

**Oppose Senate File No. SF0096**  
**"Homicide amendments."**

**Description of Bill**

SF0096 creates new crimes of first- and second-degree murder for killing or attempting to kill a pregnant person and effectively establishes fetal personhood by defining a "child in utero" as a member of the species homo sapiens at any stage of development.

**Primary Concerns**

- Existing laws already provide significantly enhanced penalties for crimes against pregnant women. Wyoming Statute 6-2-109 "Sentencing enhancement for the homicide of a pregnant woman causing the involuntary termination of the pregnancy" includes enhanced penalties for defendants convicted of murder in the second degree -- a mandatory minimum of 40 years with a maximum of life imprisonment.
- First-degree murder already carries a sentence of life imprisonment, life imprisonment without parole, or the death penalty. Imposing two life-in-prison sentences or death sentences for the murder of a pregnant person serves no practical purpose other than establishing fetal personhood.
- Under the provisions of SF0096, attempting to kill a pregnant person who survives but subsequently suffers a miscarriage could be a death penalty offense. No other crimes carry first-degree or second-degree murder charges for attempting to kill a human being; the charges apply only if a person is actually killed.
- Certain provisions of this bill would be difficult to enforce because it would be necessary to prove that someone intended to kill the victim and that a miscarriage, perhaps months after an attempted murder, was actually a result of that attempted murder.
- This bill does not require that the victim or the perpetrator know that the woman is pregnant.
- The provisions of this bill could create a foundation for policing pregnancy and outlawing abortion.

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NARAL Pro-Choice Wyoming

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