

Longtime right-to-die activist Faye Girsh is retired, but not done talking about the issue

By John Wilkens – Union Tribune - JAN. 6, 2019

Even now, at age 85, living in a University City retirement community where the end of life is more than an abstract notion, she finds folks who are squeamish.

She's learned to wait. When they're ready, they'll approach her with an overture: "Can we have lunch?"

And then her years of experience as a leader in the controversial right-to-die movement, both in San Diego and nationally, come into play.

Girsh just retired as the president of the Hemlock Society of San Diego but she hasn't stopped talking.

"You get me started on this," she said during a recent interview, "and I could go on for hours."

Go on for hours about why she thinks a good life deserves a good death. About how she still admires the late Jack Kevorkian, aka "Dr. Death." About why she thinks California's End of Life Option Act is too restrictive in terms of who can use it.

That last one has put Girsh at odds with some people, especially religious groups, disabled-rights organizations and other opponents of assisted suicide.

"Her agenda over the years has been a very broad eligibility that includes people the general public doesn't believe should be included, such as the old and the disabled," said Diane Coleman, president of Not Dead Yet a national disability-advocacy group based in New York. "It's a very dangerous thing to say we're going to take those people and streamline their path to dying."

Other right-to-die supporters have also cautioned against getting too far out in front of public opinion on what has been one of society's thorniest ethical debates.

Polling by Gallup shows strong support for doctor-assisted suicide. The most recent survey, in May, found 65 percent of Americans in favor, up from 51 percent six years ago.

But respondents remain more sharply divided about its morality. In May, 54 percent said assisted suicide is "morally acceptable," and 42 percent said it is "morally wrong." Those numbers have stayed fairly steady for five years.

The troubled waters surrounding the issue are one reason so-called death with dignity laws enacted in California and five other states (plus the District of Columbia) have been narrowly focused on mentally competent patients with terminal illnesses and short life expectancies. They require jumping through a lot of hoops to get the lethal medication.

Disappointed at times by the slow pace of legal and legislative change, Girsh has figured out other ways to help people looking to engineer their final exits.

One of those workarounds is what she thinks may be her most important legacy.

Death coaching

In the late 1990s, the debate about assisted suicide was raging. Kevorkian, a medical pathologist, had by his count assisted in the deaths of more than 130 ill people who had concluded their lives were no longer worth living. He'd been arrested multiple times, and would eventually be convicted of second-degree murder and spend eight years in prison.

Right-to-die groups had persuaded four states to ask voters to approve assisted-suicide measures, and one of them — in Oregon

— had succeeded. The activists believed momentum was on their side.

Two cases challenging the constitutionality of bans on assisted suicide also were making their way through the federal courts. One law, from Washington state, made it a felony, punishable by five years imprisonment and a \$10,000 fine, to knowingly cause or aid someone to attempt suicide.

Overtaken by a district court judge and then an appellate court, the bans went before the U.S. Supreme Court, which in a unanimous decision in 1997 concluded there is no constitutional right to aid in dying and left it to the states to craft statutes allowing it.

Girsh felt devastated.

She was, by then, president of the 27,000-member national Hemlock Society, based in Denver. “We thought we were doing everything right,” she said. “We’d won twice in the lower courts. And despite what the Supreme Court decided, we were still getting lots of calls from people who wanted to die.”

In San Diego, in the Hemlock chapter she had started in 1987, there was a support group for the terminally ill. They talked about end-of-life issues, got referrals to hospice care and pain-control clinics.

Those determined to commit suicide were referred to “Final Exit,” a 1991 how-to manual written by Hemlock Society founder Derek Humphry.

In the wake of the Supreme Court ruling, that approach no longer seemed humane enough, Girsh said. “You can’t just say ‘Read page 85 and have a good trip.’”

So they started Caring Friends, a national program to coach patients through the steps of dying. The first group of 28

volunteers was trained in San Diego. They wouldn't buy materials for the suicide, or physically assist in their use, but they would be in the room, right to the end.

"We will hold their hands, we will mop their brows, we will make them tidy after they die," Girsh said when she publicly unveiled the program in November 1998. "It is not illegal to provide information and not illegal to be with a person when they die." Opponents of assisted suicide were appalled.

"I don't think killing somebody is ever an example of caring for them," said Richard Doerflinger, an official with the National Conference of Catholic Bishops in Washington, D.C. "We think the real task that dying patients need is someone who will keep company with them and value their lives."

Twenty years later, the program still exists, now known as the Final Exit Network. The counselors are called exit guides. And they're still controversial, amid the ongoing debate about the right to die. More than 20 additional U.S. are considering laws that would allow assisted suicide, according to the Death With Dignity National Center, an Oregon-based advocacy group.

A better way?

It still haunts Girsh that the seed money for the coaching program came from the will of a woman in Arizona who ended her life by shooting herself.

"There should be a better way," she said. "I think it's an injustice that we don't allow people a peaceful, dignified exit."

She hopes in ten years the U.S. will more closely follow the Canadian model, which has looser eligibility requirements for those seeking to die. But she's also learned from experience not to make predictions.

In 1991, in an interview with the San Diego Union, she predicted physician-assisted suicide would be widely available by the year 2000. That didn't happen.

She also joked in the same interview that she planned to live to 150. That's not likely to happen, either.

More certain is how she wants her own final exit to go.

“I value a life with quality but not one where I am no longer able to do the things I enjoy, where I can't recognize friends and loved ones, where I am dependent, where I am remembered as doddering, incompetent and difficult,” she once wrote in a letter. “There are choices. Mine would be to end my life if I knew this was my future.”