

# CALIFORNIA RIGHT TO LIFE EDUCATION FUND

P.O. Box 4343, Walnut Creek, CA 94596-4343  
(925) 944-5351

E-Mail: [callife@calright2life.org](mailto:callife@calright2life.org)

Web Site: [www.calright2life.org](http://www.calright2life.org)

Established 1981

July 2015

## Assisted suicide: Bad Medicine for California

By Marilyn Golden

If assisted suicide is legal, some people's lives will be ended without their consent, through mistakes and abuse, argues a US disability rights expert in testimony to the California Senate Health Committee considering an assisted suicide bill. "No safeguards have ever been enacted or even proposed that can prevent this outcome, which can never be undone," says Marilyn Golden.

Why? For one thing, it's a "deadly mix" to combine our broken health-care system and assisted suicide, which would instantly become the cheapest treatment. Direct coercion is not even necessary. If insurers deny, or even merely delay, expensive, life-sustaining treatment, patients are steered toward hastening their deaths. Do we think insurers will do the right thing, or the cheap thing?

This applies to private and public insurers alike. Barbara Wagner and Randy Stroup, Oregonians with cancer, were both informed by the Oregon Health Plan that the Plan wouldn't pay for a prescribed chemotherapy, but would pay for their assisted suicide. Though called a free choice, for these patients, it would have been a phony form of freedom.

And remember that Oregon is largely white. California's diverse communities – particularly those of Latinos and African Americans - unfortunately face much larger disparities in health care than those found in Oregon. This results in an even more deadly mix.

### Danger of abuse

Elder abuse is a rising problem, and abuse of people with disabilities as well. This policy is a recipe for abuse. Where assisted suicide is legal, an heir (someone who stands to inherit from the ill person) or abusive caregiver can steer someone towards it, witness the request, pick up the lethal dose, and even give the drug -- no objective witnesses are required at the death, so who would know?

This Committee's analysis acknowledges there have been documented abuses. When proponents claim that there have been no abuses in Oregon, let us remember

Kate Cheney. Let us remember Michael Freeland, with a history of depression and suicide attempts, who was prescribed lethal drugs. Let us remember Wendy Melcher. And Linda Fleming and Thomas Middleton, whose cases showed economic pressures and financial abuse. These are just some of the cases we know about; what about those that have gone unreported? More on those individuals in a moment.

*If assisted suicide is legal, some people's lives will be ended without their consent, through mistakes and abuse ... "No safeguards have ever been enacted or even proposed that can prevent this outcome, which can never be undone," says Marilyn Golden.*

### There is a legal solution today for end-of-life pain

Importantly, anyone dying in discomfort that is not otherwise relievable, may legally now, receive palliative sedation, wherein the patient is sedated to the point where the discomfort is relieved while the dying process takes place. So we already have a legal solution to any uncomfortable deaths that does not endanger others the way an assisted suicide law does.

### The supposed "safeguards" in this bill are utterly hollow

"6 months to live" is intended to keep everyone else safe. But in fact, misdiagnosis and incorrect prognosis of terminal illness, common in medicine, has deadly consequences if assisted suicide is legal.

Jeanette Hall, diagnosed with cancer and given six months to a year to live, sought to die under Oregon's law. Her doctor persuaded her to fight the disease, and she is alive and well nearly 15 years later, and grateful to be.

John Norton was diagnosed with ALS at age 18 and given 3-5 years to live. Six years later, the progression of his disease suddenly stopped and he is alive at age 77, with a wife, children, and retired from a successful career. He stated that if assisted suicide had been legal at the time, he would have used it, but is so grateful to be alive.

**Doctor-shopping gets around any of the hollow safeguards in this bill.** That's when, if you ask for lethal drugs and your doctor says no, you don't qualify, you or your family shops for another doctor who will say "yes." That's what happened to Kate Cheney, age 85. Although a psychiatrist concluded that she had dementia and was being pressured by her daughter, she died after taking the suicide prescription.

