

# Doctor faces charges of first-degree murder

By Nancy O'Brien  
Catholic News Service

WASHINGTON — An anti-euthanasia group has praised the filing of first-degree murder charges against retired Detroit pathologist Dr. Jack Kevorkian, who assisted in the suicide last June of a woman with Alzheimer's disease.

"Homicide must be prosecuted, whether they occur by thugs in dark alleys or by doctors who claim to be 'helping' sick patients," said Mary Senander, spokeswoman for the International Anti-Euthanasia Task Force, based at the University of Steubenville in Ohio.

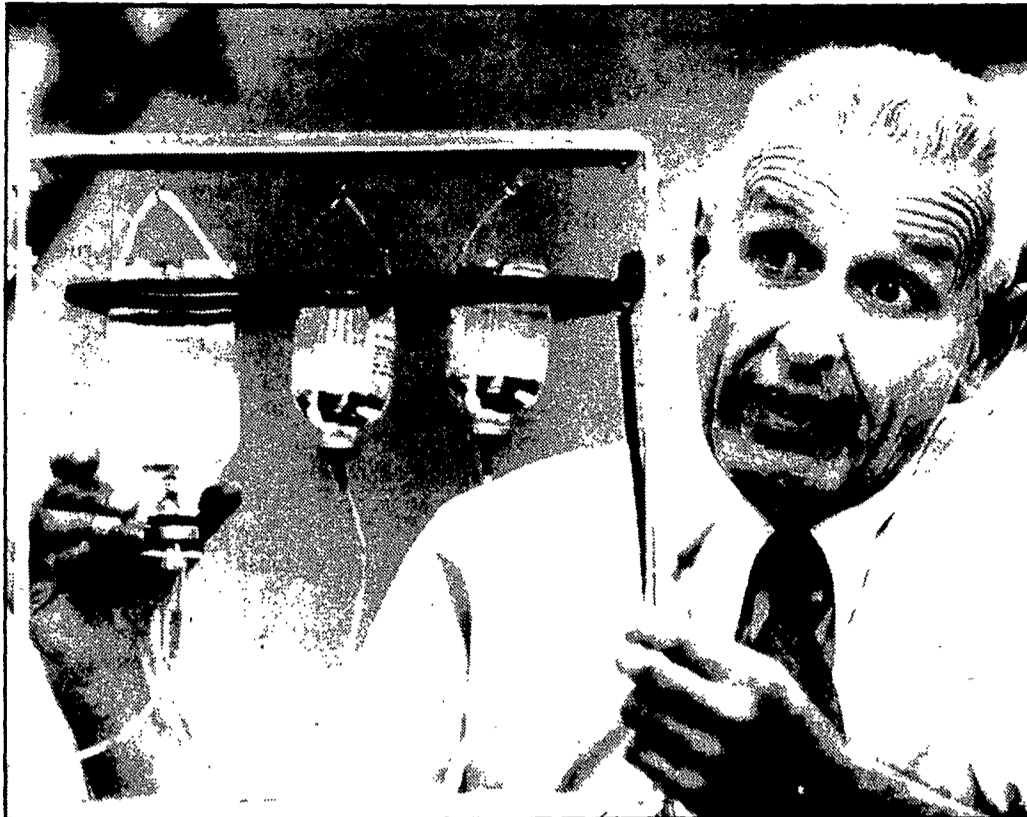
Janet Adkins, a 54-year-old woman from Portland, Ore., who was in the early stages of Alzheimer's disease, died June 4 in the back of Kevorkian's 1968 Volkswagen van. The physician had hooked her up to tubes in the specially equipped van and Adkins then pressed a button which released coma- and death-inducing drugs into her bloodstream.

If convicted of first-degree murder, Kevorkian faces a mandatory sentence of life in prison without possibility of parole.

"Dr. Kevorkian was the primary and legal cause of Janet Adkins' death," said Oakland County Prosecutor Richard Thompson in announcing the charge Dec. 3. "He cannot avoid his criminal culpability by the clever use of a switch."

Thompson said he would base his case against Kevorkian on a 1920 Michigan Supreme Court opinion that held that a husband who mixed and placed poison near his wife at her request was guilty of first-degree murder when she died from drinking the poison. That case has not been overturned, Thompson said.

The day after the charge was announced, a hearing began on whether Kevorkian's confiscated van should be returned to him. After some preliminary arguments and an attempt by the prosecution to put Kevorkian on the stand, the hearing was adjourned until Dec. 11 by Judge Alice L. Gilbert.



AP/Wide World Photos  
The "suicide device" designed by Dr. Jack Kevorkian employs a tube delivering a harmless saline solution into a patient's blood stream. By pressing a button on the device, however, the patient can cut off the flow of saline and inject the coma-inducing drug thiopental into his or her blood. Alzheimer's patient Janet Adkins, 54, used Kevorkian's device to take her life June 4.

Senander said she hoped the prosecution of Kevorkian would not focus only on the bizarre circumstances of Adkins' death but center on the issue of euthanasia.

"Not long ago, providing lethal agents to the sick or disabled would have been called obscene," she said. "Now, debate is moving from whether killing sick people is ethical to under what conditions, where and by whom it is 'appropriate.' But whether done in a rusty old van, suicide clinic or hospital, killing is killing."

At the time of Adkins' death, condemnations of the physician-assisted suicide were quick and many.

"This kind of thing is the next step in terms of the devaluing of human life," said

Laurie Anne Ramsey, spokeswoman for the Chicago-based Americans United for Life.

"We have to face a basic fact of life: sickness is always burdensome to some degree," said Vincentian Father John Gouldrick, director of the U.S. bishops' Secretariat for Pro-Life Activities. "By prematurely terminating her life, Mrs. Adkins has prevented others from carrying her burden and becoming more human in the process."

Father Gouldrick said Dec. 5 that he was pleased with the decision to prosecute Kevorkian and hoped it would clear up the

confusion surrounding the method the physician used to help kill Adkins. "If he had put a loaded gun to her head and asked her to pull the trigger, people would have been horrified," he said. "But in effect the result is the same whether one uses a gun or a lethal injection."

Sharon Park, associate director of the Washington State Catholic Conference, said the conference believed Thompson had made "the right decision" in charging Kevorkian and was "glad to see that society is maintaining what it's always maintained — that homicide is homicide."

But she said the publicity surrounding Kevorkian has had the unfortunate effect of increasing signatures to the initiative drive for physician-assisted suicide in the state because signers do not understand the proposal.

The Catholic bishops of Washington have "adamantly opposed" Initiative 119, which would allow terminally ill patients to "request aid in dying" from their doctors, Park said.

Mary Jo Kahler, executive director of Human Life of Washington, called the charges against Kevorkian "a reaffirmation that we're still a people of law and we don't allow anyone ... to take the law into their own hands, whether they call it compassion or even good medicine."

Both women said Kevorkian would have faced similar charges in Washington state even if Initiative 119 were law because Adkins was not terminally ill.

Supporters of the initiative claim they have 200,000 signatures, more than the 150,000 required to take the issue before the legislature during its session beginning in mid-January.

When it receives the initiative, the legislature can approve it, do nothing or pass alternative legislation. If the legislature approves the initiative, it becomes law.

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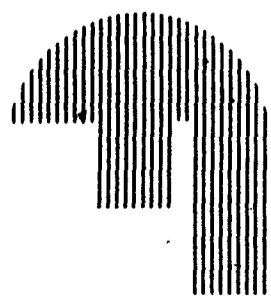
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