

No murder charge in unborn baby's death called 'travesty of justice'

By Catholic News Service

DENVER (CNS) — Denver Archbishop Samuel J. Aquila called it “a travesty of justice” that under Colorado law no murder charges could be filed against a woman accused of violently attacking a pregnant woman and using a knife to remove her unborn baby.

The deceased baby, a girl who was at seven months of development, showed no “signs of life outside of the womb,” so there was no live birth and therefore no homicide occurred, according a statement from the Boulder County coroner.

“Many cannot understand how such a situation could be possible in Colorado,” Archbishop Aquila said.

“The answer is just as inadequate as the Colorado law. Colorado law sadly does not recognize the unborn child as a person capable of having a crime, such as homicide, perpetrated against it,” he said in a statement March 27, the same day Boulder County District Attorney Stanley Garnett announced he would not file a murder charge against the alleged attacker, Dynel Lane, in the case of the baby's death.

Lane, 34, was arrested March 18 by Longmont Police after she allegedly attacked Michelle Wilkins, 26, after the pregnant woman came to her home in response to Lane's Craigslist ad offering baby clothes.

Lane has been charged with eight felony counts in the attack, including first-degree unlawful termination of pregnancy for cutting Wilkins' unborn child out of her womb. Wilkins was left for dead, but she survived and continues to recover from her injuries.

According to news reports, Lane had told her family she was pregnant and on the day of the alleged attack she informed her husband she had had a miscarriage and needed to go to the hospital.

Longmont Police Commander Jeff Satur told reporters Lane arrived at a local hospital with Wilkins' baby. Satur said Lane's husband drove her to the emergency room, thinking the child was alive.

“I cannot imagine the horrific loss Michelle and her family are suffering,” said Archbishop Aquila. “My heart is filled with sorrow for them for they looked forward to the birth of their child with joy and anticipation.

“Colorado law tells them it was not murder, no crime was committed against the

child," he continued. "I call on all people of good will to keep Michelle and her family in prayer. I pray that God's comfort will fill the hearts of Michelle and her family as they mourn [their] loss."

He said that St. John Paul II reminded us in the "Gospel of Life" that "there can be no true democracy without a recognition of every person's dignity and without respect for his or her rights. Nor can there be true peace unless life is defended and promoted."

Archbishop Aquila said Colorado law "should reflect this reality and it is up to each one of us to call upon our elected officials to enact laws that recognize the fact that the unborn can in fact be victims of horrendous crimes such as homicide."

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