Did you know that the overwhelming majority of reported Oregon deaths under its law were facilitated in some way by Compassion & Choices, formerly Compassion in Dying, and earlier, known as the Hemlock Society? They can refer you to a doctor if yours says no.

And, family pressures, whether financial or emotional, which distort patient choice, can also get around any safeguard. Let's look at just one aspect of this, economic factors. Two stories:

**1. Economic pressure:** Linda Fleming. The first to use the Washington State law, was divorced, had had financial problems, had been unable to work due to a disability, and was forced to declare bankruptcy. Yet the Director of Compassion & Choices of Washington said that her situation presented "none of the red flags" that might have given his group pause in supporting her request for death. Yet we are told by proponents that financial pressures have never played a role.

**2. Financial abuse:** Thomas Middleton was diagnosed with Lou Gehrig's disease, moved into the home of Tami Sawyer in July 2008, and died by assisted suicide later that very month. Thomas Middleton had named Tami Sawyer his estate trustee and put his home in her trust. Two days after he died, Tami Sawyer listed the property for sale and deposited \$90,000 into her own

account. It took a federal investigation into real estate fraud to expose this abuse. Tami Sawyer was indicted for first-degree criminal mistreatment and first-degree aggravated theft, partly over criminal mistreatment of Thomas Middleton. But the Oregon state agency responsible for the assisted suicide law never even noticed.

**Good faith:** While it creates two new felonies, the bill would also protect anyone who acts in, quote, "good faith." It is virtually impossible to disprove an allegation of one's own good faith, making all other safeguards effectively unenforceable.

Oregon model is characterized by the lack of oversight or monitoring, and by secrecy, not transparency

The minimal published statistical data, derived from asking prescribing doctors a few questions, looks fine on the surface. But this data does not reflect what's actually happening. It's not what the data *shows* – it's what the data *fails to show*. There is no investigation for abuse. The data shows no abuses because the system is set up not to find them. The State of Oregon readily admits they have no funding nor authority to investigate anything. SB 128 is the same.

One example of the lack of transparency: under SB 128, doctors are required to falsify death certificates, stating as the cause of death the underlying illness rather than the lethal prescription—even if the person takes the lethal drugs during a week or month when they have no symptoms of their disease! This hides the ball, making accurate data impossible to collect.

### **Suicide contagion**

While proponents deny evidence of suicide contagion, Oregon's suicide rate, since it legalized AS, has climbed much faster than the national average. According to the Centers for Disease Control, the increase was 49 percent for Oregon versus 28 percent nationally. [for people age 35-64 from 1999 through 2010]

Let us remember that for LGBT teenagers and bullied disabled young people, assisted suicide sends the dangerous message that "my death" is "my choice."

### **Momentum**

Bills nearly identical to this one have been rejected over 140 times in 25 U.S. states. In the last year, bills were defeated in 7 states including Colorado,

Massachusetts, and Connecticut. Already in 2015, since Brittany Maynard's case was publicized, it was defeated in 4 states.

[Full list, 2014 and so far in 2015: Massachusetts, New Hampshire, and Connecticut in late 2014; Colorado, Montana, Wyoming, and Utah so far in 2015.]

When lawmakers see the fine print, the dangers and problems, these bills are rejected.

### Conclusion

Assisted suicide is bad medicine for California. Please oppose this risky, reckless bill.

*Marilyn Golden is a Senior Policy Analyst with the Disability Rights Education & Defense Fund, a leading US law and policy center on disability civil rights. The above article is testimony submitted to the California State Senate Health Committee in March on the assisted suicide bill SB 128. A supplementary analysis of the effects on uninsured and underinsured Californians is here.*

- See more at:

<http://www.mercatornet.com/careful/view/assisted-suicide-bad-medicine-for-california/16249#sthash.s2ZetH1q.dpuf>

## People Who Changed Their Minds About Abortion and Changed History

I'm sure we can all list several folks who were formerly pro-abortion and changed their minds and changed history, from Norma McCorvey (Jane Roe of Roe v Wade) Dr. Bernard Nathanson MD (co-founder of NARAL and former abortionist) and Abby Johnson and Ramona Trevino (former Planned Parenthood managers.)

