

FIGHTING ASSISTED SUICIDE IN YOUR STATE

Two thousand seventeen will be an active year for those who protect people from assisted suicide. The assisted suicide lobby has identified at least 18 states where they plan to introduce bills or launch a court case to legalize assisted suicide in America.

The states include: Arizona, Hawaii, Iowa, Kansas, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Rhode Island, Tennessee, and Utah. There will also be a federal debate as to whether the District of Columbia assisted suicide law will be overturned.

EPC-USA is having an assisted suicide training session to provide you with the tools to fight assisted suicide in your state. The session will run 6 to 9 p.m., followed by a screening of *The Euthanasia Deception* documentary.

We have limited seating. To book your seat at this event email: info@epcc.ca or visit www.EuthanasiaUSA.org.

Thursday January 26, 2017

6:00 p.m. - 9:00 p.m. Training Session
9:00 p.m. - 10:00 p.m. *The Euthanasia Deception* screening
(discussion to follow)

Renaissance Downtown DC Hotel
999 Ninth Street NW Washington, DC
Mount Vernon (A) Room

Speakers:
Nancy Elliott, President, EPC-USA
Catherine Glenn Foster, Executive Director, EPC-USA
Alex Schadenberg, EPC International Chair
Kevin Dunn, Producer of *The Euthanasia Deception*



MORE THAN 744 CANADIAN EUTHANASIA DEATHS SINCE DECRIMINALIZATION

CTV News reported that more than 744 people have died by euthanasia in Canada since it was decriminalized in June.

According to the news report by [Graham Slaughter](#), in six months (mid-December) there were:

154 in B.C., 63 in Alberta (19 occurring in the past month), 8 in Saskatchewan, 18 in Manitoba, 180 in Ontario, 16 in Nova Scotia as of October 31, 4 in Newfoundland and Labrador, and none in P.E.I. or the Northwest Territories. New Brunswick, the Yukon and Iqaluit did not release data—however, in the Yukon, local media reported on one case. [In Québec, where the procedures began in December of 2015, there were an estimated 300 assisted deaths in 2016.](#)

The *CTV News* report indicates that the data is incomplete. The report interviewed Dr. Ellen Wiebe, who has lethally injected 40 people since June. Wiebe stated that the number of euthanasia deaths will continue to increase:

I know that it will increase. I expect that we'll get to the point of the [Netherlands](#) and [Belgium](#) because their laws are similar to ours, and that would mean about 5 per cent of all deaths.



Ethicist and University of Toronto law professor, Trudo Lemmens, [told CTV News](#) that the provinces should be releasing more data to protect patients from possible abuse.

There is a concern that people who are vulnerable or who find themselves in a situation of vulnerability may be pressured consciously or unconsciously to opt for medical assistance in dying either because of financial circumstances or because the medical help that they need is not necessarily available,...

The system of collecting data is not designed to uncover abuse of the law. The data reports the medical condition, the age, the gender, etc. and the reports are submitted by the medical practitioner who carries out the euthanasia death.

The only way to uncover abuse of the law is by receiving information from family members and friends of the deceased. Several stories have already been uncovered.

QUÉBEC EUTHANASIA REPORT: 14% NON-COMPLIANCE RATE

By Amy Hasbrouck, President, Euthanasia Prevention Coalition

December marks the first anniversary of Québec's euthanasia program, and serious questions about compliance with the law are already emerging.

Thus far, the Commission on end-of-life care has provided two reports, one at the six-month mark, and one at the nine-month mark.

The Québec euthanasia commission report that was filed on August 31 stated that 262 euthanasia deaths were reported by doctors in Québec, and 263 continuous palliative sedations were reported by institutions as of June 30.

The number of completed euthanasias were [more than three times higher than the original estimate given by Québec's Health Minister Gaetan Barrette](#), who believed there would be about 100 euthanasia deaths in the first year.

The reports from the Commission consist of information from institutions (for the first six months), as well as the forms filled out by doctors each time they perform euthanasia (over nine months). At the six month mark, the institutional data showed 167 euthanasia deaths as of June 9. However, as of June 30 only 161 doctors' forms had been filed. This discrepancy leads us to question whether doctors are reporting every instance of euthanasia.

