

Kevorkian faces grand jury probe

by Linda Everett

It may be too soon to say exactly what scenario is unfolding in Michigan, where Oakland County authorities are investigating Jack Kevorkian's publicly admitted role in killing three women, and where legislators refuse to take a stand against deliberate medical killing. But it appears that at least some lawmakers are trying to use the notoriety around Kevorkian and his plans to use his home-made killing machines to "treat" 50 people he says want his services, to force through a law that would allow a more "socially acceptable" and "regulated" form of killing by physicians.

The Michigan legislature started statewide hearings on a half-dozen bills that variously make physician-assisted suicide a felony; call for legalizing it; or call for creating a commission to propose state policies on euthanasia.

Richard Thompson, Prosecuting Attorney for Pontiac, has called for a citizens' grand jury to investigate whether Kevorkian, an out-of-work Michigan pathologist, should face homicide charges in the deaths of two women who died Oct. 23 after being hooked to his "suicide" machines. Kevorkian reported the deaths to Oakland County authorities as physician-assisted suicides, but Oakland County Medical Examiner Dr. L.J. Dragovic, M.D. has now ruled the manner of death in both cases was homicide.

Thompson announced on Dec. 18 that a grand jury was needed to investigate the homicides because relatives present when the deaths occurred refused to cooperate with authorities, as per instructions laid out by Kevorkian's lawyer, Geoffrey Fieger. However, some family members have already been subpoenaed to appear in early January.

Victims not terminally ill

Neither of Kevorkian's latest victims, Majorie Wantz, 58, and Sherry Miller, 43, was terminally ill. Medical Examiner Dragovic found no evidence of any disease in Wantz. Doctors found that Miller had several physical limitations due to multiple sclerosis. Court testimony shows that psychiatric, physician, and hospital records indicate both women were depressed, but, as "patients" ostensibly under Kevorkian's care for two years, he never sought to treat them (which he was at any rate unqualified for) or to seek advice on their care. Both women were fixated on suicide as the solution to their physical problems. Wantz refused the treatment plan

proposed by both her psychiatrist and doctor, as did Mrs. Miller. Kevorkian also ignored the doctors' advice when he informed all of them of his plan for the women more than a year before he carried it out.

Although the medical examiner called the deaths homicide "because they are . . . the result of a poisoning inflicted upon them," it is not known why the death of Kevorkian's first victim, Janet Adkins, who was hooked to a similar device in June 1990, was not also ruled a homicide. The Adkins murder case against Kevorkian was dismissed when the court found no Michigan law barring assisted suicide. The deaths of Wantz and Miller were proof that Kevorkian violated a permanent injunction handed down after Adkins died, to bar him from helping "any person seeking to end a human life . . . or conducting any acts to help a patient commit suicide." Based on the investigation of the Michigan Bureau of Occupational and Professional Regulation of the Board of Medicine, Michigan Attorney General Frank J. Kelly asked the Medical Board on Nov. 20 to suspend Kevorkian's medical license. This they voted unanimously to do. Kelly accused Kevorkian of violating the state's public health code. The board charged Kevorkian with negligence; incompetence, that is, "a failure to conform to minimal standards of acceptable and prevailing practice for the health profession"; and for "administering drugs for other than lawful or therapeutic purposes." But as his attorney says, Kevorkian doesn't need a medical license to help people kill themselves.

Thompson may hope to use the grand jury to build a better homicide case against Kevorkian. But the people of Michigan ought to watch out; as it is likelier that the soap opera around it will be used to lure them into accepting some form of assisted-death law as advocated by Rep. Ted Wallace (D-Detroit) in his H.B. 5415. Sen. Fred Dillingham (R-Fowlerville) offers some opposition with his modified S.B. 32 which would make assisted suicide a felony, as does Rep. Nick Ciaramitaro's (D-Roseville) H.B. 4038. The heretofore silent Michigan State Medical Society just endorsed Dillingham's efforts, but the bill is stuck in the House subcommittee on death and dying, where all the bills on euthanasia are being debated in statewide hearings.

Two other bills, H.B. 4501 by Rep. Thomas Power (R- Traverse City) and S.B. 149 by Sen. David Honigman (R-West Bloomfield), pose a grave and insidious threat of disarming the opposition, to institutionalize medical murder. These bills call for creating a state commission where medical, legal, and ethical "experts" will study euthanasia issues and recommend state policy. Such commissions claim to build a consensus among diverse groups, but their track record (in New York, for example) is of using their authority to pass and enforce Nazi-modeled euthanasia laws, targeted against any patient population the state sees as an economic burden. The Hemlock Society, one of its members revealed, is named in one Michigan commission bill as an "expert" on death and dying. The society is the main lobby for euthanasia!