

**Vote “No” on Committee Bill 5898  
Say “No” to Assisted Suicide and Euthanasia  
An Act Concerning Aid in Dying**

**Hearing on Monday, March 18, 2019**

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**UPDATED**

**1. The Act**

The Act legalizes “aid in dying,” a traditional euphemism for active euthanasia and physician-assisted suicide.<sup>1</sup>

**2. Who May Be Most at Risk?**

Individuals with money, meaning the middle class and above.

**3. Assisting Persons Can Have an Agenda**

Persons assisting a suicide or performing a euthanasia can have an agenda to benefit themselves. Consider Tammy Sawyer, trustee for Thomas Middleton in Oregon, which has a similar law. Two days after his death by legal assisted suicide, she sold his home and deposited the proceeds into bank accounts for her own benefit.<sup>2</sup> Consider also Graham Morant, recently convicted of counseling his wife to kill herself in Australia, to get the life insurance. The Court found:

[Y]ou counseled and aided your wife to kill herself because you wanted ... the 1.4 million.<sup>3</sup>

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<sup>1</sup> Craig A. Brandt, “Model Aid-in-Dying Act,” Iowa Law Review, 1989 Oct; 75(1): 125-215, (“Subject: Active Euthanasia ....”), at <https://repository.library.georgetown.edu/handle/10822/738671>. See also Maria T. CeloCruz, “Aid-in-Dying: Should We Decriminalize Physician-Assisted Suicide and Physician-Committed Euthanasia?,” American Journal of Law and Medicine 1992 (“Subject: Active Euthanasia ....”) at <https://repository.library.georgetown.edu/handle/10822/744116>

<sup>2</sup> KTVZ.com, “Sawyer Arraigned on State Fraud Charges,” at <https://choiceisanillusion.files.wordpress.com/2016/10/sawyer-arraigned-a-63.pdf>

<sup>3</sup> *R v Morant* , 11/02/18, p. 11, ¶ 78, at <https://archive.sclqld.org.au/qjudgment/2018/QSC18-251.pdf>,

Medical professionals too can have an agenda. Michael Swango, MD, now incarcerated, got a thrill from killing his patients.<sup>4</sup> Consider also Harold Shipman, a doctor in the UK, who not only killed his patients, but stole from them and in one case made himself a beneficiary of the patient's will.<sup>5</sup>

#### 4. “Even If the Patient Struggled, Who Would Know?”

The Act has no required oversight over administration of the lethal dose, not even a witness is required to be present at the death. The drugs used are water or alcohol soluble, such that they can be injected into a sleeping or restrained person without consent.<sup>6</sup> Alex Schadenberg, Executive Director for the Euthanasia Prevention Coalition, puts it this way:

With assisted suicide laws in Washington and Oregon [and with the proposed Act], perpetrators can . . . take a “legal” route, by getting an elder to sign a lethal dose request. Once the prescription is filled, there is no supervision over administration. Even if a patient struggled, “who would know?” (Emphasis added).<sup>7</sup>

#### 5. The Death Certificate Will List a “Terminal Illness” as the Cause of Death, Which Will Create a Perfect Crime

The bill, Section 9(b), lines 273 to 274, states:

The person signing the qualified patient's death certificate shall list the underlying terminal illness as the cause of death. (Emphasis added).

With this language, the patient's death certificate will report death due to a terminal illness as a matter of law. This will create a legal inability to prosecute criminal behavior, for example, in

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<sup>4</sup> Charlie Leduff, “Prosecutors Say Doctor Killed to Feel a Thrill,” *The New York Times*, 09/07/2000, <https://www.nytimes.com/2000/09/07/nyregion/prosecutors-say-doctor-killed-to-feel-a-thrill.html> See also: CBSNEWS.COM STAFF, “Life in Jail for Poison Doctor, 07/12/00, [www.cbsnews.com/news/life-in-jail-for-poison-doctor](http://www.cbsnews.com/news/life-in-jail-for-poison-doctor)

<sup>5</sup> David Batty, “Q & A: Harold Shipman,” *The Guardian*, 08/25/05, at <https://www.theguardian.com/society/2005/aug/25/health.shipman>. See also Fiona Guy, “Healthcare Serial Killers: Doctors and Nurses Who Kill,” *Crime Traveller*, (2015, Sept 09), excerpts in the Appendix, pages 20 to 23, available at <https://www.crimetraveller.org/2018/06/healthcare-medical-serial-killers>.

<sup>6</sup> In Oregon, the drugs used include Secobarbital, and Pentobarbital (Nembutal) , which are water and alcohol soluble. See <http://www.drugs.com/pr/seconal-sodium.html> and <http://www.drugs.com/pro/nembutal.html>.

<sup>7</sup> *The Advocate*, Idaho State Bar, Letters to the Editor

the case of an outright murder for the money. The Act will create a perfect crime.

## **6. Dr. Shipman and the Call for Death Certificate Reform**

According to a 2005 article in the UK's *Guardian* newspaper, there was a public inquiry regarding Dr. Shipman's conduct, which determined that he had "killed at least 250 of his patients over 23 years."<sup>8</sup> The inquiry also found:

that by issuing death certificates stating natural causes, the serial killer [Shipman] was able to evade investigation by coroners.<sup>9</sup>

According to a subsequent article in 2015, proposed reforms included having a medical examiner review death certificates, so as to improve patient safety.<sup>10</sup> Instead, the instant bill moves in the opposite direction to require legal coverup as a matter of law. Doctors and other perpetrators, such as family members, will be legally empowered to evade investigation.

## **7. Euthanasia Is Allowed**

The Act defines "aid in dying" as a "medical practice" in which a physician prescribes "medication," which the patient may self-administer. (Bill, Section 1.(2), at lines 4-7)

Generally accepted medical practice allows a doctor, or a person acting under the direction of a doctor, to administer medication. With the lethal dose defined as "medication," other people are allowed to administer the lethal dose to the patient, which is euthanasia.

## **8. "Eligible" Persons May Have Decades to Live**

The Act applies to persons with a terminal illness, which is expected to produce a patient's death "within six months."<sup>11</sup> Oregon's law has a similar criteria, which is interpreted to include chronic conditions such as diabetes mellitus, better known as diabetes. This is because the six months to live is determined without treatment. With treatment (insulin), such persons can have years or decades to live.

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<sup>8</sup> David Batty, *supra*,

<sup>9</sup> *Id.*, "What are its findings?"

<sup>10</sup> Press Association, "Death certificate reform delays 'incomprehensible,'" *The Guardian*, January 21, 2015

<sup>11</sup> See the bill, section 1.(19), lines 76 to 79.