WHAT IS ASSISTED SUICIDE?
Assisted suicide occurs when one person helps another to take his or her life. For example, a doctor assists in a suicide when he prescribes lethal drugs to a terminally ill patient who then takes them to end her life.

IS SUICIDE A CRIME IN CALIFORNIA?
No. California law recognizes that killing one’s self is a tragedy that is not remedied by imposing a criminal sanction.

IS ASSISTED SUICIDE A CRIME IN CALIFORNIA?
Yes. California Penal Code section 401 says, “Every person who deliberately aids, or advises, or encourages another to commit suicide, is guilty of a felony.”

WHY IS IT A CRIME TO ASSIST IN A SUICIDE?
The desire to commit suicide signals a desperate need for intervention and prevention. Assisting in a suicide robs vulnerable people of access to treatment and caregiving.

WHAT IS AID IN DYING, AND DEATH WITH DIGNITY?
These are euphemisms for assisted suicide. Both terms are used to obscure the fact that one or more people would be legally empowered to assist in a person's suicide.
WHAT DOES CALIFORNIA’S ASSISTED SUICIDE PROPOSAL (SB 128) DO?

SB 128 would change the law to say that in certain circumstances, a person such as a doctor can assist in another person’s suicide without being prosecuted for a crime.

This change would apply to persons who are diagnosed with a terminal illness (projected to live six months or less), and are judged by two doctors to be able to make medical decisions. To receive lethal drugs a person must make two oral requests 15 days apart, and one witnessed written request. All involved are exempt from liability if they are in “good faith compliance,” which is the weakest legal standard.

ARE THERE ANY SAFEGUARDS IN CALIFORNIA’S ASSISTED SUICIDE PROPOSAL?

The safeguards in SB 128 only protect the doctor or other people who assist in a suicide from being prosecuted for a crime.

For example:

- There is no requirement that the person requesting assisted suicide or the doctor receiving the request notify the person’s next of kin.
- There is no requirement that the doctor refer a person requesting assisted suicide for a psychiatric or psychological evaluation, even though research on suicide demonstrates that most suicidal thinking arises from treatable clinical depression or other psychiatric disorders.
- Two witnesses are required to witness a person’s request for assisted suicide, but they are allowed to have a personal or financial motive for hastening the person’s death, such as being (1) a relative or heir, or (2) an employee of the health care facility taking care of the person.
- Prohibits prosecution for elder abuse against the doctor or others who dispense or provide the lethal drugs.
- The person’s death certificate must be falsified to say that the person died of the underlying terminal illness instead of the lethal drugs.

CAN ASSISTED SUICIDE BE MADE SAFE?

No. The point of assisted suicide is to make it legally permissible to kill certain people.

WHO ARE THE MOST VULNERABLE TO ABUSE AND EXPLOITATION IF ASSISTED SUICIDE IS LEGALIZED?

The elderly and disabled. These populations are the most likely to be diagnosed with a terminal illness, and are therefore the most at risk of being encouraged to seek assisted suicide.
WHERE IS ASSISTED SUICIDE LEGAL?

In the United States, assisted suicide is legal only in Oregon, Washington, and Vermont. Judges in Montana and New Mexico have created limited legal immunities for assisting in a suicide.

IS OPPOSITION TO ASSISTED SUICIDE MAINLY BY RELIGIOUS AND CONSERVATIVE PEOPLE?

No. While faith-based and pro-life groups do oppose assisted suicide, so do a diverse array of people from disability and elder rights, medical, hospice, civil rights, and patient advocacy groups.

The debate over assisted suicide is about focusing end-of-life policy on care, not killing.