



Compassion & Choices Timeline

MILESTONES in the Modern Choice-In-Dying Movement

- 1967** A right-to-die bill is introduced in the Florida legislature. It arouses extensive debate but is unsuccessful.
- 1980** The Hemlock Society, an end-of-life care organization for those suffering with incurable illnesses, is formed. It later merges with Compassion in Dying to form Compassion & Choices.
- 1987** Oregon Senator Frank Roberts sponsors legislation championing choice at the end of life.
- 1990** The U.S. Supreme Court decides the *Cruzan vs. Director, Missouri Department of Health* case, ruling that Missouri was permitted to require clear and convincing evidence of the wishes of a patient regarding provision of artificial nutrition and hydration. This affirmed the right of Americans to refuse unwanted medical treatment, and their right to appoint a health care proxy to speak for them when they could not.
- 1991** Ballot measure I-119 to allow mentally competent, terminally ill patients physician assistance in dying is voted on in Washington State. Initiative 119 fails by narrow margin. Derek Humphry, founder of the Hemlock Society, publishes the first edition of *Final Exit: The Practicalities of Self-Deliverance for the Terminally Ill*.
- 1992** California initiative, the California Compassionate Choices Act, narrowly fails.
- 1993** Compassion In Dying is founded to provide support, advocate and expand choices for the terminally ill in Washington State.

1994 Compassion in Dying develops federal constitutional challenges to state laws (Washington and New York) criminalizing “assisted suicide” to extent applied by physician prescribing medications a mentally competent, terminally ill patient could self-administer to bring about a peaceful death. This sparks a national discussion of end-of-life care and patient self-determination at the end of life.

1994 Oregon voters approve Measure 16, the Oregon Death with Dignity Act, a ballot initiative that permits terminally ill patients, under proper safeguards, to obtain a physician’s prescription to end life in a humane and dignified manner. The law passes with 51 percent of the vote. Co author and chief petitioner is Barbara Coombs Lee, President of Compassion in Dying and subsequently Compassion & Choices.

Compassion in Dying develops and files 2 federal lawsuits, asserting that a mentally competent , terminally ill patient has a right protected by the U.S. Constitution’s guarantees of liberty, privacy and equal protection to choose aid in dying. The first case is filed in Washington State and is known as *Glucksberg v. WA*. The second case is filed in New York and is known as *Quill v. NY*. The Federal District Court for the Western District of Washington holds for the plaintiffs. The State of Washington Appeals to the Ninth Circuit Court of appeals. The plaintiffs in both suits are represented by attorney Kathryn Tucker, who later becomes Legal Director for Compassion in Dying and subsequently Compassion & Choices.

1996 The Ninth Circuit Court of Appeals (*in Glucksberg v. Washington*) and the Second Circuit Court of Appeals (*in Quill v. NY*) both find that the U.S. Constitution protects the choice of a competent, terminally ill patient to choose aid in dying. The states of NY and WA file for review in the U.S. Supreme Court.

1997 Compassion In Dying of Washington, expanding to launch national advocacy and support programs, forms the Compassion In Dying Federation.

Oregon’s law is challenged by the National Right-to-Life Committee. The challenge was held up in the courts until it was dismissed by the Ninth Circuit Court in 1997. That year, the Oregon legislature put a measure on the ballot to rescind the law, but it was defeated by 60 percent of the voters.

In *Washington v. Glucksberg* and *Vacco v. Quill*, the U.S. Supreme Court declines to find federal constitutional protection for aid in dying, leaving the possibility open that it will do so in the future, and refers the issue to the states. The Court recognizes a federal constitutional right for dying patients to receive as much pain medication as necessary to obtain relief, even if this advances time of death.

The Hemlock Society establishes the Caring Friends program to provide information and support to its members.

Compassion In Dying's client "Helen" becomes the first person to take lethal medication under Oregon's law.

Rep. Henry Hyde and Sen. Don Nickles introduce The Lethal Drug Abuse Prevention Act to prohibit legal aid in dying.

1997-2007 States consider enacting Death with Dignity laws, including HI, VT, CA. Strong well funded opposition from Catholic Church, right-to-life advocacy groups and disability advocacy groups successful in defeating measures despite strong public support.

1998 Oregon Death with Dignity Act begins implementation.

1999 The U.S. House of Representatives passes the Pain Relief Promotion Act (PRPA). The bill would have criminalized aid in dying and nullified the Oregon law.

2000 Oregon Sen. Ron Wyden's threatened filibuster keeps the PRPA from reaching the Senate floor.

Hemlock Society matures, evolves into End-of-Life Choices.

2001 Attorney General John Ashcroft issues a directive that would effectively nullify the Oregon Death with Dignity Act. The State of Oregon sues to enjoin the Directive, joined by a group of terminally ill Oregonians and represented by Compassion & Choices Legal Director Kathryn Tucker. Federal District Court Judge Robert E. Jones enjoins the Ashcroft directive.

2001 Compassion in Dying assists California family in bringing first case in nation to claim that failure to treat pain adequately constitutes elder abuse. Case establishes that failure to treat pain adequately can result

in significant financial risk to health care providers. CID drafts and sponsors legislation passed in California (AB 487) to improve pain management at the end of life, requiring that physicians receive continuing education in pain management.

2002 October 6, marks the fifth anniversary of Oregon's Death with Dignity law; 129 terminally ill Oregonians have used it to die peacefully.

Attorneys present oral arguments for *Oregon v. Ashcroft* arguing states rights. Months later, Judge Jones rules against Ashcroft and rebukes the federal government for its attempt to "stifle an ongoing, earnest and profound debate in the various states concerning physician-assisted suicide."

2003 The Hemlock Society changes its name from the Hemlock Society to End-of-Life Choices.

2004 The Department of Justice appeals *Oregon v. Ashcroft* to the United States Ninth Circuit Court of Appeals. The Ninth Circuit Court affirms the lower court, leaving the Oregon Death with Dignity Act intact.

As Attorney General John Ashcroft resigns, he files an appeal to the US Supreme Court to review the Ninth Circuit's affirmation of lower court injunction of the Ashcroft directive. Now known as *Gonzales v. Oregon*, the case asks the high court to consider whether the federal Controlled Substances Act authorizes the Department of Justice to displace state regulators and determine legitimate use of medications. Traditionally, this prerogative has been reserved for the states.

2005 Compassion in Dying and End-of-Life Choices unify to become Compassion & Choices. The new organization maintains headquarters in both Denver and Portland, and is the largest organization in the United States advocating for patients' rights at the end of life.

2007 American Medical Women's Association adopts policy in support of Aid in Dying.

2008 American Medical Students' Association adopts policy reiterating support of Aid in Dying.

10 years of data from Oregon begins to inform discussion about impact of legal aid-in-dying option.

Washington Initiative 1000, modeled after Oregon's Death with Dignity Act, qualifies for November 2008 ballot.

A bill developed by Compassion & Choices designed to ensure that terminally ill patients have access to information about a full range of end of life choices accepted in law and medicine passes in California. AB 2747, the Right to Know End-of-Life Options Act.

American Public Health Association (APHA) adopts a position supporting death with dignity for terminally-ill patients.

Montana District Court Judge Dorothy McCarter held in December 2008 that the Montana State Constitution protects a peaceful death with dignity making Montana the third state to provide its residents with legal aid-in-dying. Compassion & Choices Legal Director Kathryn Tucker and Missoula litigator Mark S. Connell led the successful *Baxter et al v. Montana* case, filed October 2007.