

TO: To the Voters of South Dakota

FROM: Margaret Dore, Esq., MBA, President¹
Choice is an Illusion, a nonprofit corporation

RE: Reject Initiated Measure Seeking to Legalize Assisted Suicide and Euthanasia (prescription for life-ending drugs)

- Prevent People With Decades to Live From Throwing Away Their Lives
- Prevent Elder Abuse and Financial Exploitation; Don't Make a Bad Situation Worse
- Preserve Government Transparency
- Prevent Suicide Contagion
- Stop Family Trauma

DATE: September 8, 2017

INDEX

I. INTRODUCTION 1

II. DEFINITIONS. 1

III. ASSISTING PERSONS CAN HAVE AN AGENDA.. . . . 1

IV. PUSHBACK AGAINST ASSISTED SUICIDE. 2

A. This Year, South Dakota Passed a Resolution Opposing Assisted Suicide 2

B. This Year, Alabama Passed an Act Banning Assisted Suicide. 2

C. Last Year, the New Mexico Supreme Court Overturned Assisted Suicide in New Mexico 3

V. FEW STATES ALLOW ASSISTED SUICIDE. 3

VI. HOW THE MEASURE WORKS 3

VII.	THE MEASURE APPLIES TO PEOPLE WITH DECADES TO LIVE..	3
	A. If South Dakota Follows Oregon's Interpretation of "Terminal Disease," the Measure Will Apply to Young Adults With Insulin Dependent Diabetes.	4
	B. Predictions of Life Expectancy Can Be Wrong.. . . .	5
	C. Treatment Can Lead to Recovery.	6
VIII.	THE MEASURE APPLIES TO OLDER PEOPLE..	6
	A. Elder Abuse and Financial Exploitation Are Already a Problem in South Dakota	6
	B. Elder Abuse and Financial Exploitation Are Sometimes Fatal	7
	C. Elder Abuse Is Rarely Reported	8
IX.	THE MEASURE CREATES THE PERFECT CRIME..	8
	A. "Even If a Patient Struggled, Who Would Know?".	8
	B. The Death Certificate Will List a Terminal Disease as the Cause of Death, Which Will Prevent Prosecution for Murder.	9
X.	THE MEASURE'S TRANSPARENCY IS NOT ASSURED..	10
	A. If South Dakota Follows Washington State, There Will Be an Official Coverup..	10
	B. If South Dakota Follows Oregon's Interpretation of "Not a Public Record," the Department of Health Will Be Insulated from Review, Even by Law Enforcement	11
	C. If South Dakota Follows Oregon's Data Collection Protocol, Patient Identities Will Not Be Recorded in Any Manner, Source Documentation Will Be Destroyed..	13

XI. THE MEASURE IS STACKED AGAINST THE INDIVIDUAL

- A. Patient Protections Are Illusory 14
- B. Someone Else Is Allowed to Communicate on the Patient’s Behalf. 15
- C. Someone Else is Allowed to Administer the Lethal Dose to the Patient. 16

XII. EUTHANASIA IS ALLOWED

- A. Allowing Someone Else to Administer the Lethal Dose Is Euthanasia as Traditionally Defined.. . . . 17
- B. Euthanasia is Not Prohibited. 18

XIII. OTHER CONSIDERATIONS.. . . . 18

- A. The Swiss Study: Physician-Assisted Suicide Can Be Traumatic for Family Members.. . . . 18
- B. My Clients Suffered Trauma in Oregon and Washington State... 19
- C. In Oregon, Other Suicides Have Increased with Legalization of Physician-Assisted Suicide. 20
- D. Patients Will No Longer Have a Clear Right to Be Told of Alternatives for Cure. 21
- E. The Felony for Undue Influence Is Illusory 22

XIV. CONCLUSION 23

APPENDICES

1. **Margaret Dore, Esq., MBA** is an elder law/appellate lawyer, who has been licensed to practice law in Washington State since 1986. She is a former Law Clerk to the Washington State Supreme Court and the Washington State Court of Appeals. She also worked as a lawyer for the United States Department of Justice. She is President of Choice is an Illusion, a non-profit organization opposed to assisted suicide and euthanasia. For more information, see the CV attached hereto at A-1 through A-4. See also www.margaretdore.com, www.choiceillusion.org and www.choiceillusionsouthdakota.org