



the dignity report

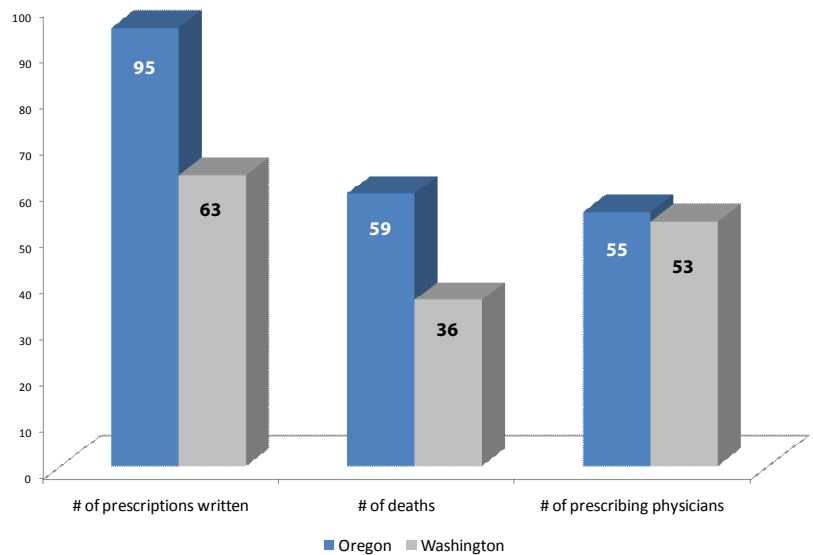
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A Careful Reading of State Reports Indicates Oregon and Washington Laws are Safe and Rarely Used

One year ago, the Washington Death with Dignity Act went into effect. Since then, the Washington Department of Health (DOH) has collected and compiled data on the use of the law. The agency released its first report on March 4, 2010. According to DOH, 36 terminally ill patients used the law to hasten their death, 63 people received prescriptions, and 53 physicians participated in 2009.

Similarly, the state of Oregon issued its 2009 Report on March 4th. Data from the report is included in the graph to the right. The data indicate that the Death with Dignity policy in both states is safe, effective, and rarely used. To see both states' reports, please visit www.deathwithdignity.org/resources. ■

2009 Oregon and Washington* Death with Dignity Act Usage
Number of Prescriptions Written, Deaths, and Prescribing Physicians



*Note: Washington's figures represent 10 months of data because the law did not go into effect until March 5, 2009.

DDNC Cohosts Educational Workshops

The Death with Dignity National Center is hosting educational workshops outside the Portland, Oregon metropolitan area in partnership with Compassion & Choices of Oregon to update physicians and residents on the use of the law in Oregon, the value of the law to terminally ill patients, and to help make the law more accessible to people in these areas.

On **April 14th**, we will be hosting a workshop in **Corvallis, OR**, in the **Walnut Community Room at Fire Station #5**, located at 4950 NW Fair Oaks Drive, just off 53rd Street, near Martin Luther King Jr. Park. To register, or if you have questions, please contact us at 503.228.4415 or at info@deathwithdignity.org.

If you live in the area, we hope that you will join us. ■

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Death with Dignity National Center

Respect the will of the people.

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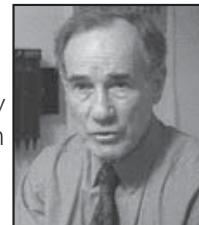
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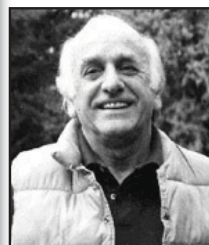
Two Long-time Death with Dignity Leaders Honored

Dr. Peter Goodwin was honored by the ACLU of Oregon in March and Derek Humphry celebrates his 80th birthday in May. Both Dr. Goodwin and Derek Humphry have been leaders in the Right to Die movement for many years.



