

Quick Facts About Bills A. 2383-A & S. 3151-A¹ (Paulin, Savino)

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1. Euthanasia & Assisted Suicide

The bills, A. 2383-A & S. 3151-A, are titled “Medical Aid in Dying.” This is a traditional euphemism for active euthanasia and physician assisted suicide. The bills seek to legalize these practices.

2. Definitions (Traditional)

“Assisted suicide” occurs when a person provides the means or information for another person to commit suicide, for example, by providing a rope or lethal drug. If the assisting person is a physician, a more precise term is “physician-assisted suicide.”

“Euthanasia” is the direct administration of a lethal agent to cause another person’s death. Euthanasia is also known as mercy killing.

3. Oregon and Washington State

The bills are based on similar laws in Oregon and Washington State.

4. Assisting Persons Can Have an Agenda

Persons assisting a euthanasia or suicide can have an agenda. Consider Tammy Sawyer, trustee for Thomas Middleton, in Oregon. Two days after his death by assisted suicide, she signed documents to sell his home. The property sold for \$200,000, which she deposited into accounts for her own benefit.

In other states, reported motives for assisting suicide include: the “thrill” of getting other people to kill themselves; and “wanting to see someone die.”

Doctors too can have an agenda, for example, to hide malpractice or to obtain an inheritance or other financial gain. An example is Harold Shipman, a doctor in the UK, who directly killed his patients (euthanasia) and also stole from them. One patient, he put himself in her will.

¹ For back up documentation, see Margaret Dore’s memo and appendix dated June 1, 2018, available at <https://choiceisanillusion.files.wordpress.com/2018/06/dore-memo-a-2383-a.pdf> & <https://choiceisanillusion.files.wordpress.com/2018/06/dore-memo-a-2383-a-appendix.pdf>

5. Other States Push Back

Last month, a judge overturned California's law allowing assisted suicide and euthanasia as unconstitutional. This year, Utah passed a bill clarifying that assisted suicide is a crime. Last year, Alabama passed a bill banning assisted suicide. Two years ago, the New Mexico Supreme Court overturned assisted suicide: Physician-assisted suicide is no longer legal in New Mexico.

6. The Bills Will Apply to People With Years or Decades to Live

The bills apply to an adult with a terminal illness or condition predicted to have less than six months to live. In Oregon and Washington State, nearly identical criteria are interpreted to mean "without treatment," so that people with chronic conditions, such as diabetes, are terminal and eligible for assisted suicide and euthanasia.² More to the point, a healthy 20 year old with insulin dependent diabetes is "terminal" for the purpose of Oregon's law.

This is significant because statutes adopted from other jurisdictions are presumed to carry the construction given by the other jurisdictions. Here, the proposed bills will be presumed to carry the same construction as Oregon and Washington State. The bills will apply to people with chronic conditions who have years or decades to live.

"Eligible" persons will also have years or decades to live because treatment can lead to recovery. Consider Jeanette Hall of Oregon, who, in 2000, had terminal cancer and made a settled decision to use Oregon's law. Her doctor convinced her to be treated instead. Today, eighteen years later, she is cancer free and thrilled to be alive.

7. The Bills Will Create a Perfect Crime

The bills allow a patient's heir, who will financially benefit from the patient's death, to actively participate in signing the patient up for the lethal dose. After that, no doctor, not even a witness, is required to be present at the death. If the patient objected or even struggled, who would know?

The bills say that actions taken in accordance with the bills shall not be construed for any purpose to constitute assisted suicide or euthanasia, and that in the case of self-administration, the cause of death on the death certificate will be the underlying terminal illness or condition.

In Washington State, death certificate instructions interpreting similar language require the death certificate to list a natural death as long as Washington's statute was "used" (not complied with). This is significant given that the proposed bills will be presumed to carry the Washington State construction. A further significance is that the death will be "natural" (not homicide) as a matter of law so that the bills will allow legal murder. The bills will create a perfect crime.

²⁴ The Oregon and Washington laws are sold as limited to assisted suicide, but in the fine print also allow euthanasia.