Here are a few less frequently listed converts to the pro-life position:

**Donald Trump, entrepreneur** - In 2000, Donald Trump wrote in his book, The America We Deserve: "I support a woman's right to choose, but I am uncomfortable with the procedures." In 2011, however, in an interview with David Brody of CBN News, he shared how he became pro-life view as a result of hearing stories, particularly one of a married couple who were friends of his. The father did not want the child, but Trump notes that he regards his child as "the greatest thing that ever happened to him."

**Kathy Ireland, supermodel** - As a supermodel who has been on countless magazine covers worldwide, Kathy Ireland used to describe herself as a pro-choice Christian. However she learned of the scientific argument for life after reading her husband's medical textbooks. Ireland notes that Planned Parenthood's argument against life was hardly a convincing one, and helped shape her decision on abortion. We so often hear of politicians who "for political reasons" switch from the pro-life to the pro-abortion camp. Here are a couple of men who, realizing the truth, joined us in protecting life:

**Rick Santorum** Former senator and presidential candidate Rick Santorum is certainly known for being committed to the pro-life cause. Santorum notes that he had been "pro-choice all my life until I ran for Congress..." Santorum credits scientific literature to his change of stance, but also admits that he had not thought about abortion until then. Such a conversion story is a prime example of how many change their view on abortion when they really consider the issue and realize the humanity of the preborn. *Anyone want to join us at an "information Table for Life"? You just might change the views of a future presidential candidate!*

**Ronald Reagan, president** - Ronald Reagan is arguably one of the most well-known pro-life politicians. Before he was governor of California,

Reagan did extensive research on the issue, and sought to limit abortion to limited cases when the Therapeutic Abortion Act to legalize abortion reached his desk in June 1967 (48 years ago).

Unfortunately, as with other decisions legalizing abortion, the numbers of increased abortions

surprised even sponsors of the bill. Reagan then dedicated himself fully to the pro-life position. Reagan had a legacy for many things as president, and his commitment to the right to life certainly is at the top.

All these individuals are influential in their own way - some more than others, but all of us have a sphere of influence. Let us together eagerly look forward to the day when we have more people from all walks of life join our ranks to defend life.

*"I've noticed that everybody that is for abortion has already been born."*

- *President Ronald Reagan*

## *Calendar of Events*

*For the latest updates of events see  
[www.calendarforlife.org](http://www.calendarforlife.org)*

### **Male and Female He Created Them August 21-22, 2015**

#### **St. Mary's Cathedral, San Francisco**

Two day forum of presentations and discussions of masculine and feminine spirituality and sexuality; empowering sexual integrity for individuals and couples, while building healthy, happy, holy marriages. For more information see [canfp.org](http://canfp.org) Or e-mail [info@canfp.org](mailto:info@canfp.org) or call 1-877-33-CANFP

**Do you know someone who might be  
considering abortion?**

**Make sure they get the facts first!**

**A LIFE depends on it...**

**1-800-712-HELP (4357)**

**Website: <http://www.optionline.org/>**

### **WHO IS CALIFORNIA RIGHT TO LIFE?**

This is the newsletter of **California Right to Life Education Fund**, a 501-c-3 organization established to educate the public about pro-life issues. Donations to the EDUCATION FUND are **tax-deductible** and can be sent to P.O. Box 4343, Walnut Creek, CA 94596-0343.

California Right to Life **Committee, Inc.** is a 501-c-4 organization providing information on legislative issues affecting the right to life, and pro-life political advocacy. **CRLC, Inc. is not permitted**, under IRS regulations, to offer a tax deduction for donations. \$24.99 annually is requested for a subscription to the CRLC legislative email updates list and can be sent to 1920 Monument Blvd #309, Concord, CA 94520.

Both are affiliates of American Life League, headed by Judie Brown, and share the same "no-exceptions, no excuses" beliefs and the same dedication to promoting the Culture of Life, respecting all innocent human life from the single-cell stage to natural death.

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