

GEORGIA, USA: Supreme Court Acquits the Final Exit Network and Declares Assisted Suicide Law Unconstitutional

On February 6, 2012 The Georgia Supreme Court struck down the state's assisted-suicide law on grounds that it violates free speech clauses of the Georgia and U.S. Constitutions.

The ruling arises from arrests in 2009 of four members of the Final Exit Network who were accused of aiding the suicide of a man in 2008. They faced up to 5 years in prison under a Georgia law that prohibited anyone "who publicly advertises, offers or holds himself or herself out as offering that he or she will intentionally and actively assist another person in the commission of suicide and commits any overt act to further that purpose."

Writing for the court in a unanimous decision, Justice Hugh Thompson said "The State has failed to provide any explanation or evidence as to why a public advertisement or offer to assist in an otherwise legal activity is sufficiently problematic to justify an intrusion on protected speech rights. Absent a more particularized State interest and more narrowly tailored statute, we hold the State may not, consistent with the United States and Georgia Constitutions, make the public advertisement or offer to assist in a suicide a criminal offense."

Ted Goodwin, a co-defendant and former president of the Final Exit Network was quoted in the Atlanta Journal Constitution paper saying he was relieved by the ruling. "This is a bittersweet victory, because I'm saddened by what we've been put through. ... I'm also sad for all the people who would have benefited from our compassionate presence at their life's bitter end over the last three years."

The 8-page ruling of the Georgia Supreme Court is available at this link:
<http://www.gasupreme.us/sc-op/pdf/s11a1960.pdf>