As of August 31, the Commission was already behind in reviewing and ruling on doctors' reports of euthanasia. According to the nine-month totals, only 198 of the 262 euthanasia records had been examined. Of those, only 148 had been evaluated for compliance with the law.

Of the 21 cases in which the Commission found a failure to comply with the law, 18 failed because the second doctor was not independent of the first physician. Health Minister Barrette stated in media interviews that he is considering making some adjustments to simplify the paperwork and ease the obligation of seeking a second opinion from an objective and independent doctor.

Of the remaining three cases, the Commission found that two of the people were not at the "end of life" as defined by the law. In the other instance, the Commission ruled the person did not have a "serious and incurable illness."

The 21 cases that did not conform to the law represent 14.2% of 148, while the three found with eligibility violations represent a 2% error rate.

The report includes no information about the underlying cause of the request, the nature of the "intolerable suffering" or any demographic information about the people making the request, or the doctors granting them.

This report raises many questions.

First, is the Commission equipped to examine and rule on the number of euthanasia cases it will face if it already had a backlog before the end of the first year?

Second, how do we know that doctors are actually reporting all euthanasia deaths? This is a chronic and serious problem in Belgium; who is to say it won't become a problem in Canada?

Third, if the government's response to the 14% error rate is to remove the requirement that the second doctor be independent, how will it respond to the 2% of cases where errors of eligibility occurred? What penalties will those doctors face who do not comply with the eligibility requirements? Who will enforce the law?

Fourth, the information furnished in the report is not comprehensive enough to enable the reader to know if those who received euthanasia were eligible, and if all safeguards were followed. Without detailed information, researchers will not be able to study the demographics and reasons people request euthanasia, to understand the public policy impact of this law.

OHIO GOVERNOR SIGNS BILL MAKING ASSISTED SUICIDE A FELONY

Governor Kasich signed Bill HB 470 making Ohio the fifth state in the past few years to strengthen protections in law from assisted suicide, a bill that makes assisted suicide a felony.

EPC-USA was very pleased with the outcome of the bill, even though our advisory role was small.

The Ohio Senate passed HB 470 on December 8. HB 470 passed in the Ohio House last May.

The [Cleveland.com report](#) before the vote, stated:

House Bill 470...would make knowingly assisting in a suicide a third-degree felony in Ohio, punishable by up to five years in prison.

Currently, [Ohio law](#) only permits a court to issue an injunction against anyone helping other people to kill themselves.

State Senator Bill Seitz, from Cincinnati, who authored HB 470, said the legislation mirrors Michigan's 1998 ban on assisted suicide, which was passed in response to Dr. Jack Kevorkian's campaign.

In the past few years, [Georgia](#), [Idaho](#), [Louisiana](#), and [Arizona](#) have passed bills to strengthen protection from assisted suicide.

EUROPEAN COURT OF HUMAN RIGHTS JUDGE: "THERE IS NO RIGHT TO ASSISTED SUICIDE"

The [Times of Malta](#) published a New Year's interview by Matthew Xuereb, with Chief Justice emerita Vincent De Gaetano, of the European Court of Human Rights in Malta.

Xuereb asked Justice De Gaetano a question concerning euthanasia, assisted suicide and the [Vincent Lambert case](#). Justice De Gaetano responded by stating:

One cannot do justice in a few words to a very complex legal and moral issue. Euthanasia, however much one tries to hedge the definition, flies in the face of human dignity.

There is no right to suicide or to assisted suicide under the convention and no positive obligation to provide such.

The Lambert case concerned the withdrawal of fluids and food from Vincent Lambert, who was incompetent to make medical decisions and whose wishes were unknown. Justice De Gaetano responded to this issue by stating:

In Lambert, the main issue was different, namely, whether, in the absence of a clear indication of the patient's will, ordinary care by way of food and hydration could be withdrawn. It was a form of disguised euthanasia.

The legalization of euthanasia and assisted suicide does not provide individual rights but it gives doctors, or others, the right in law to cause your death.

TELL THE US CONGRESS TO VOTE NO TO ASSISTED SUICIDE IN DC

District of Columbia Mayor Muriel Bowser signed the assisted suicide bill into law on December 19. The US Congress has 30 working days to vote NO to assisted suicide in DC.

