does not go away by pretending that it does not exist or by hoping that someone else will fix the problem.

The use of force, violence, or coercion against pregnant females to effectuate an abortion are brought before our eyes in media reports that often recount the human tragedies as if they are non-fiction stories with bizarre entertainment value.

The media reports note that the purposes of force, violence, or coercion against pregnant women include efforts to destroy evidence of child molestation or incestuous activities, to eliminate personal responsibilities or inconvenience to a perpetrator's lifestyle, to destroy disliked bi-racial unborn children, or to eliminate the disliked pregnancy. This victimization and our passivity to it is one of the silent disgraces of our society. It takes courage and fortitude to examine the record of hate and abuse to pregnant females in the United States and to be instruments that bring God's good grace, healing, and justice.

Sometimes the stories of violence against pregnant females are reported with sensational headlines such as "Pregnant Woman Killed and Baby Cut Out of Her Womb" but even the news reports that do not use such dramatic words reflect a deep brokenness in our culture. They draw our averted eyes back to the reality of abusive activity that is a nightmare for those females who are being terrorized. Consider a simple handful of reports that demonstrate the scope of such cases:

A father who impregnated his daughter demanded she abort in order to hide his incestuous, predatory activity.<sup>1</sup>

A man kicked a pregnant female in the stomach, suffocated her, and mutilated her body because she would not abort their child and a child would interfere with his bachelor lifestyle.<sup>2</sup>

A work supervisor badgered a worker to get an abortion because her preborn baby was biracial.<sup>3</sup>

A female who refused to get an abortion was repeatedly punched in the stomach and kicked with steel-toed boots to induce an abortion.<sup>4</sup>

A female assistant coach was given the choice of aborting her baby or losing her job.<sup>5</sup>

An incestuous stepfather forced his stepchildren to abort to hide his child molestation activities.<sup>6</sup>

A man who did not want to pay child support murdered a pregnant female using a pipe bomb.<sup>7</sup>

A mother held her daughter at gunpoint to make the daughter have an unwanted abortion.<sup>8</sup>

An African-American woman had her mouth gagged and she was restrained by an abortionist after she screamed that she did not want an abortion (lawsuit for ethnic harassment, intimidation and medical malpractice for the abortion was filed June 17, 2009).<sup>9</sup>

A teacher kidnapped and murdered a 14-year old pregnant student to avoid rape charges and child support payments.<sup>10</sup>

## 1. Pressure Results in High Incidence of Post-Traumatic Stress Disorder

We need to take time to examine some facts before making a conscious decision of whether we will avert our eyes again and ignore the plight of the pregnant female who is experiencing coercion, force and violence. We are grateful that some women are blessed and able to escape from coercive and dangerous situation.

Finally, the other silent voice in the face of the violence against a pregnant woman is the preborn child. According to the March of Dimes, battering during pregnancy is the leading cause of birth defects and infant mortality, in fact more birth defects are caused by such violence than all birth defects that are caused by all the diseases for which people are routinely inoculated."<sup>11</sup>

## 2. Coercion and Pressure Ramp-up to Violence and Deadly Force

The pressure and coercion experienced by a pregnant female can escalate to force and even deadly violence if the female refuses to submit to the pressures and coercion of others. A study of pregnancy-associated deaths in Maryland from 1993-1998 revealed that homicide was the leading cause of the pregnancy-associated deaths.<sup>12</sup>

## 3. Roe v Wade Violated: Freedom of Personal Choice Missing

Females who are subjected to coercion and violence are robbed of their personal choice about their pregnancy. The Supreme Court of *Roe v Wade* provided that the pregnant woman not only has a constitutional right to choose an abortion but also a personal right to be free in whatever choice she made to do with her body. That includes the right to be free from pressures, assaults, coercion, and violence as to the choice of whether she will preserve the life of her preborn child.

The pregnant female who wants to have her child is denied her *Roe* constitutional right to personal freedom in the face of pressures, coercion, force or violence. She must either submit to the violence, injury, or death - or submit to an unwanted abortion that also has medical risks and permanent loss of her preborn child.

The freedom of personal choice is truly missing for a victimized, pregnant female.

## 4. Our Call to See and Hear and Act

Pregnant females, as a class, easily become invisible, non-persons. Many people are awkward around pregnant females, unsure of how to relate to them thus contributing to their isolation just when they need assistance and attention to help them with assaults, coercion, force and violence. And, as seen in even the handful of accounts recited above, victimization of pregnant females exists across all economic and societal groups of females, including the young, the sexually molested, those carrying biracial preborn children, those who are racially-ethnically targeted, those married and unmarried, and those who are otherwise voiceless, invisible, and unable to defend themselves.

We have a clear call to see, hear, and be proactive in praying, speaking up, defending, and seeking justice for terrorized pregnant females. Scripture chides us as to our complacency:

“How long will you defend the unjust and show partiality to the wicked? Defend the cause of the weak and fatherless, maintain the rights of the poor and oppressed, rescue the weak and needy, deliver them from the hand of the wicked.” Psalm 82:2

“The Lord looked and was displeased that there was no justice. He saw that there was no one, He was appalled that there was no one to intercede.” Isaiah 59:15b-16

As Christians, let us take up this task of intercession on behalf of victimized pregnant females.

## **Commend and Encourage Congregations to Care for Victimized Pregnant Females**

There are congregations, sessions, and ministers of Word and Sacrament who are proactively providing shelter, medical care, and counseling for pregnant females who have experienced such pressures, force, violence and coercion; these should be commended for their work and other PCUSA congregations encouraged to join in efforts to pray and care for those pregnant females who have already been victimized.

