

# OREGON'S PHYSICIAN-ASSISTED SUICIDE LAW

## Abused and Exploited

### {CASE IN POINT: TAMI SAWYER AND THOMAS MIDDLETON}

Tami Sawyer has been charged with aggravated theft and first-degree criminal mistreatment of Thomas Middleton. The State of Oregon alleges she took custody of Middleton for the purpose of fraud. Middleton, who had been diagnosed with a terminal illness, moved into Sawyer's home in July 2008, and died by assisted-suicide on July 22, 2008.

According to court documents, Middleton had named Sawyer trustee of his estate several months earlier, and had deeded his home to the trust. Middleton had instructed that the home be rented until the real estate market improved.

Instead, Sawyer listed the property for sale two days after Middleton's death. When the home sold, the proceeds were deposited into the accounts of Sawyer's businesses, the State alleges. In addition, an attorney representing Middleton's three sons filed a complaint with the Oregon State Bar against attorney Anthony Albertazzi, alleging Albertazzi violated rules of professional conduct when he prepared a trust for Thomas Middleton.

In January, Sawyer pleaded guilty in Federal court to 21 other charges, including Conspiracy, Wire Fraud, Bank Fraud, and Money Laundering. The State charges relating to Thomas Middleton are still pending.

In Oregon, there is no investigation of assisted-suicide deaths, even with suspicious circumstances such as those surrounding the death of Thomas Middleton. There is nothing to protect patients from those who would exploit the physician-assisted suicide law in Oregon for financial gain.

*"Two days after Thomas Middleton died, Sawyer listed the property for sale and deposited the sale money into one of her own accounts. This story came to light, not through any assisted suicide program safeguards, but through suspicious real estate transactions."*

*-Testimony before the Vermont House Health and Welfare Committee by disability-rights activist John Kelly.*

## How well is it REALLY working?

"Death with Dignity" supporters in Vermont would like to convince us that physician-assisted suicide is safe from abuses or exploitations because it is supposedly going well in Oregon. But, consider the following:

While Oregon's Physician-Assisted Suicide law mandates that all physicians who participate in assisted suicide deaths report each case to the state, the law does not penalize doctors who fail to do so, and the Oregon Health Division has no authority to enforce the reporting requirement.

Consequently, there is no way to know the exact number of deaths and the actual circumstances prompting a patient to request assisted-suicide. **And, since there is no requirement that a physician be present when the lethal dose is taken, there is no evidence to show that when patients actually take the lethal dose they are competent, free from coercion, and have actually self-administered the drug.**

OHD acknowledged early on that it is "difficult, if not impossible, to detect accurately and comment on underreporting." They further state, "**We cannot determine whether physician-assisted suicide is being practiced outside the framework of the [law].**" [Chin et al., "Legalized Physician-Assisted Suicide in Oregon-The First Year's Experience," *NEJM*, 2/18/99]

The Oregon Health Division can only report data that is reported voluntarily to them. They have no authority or resources to look for abuses.

**Read about Tami Sawyer here:**

<http://www.ktvz.com/news/Sawyer-Arraigned-on-State-Fraud-Charges/-/413192/619440/-/1xdb2k/-/index.html>

<http://www.bendbulletin.com/apps/pbcs.dll/article?AID=/20130409/NEWS01/304090352/0/SEARCH>