Dr. Peter Goodwin

Dr. Peter Goodwin was honored by the ACLU of Oregon at the 2010 ACLU Foundation of Oregon's Liberty Dinner for his contribution toward protecting civil rights and civil



Derek Humphry

liberties in Oregon. Goodwin worked tirelessly in the 1990's to pass the Oregon Death with Dignity Act and helped lead its implementation.

Humphry is the founding member of the Hemlock Society. He is most well known for his book *Final Exit* which was published in 1991 and has sold over one million copies to-date.

To honor their achievements and dedication, please consider making a donation in their name. ■

Media Attention on DWD Signals Cultural Shift

One measure of success for the Death with Dignity movement is the relative frequency with which the issue is depicted in movies and television. This shift indicates that the issue is important or relevant to the entire population.

Currently, three movies about the Death with Dignity movement have surfaced. A documentary about the 2008 Washington Death with Dignity campaign entitled *The Last Campaign of Governor Booth Gardner* was nominated for an Oscar in the Documentary Short category. The movie follows the campaign struggles of Booth Gardner and the *Yes on I-1000* campaign staff as they mounted a successful initiative campaign.



HBO Films is set to release *You Don't Know Jack* in April, 2010, a film chronicling the life of Jack Kevorkian. *You Don't Know Jack* tells the Kevorkian story, from building his infamous "death machine" to the sensational court trials. Kevorkian will be played by Academy Award winning

actor, Al Pacino. The movie also stars Academy Award winning actress Susan Sarandon, and is directed by Barry Levinson, an Academy Award winning director. The trailer is available at <http://tinyurl.com/hbojack>.

The popular PBS series, *Frontline*, aired a story on March 2, 2010, about a man living in England with Lou Gehrig's disease (also known as ALS) who travelled to Switzerland for assisted death through the organization Dignitas. Switzerland is the only governmental jurisdiction in the world to allow non-citizens to participate under state-sanctioned rules allowing physician-hastened death. The *Frontline* piece, entitled *The Suicide Tourist*, tells the story of Craig Ewert's life and death, including a discussion of family, morality, and disease. We interviewed Craig's wife, Mary, and she reiterated Craig's observation at the beginning of the film: "If somebody wants to take their own life, obviously they feel a reason for that, at that point in time. You may not think it is a good reason. I may not think it is a good reason. But you know what? It is that person's life." *The Suicide Tourist* is available in its entirety at <http://tinyurl.com/suicidetourist>.



As our population ages and as medical technology advances, more individuals and their family members will experience the tragedies associated with prolonged dying experiences. Laws and policies are changing around the world to address this social problem, and as laws change, culture changes. Similarly, as culture changes, so will laws. ■



Death with Dignity Around the U.S.

An insider's look at death with dignity legislation and efforts across the nation.

It's that time of year! State legislatures are in session and Death with Dignity legislation is introduced consistently each spring in states around the country, in part because legislators have the Oregon law to use as guide. While many bills are drafted each year, the majority fail. Some consider it a failure that most bills do not end up becoming law, but we view these bills as a testament to the Death with Dignity movement, the will of the public, and the strength of Oregon's model legislation.

Legislation

Hawaii

DWD Legislation. House Bill 806 sponsored by Oshiro, Belatti, Karamatsu, Marumoto, Say, Thielen, and Bertram. Re-referred to House Judiciary Committee on 2/10/2009. Carried over to 2010 Regular Session and remains in House Judiciary Committee. No action likely.

Massachusetts

DWD Legislation. House Bill 1468 sponsored by Louis L. Kafka and William C. Galvin on behalf of constituent, Al Lipkind of Stoughton, MA. In Joint Committee on the Judiciary. Committee hearing held on February 23, 2010.

Montana

Assisted Suicide Ban. Draft # LC0041, requests for the Montana legislature to draft a ban for the 2011 session. Draft submitted 01/07/10.

New Hampshire

DWD Legislation. House Bill 304 sponsored by Weed, Richardson, Watrous, and Mitchell. Rejected by the New Hampshire House Judiciary Committee on 01/13/10.

Pennsylvania

DWD legislation. Senate Bill 404 sponsored by Leach, Boscola, and Washington. Referred to Judiciary Committee on 3/5/2009. No action likely.