Much prayer and careful study is needed in the effort to stop and eradicate the core evil in our society that generates acts of pressure, coercion, force and violence against vulnerable pregnant females.

### **Call for Identification and Tracking of Incidents**

There is no systematic recordation of the violence or number of murders perpetrated against a woman because she is pregnant. We obtain much of our information from media accounts that provide reports of the disgust, anger, and violence of a perpetrator toward at the victim for being pregnant.

The media account of the Laci Peterson murder (California, 2004) not only brought the problem to the public attention but that the tracking of murders of pregnant females that are perpetrated because of a pregnancy are lacking and/or undercounted. These violent deaths slip through administrative counting processes due to inherent difficulties in tracking and connecting a criminal conviction for murder that may occur years after a recordation of the death of the pregnant female. In addition, it is not essential to elicit testimony at the criminal trial that the perpetrator inflicted deadly violence on the pregnant woman due to the existence of a pregnancy so the connection is lost and an undercounting occurs.<sup>13</sup>

The undercounting, or even non-counting, means that there is limited awareness of the extent of the problem except through localized media coverage that elicits such information. Social injustice will not be addressed when we are not aware of it except for reading fleeting sensationalized media accounts.

### **Need for Legislative Action**

Human institutions are to work out God's justice on earth; human government is charged with the function of restraining evil and preserving life. It is through faithful and obedient Christians that the state becomes aware of the need for justice and how to incorporate true justice in accordance with God's good design into society.

As Christians we are to take up a cross of caring and responsibility that resists evil, cruelty, and brutality. We are to come to the aid of the voiceless, innocent, and weak. We are to take a stand against the distortion of social justice and the demeaning of the *imago Deo* in humanity. We acknowledge His sovereignty over all relationships. Holiness requires a servanthood of engagement with our culture, not just passive observance of what the state deems an acceptable level of restraint of oppression or evil.

In April 2008, the State of Idaho became the first – and only - state in the United States to pass a law that made it a crime to threaten or inflict physical injury on a pregnant female for an abortion (Chapter 388 of the 2008 Statutes of Idaho). For the first time in the United States, the pregnant woman was given a means of justice against her assailant; but this right exists in only one of the fifty states.

Even this initial endeavor by one state to provide justice for the pregnant female is weak in that the penalty under the Idaho statute for conviction of injury to the female is a fine of up to \$1,000 and/or sentence of up to 6 months in jail. The legal penalties that we set reflect our values. It is especially striking that the Idaho penalty for perpetrating force or violence on a pregnant female for an abortion is even less than:

- mutilating a public record (up to \$1,000 fine and / or 5 years in prison; ID statute 18-3202)

- offering a bribe to a municipal officer (\$1,000 fine and 5 years in prison; ID statute 18-1309)

- burning forest land (\$50,000 fine and 10 years in prison; ID statute 18-906).

There is a need to urge all state and federal legislative bodies to enact statutes to provide real justice for the victimized pregnant female. The constitutional rights of *Roe v Wade* are of no value to a pregnant female facing coercion and violence when there has been no federal, and only one state legislature, that has statutorily embodied enforcement provisions and penalties for coercing and victimizing pregnant women for the purpose of causing an unwanted abortion.

Effectuating social justice must include a partnership with the governing bodies that will clearly stand together with the church in seeking justice for the victimized pregnant female.

## END NOTES

1. "Operation Aimed at Sex Offenders, Child Predators Nets Dozens of Arrests in L.A. Area" *San Francisco Chronicle*. Oct. 10, 2003.
2. "Suspect Charge with Killing, Mutilating His Pregnant Girlfriend" *Winston-Salem Journal*. April 6-7 2005.
3. "Jury Awards Woman in Abortion Lawsuit" *Naples Daily News*. Feb. 11 2001.
4. "Man Faces Rare charge of Trying to Hurt Fetus" *The Grand Rapids Press*. Sept. 11, 2003.
5. "Choice Between Child, Paycheck: Lawsuit Claims Coach Told Assistant to have Abortion or Give Up Her Job" *New Washington Post*. Sept. 18, 2002.
6. State of Kansas v Robert Estrada Sr.
7. "Death Penalty Sought in Bombing Conviction" *The Virginian- Pilot*. May 24, 2007.
8. "No Jail For Trying to Force Daughter's Abortion at Gunpoint" *Lifesite Daily News*. Jan. 8, 2001.
9. Caitlin Bruce v Abraham Hodari MD et al. . State of Michigan Circuit Court for the County of Genesee Case # 09-91546 Filed June 17, 2009.
10. "Slain Teen Had Been Pressured" *Wichita Eagle*. June 20, 2006.
11. The Domestic Violence Sourcebook, Dawn Bradley Berry, J.D., pg 9.
12. Isabelle Horon D. PH and Diana Cheng MD. "Enhanced Surveillance for Pregnancy-Associated Mortality- Maryland, 1993-1998." *JAMA* 285 (11) 1455-1459 (2001); see also J. McFarlane et. al., "Abuse During Pregnancy and Femicide: Urgent Implications for Women's Health," *Obstetrics & Gynecology* 100:27-36 (2002).
13. (Laci Peterson media report)  
[www.cnn.com/2007/US/law/12/11/court.archive.peterson8/index.html](http://www.cnn.com/2007/US/law/12/11/court.archive.peterson8/index.html)