According to the [Washington Examiner](#):

It is not clear if Congress will approve the legislation. It has blocked DC legislation before, most recently the city's recreational marijuana law. Under the Constitution, Congress has to sign off on all D.C. laws.

Congressman Jason Chaffetz (R-Utah), the chairman of the House Oversight and Government Reform Committee that oversees District affairs, told the [Washington Post](#) that he intends to stop the DC assisted suicide bill. He told reporters that:

He fundamentally disagrees with the bill.

[Tell the US Congress to vote NO to assisted suicide in DC.](#)

SOUTH AFRICA SUPREME COURT REJECTS EUTHANASIA



On December 6, the South Africa Supreme Court of Appeal rejected the legalization of euthanasia in the Stransham-Ford case.

The court overturned the lower court decision by Judge Fabricius in April 2015.

[Euthanasia Exposed](#) in South Africa reported that:

The court confirmed this is really a matter for elected parliament and not judges to decide. The decision was made in haste and did not properly

consider South African law, the international context, our social values or the impact on the right to life. The medical information provided to the court was flawed and contradicted the real medical records, which were withheld until a court order was issued. The case was manipulated by the euthanasia lobby group, its lawyers and the estate, and the medical records indicate Stransham-Ford was actually asking if he could back out of euthanasia/assisted suicide.

MASSACHUSETTS JUDGE URGED TO DISMISS ASSISTED SUICIDE CASE

In late October, two doctors filed a court case challenging the Massachusetts assisted suicide law in order to give them the right to prescribe lethal drugs for assisted suicide.

Patricia Wen of *The Boston Globe* reported, on January 9, that Attorney General Maura Healey and Cape & Islands District Attorney Michael O’Keefe urged a judge to dismiss the case based on the principle that contentious issues, such as assisted suicide, are properly decided by the legislature and not the court.

Dr. Roger Kligler, who has metastatic prostate cancer, is the plaintiff in the case and Dr. Alan Steinbach, also from Cape Cod, is willing to prescribe lethal drugs to Kligler or others who, if proven mentally sound, want to die due to their terminally ill state. Dr. Kligler has not been deemed to be terminally ill. Kligler and Steinbach are acting on behalf of the assisted suicide lobby group, Compassion & Choices.

According to *The Boston Globe* article, O’Keefe told the judge that:

He is “very sympathetic” to patients like Kligler, but that the doctor is making his petition “to the wrong branch of government.”

Compassion & Choices were unsuccessful in New Mexico, Connecticut, Tennessee, California and New York with similar court cases.

The Massachusetts Superior Court should reject this case and honor the vote of Massachusetts residents who rejected an assisted suicide voter initiative in 2012.

MINNESOTA APPEALS COURT UPHELD CONVICTION FOR ASSISTED SUICIDE



On December 19, the Minnesota Court of Appeals upheld the conviction of the Final Exit Network in the assisted suicide death of Doreen Dunn who died May 30, 2007.

The jury found the Final Exit Network guilty of assisted suicide on May 14, 2015. The Network appealed the conviction.

The *La Crosse Tribune* reported, during the trial, that:

Dakota County prosecutor Elizabeth Swank told jurors that the evidence showed that two members of Final Exit Network went to Dunn’s home in Apple Valley to assist her suicide. They then removed the equipment that she used for suicide so that it appeared she had died of natural causes.

Dunn’s husband of 29 years arrived home on May 30, 2007, to find her dead on the couch. Swank said Dunn had a blanket pulled up to her neck with her hands folded on her chest.

Swank said that despite Dunn’s pain and depression, she had no life-threatening illness and her family was puzzled by her death. There were good things happening in her life: Her daughter who had been in Africa for about a year was coming home the next day and her son’s fiancée was scheduled to give birth that week. However, her husband was also planning to move out, the prosecutor said.

Robert Rivas, the lawyer for the assisted suicide group, did not dispute that Jerry Dincin and Larry Egbert were present at Dunn’s death, but argued that they didn’t assist her suicide.

The Final Exit Network has been prosecuted in several assisted suicide cases. In Georgia, John Celmer, who was depressed after recovering from cancer, died by assisted suicide with the Final Exit Network. Celmer’s widow, Susan Celmer, testified against the Final Exit Network. Larry Egbert, the former medical director for Final Exit Network, lost his medical license in Maryland.



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