Vermont

DWD legislation. House Bill 455 sponsored by Zuckerman and 55 others. Referred to Human Services Committee on 4/24/2009. No action likely.

Court Cases

Connecticut

DWD court case. *Blick v. Connecticut*, filed on October 6, 2009. Two Connecticut physicians are asking the courts to specify their position on death with dignity. The court heard oral arguments on the Motion to Dismiss on March 8, 2010.

Montana

DWD Court Case. *Baxter, et al v. Montana*. A Montana Supreme Court case ruled on 12/31/09 that nothing in the state constitution prevents physicians from prescribing life-ending medication to terminally-ill mentally competent adults. ■

Our New Mission Reflects Our Expanding Role

To reflect the fact that Oregon is no longer alone in implementing such an important law, the Death with Dignity National Center board of directors voted to update our mission.

The mission of the Death with Dignity National Center (DDNC) is to provide information, education, research and support for the preservation, implementation and promotion of Death with Dignity laws which allow a terminally ill, mentally competent adult the right to request and receive a prescription to hasten death under certain specific safeguards. We promote Death with Dignity laws based on our model legislation, the Oregon Death with Dignity Act, as a stimulus to nationwide improvements in end-of-life care and as an option for dying individuals. We accomplish our mission by working to defend and promote Death with Dignity laws in court and in the court of public opinion through our nonprofit Death with Dignity National Center [501(c)(3)], and by working directly with public policymakers through our affiliated Political Action Fund [501(c)(4)]. ■





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Twists, Turns, & Inaction in the Saga of the Final Exit Network

At the Death with Dignity National Center, we have been intrigued by the on-going saga of state authorities in Georgia and Arizona versus Final Exit Network members who were arrested over a year ago. The splashy arrests and media coverage depicting a swarm of federal agents arresting an 81 year old doctor in Baltimore and threats of RICO (Racketeer Influenced and Corrupt Organizations) charges traditionally reserved for gangsters and drug smugglers have made for compelling drama. But, the true story is the inaction of authorities.

It has been over a year since the Georgia Bureau of Investigation arrested four members of the Final Exit Network and conducted raids around the country on the organization's office and homes of key members of the Network. The arrests came after an eight month covert investigation into the practices of the organization, and the four were arrested on allegations of assisting in the suicide of John Celmer. Arrested were the then President of the Network, Thomas "Ted" Goodwin, and Claire Blehr, who allegedly were present at the death of Celmer. Also arrested were the group's medical director and another member, Dr. Lawrence Egbert and Nicholas Alan Sheridan. The four were indicted by a grand jury March, 2010, a full year after their arrests.

Georgia authorities froze the financial resources of the organization in February, 2009, after the arrests and threatened action under the Georgia RICO Act. Georgia authorities released the financial resources last year after a judge ruled that there was no legal basis for the state of Georgia to continue to hold the funds.

A similar case in Arizona has seen more activity by authorities. In Arizona, four Network members are accused of assisting in the suicide of Jana Van Voorhis in 2007. In January of this year, one of the accused, a volunteer named Wye Hale-Rowe, agreed to testify against the three other defendants in a plea agreement. No further actions have been taken against the other three since Hale-Rowe's plea agreement.

Both cases revolve around state bans on "assisting suicide," and Final Exit Network contends that its members did not break state law in either case. Arizona law forbids "intentional aiding" in another's suicide, but the concepts behind "aiding" are not clearly defined. There has not been a prosecution under this statute in Arizona. Georgia's law is more specific, defining intentionally and actively assisting as "direct and physical involvement, intention or participation in the act of suicide," but this law, too, is untested.

Final Exit Network launched a "Liberty Fund" campaign to raise funds to defend its members and successfully argued in Georgia Court that its financial resources should be freed from the seizure. The organization will continue to defend its members in Georgia and Arizona in these closely watched cases. *Newsweek.com* recently covered this issue in more detail than space allows here. Read more at <http://www.newsweek.com/id/234975>. ■