

# Victims' rights bill clears House

■ **VOTE:** Opponents of the bill fear it harms civil rights and could violate parts of the U.S. Constitution

By Charles Beggs  
The Associated Press

SALEM — A bill to expand crime victims' rights won easy approval in the House on Tuesday despite claims the bill is discriminatory.

The bill passed 47-12 and returns to the Senate for action on amendments.

The measure, SB936, is intended to revise state statutes to carry out the lengthy constitutional amendment on victims' rights approved by voters last November.

The ballot measure made numerous changes in laws on evidence, bail, victims' prerogatives and juries.

Victims, for example, gained the right to be consulted in plea bargaining and to be free of contacts by the defense except for be-

ing called to testify at trials.

Opponents protested a requirement that juries be drawn from lists of registered voters, on grounds that the practice could leave minorities under-represented.

State law now includes driver license lists as well as voter rolls for choosing jurors. But the federal court system draws jurors from voter lists.

Rep. Floyd Prozanski, D-Eugene, said he is troubled by provisions broadening the scope of searches and making it easier for judges to increase bail.

"I'm concerned with where we're going with this kind of legislation," he said.

He added there's no need to rush because a number of appeals involving the new measure are pending before the Oregon Supreme Court, on grounds that some provisions violate the U.S. Constitution.

Foes of the bill proposed a substitute version that left out some

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provisions of the new law, anticipating that the court might overturn those sections. The alternate measure was defeated 40-20.

Rep. John Minnis, R-Wood Village, said passage of the ballot measure has thrown the criminal courts into chaos as judges try to understand the new rules.

The intent was to have main bill bring the statutes into line with the constitution as the voters have revised it.

But Rep. Jo Ann Bowman, D-Portland, said it's "not in the best interests of the state to eliminate chaos by doing away with civil rights."

## An assisted-suicide law may be on Nov. ballot

■ **LAW:** Opponents of the assisted-suicide law want Oregon voters to reconsider the 1994 measure

By Landon Hall  
The Associated Press

SALEM, Ore. — Opponents of Oregon's landmark doctor assisted-suicide law took their case to the Senate Tuesday, arguing that voters should reconsider the 1994 measure because it has serious flaws.

But advocates of the law said voters made an informed choice to let terminally ill people end their painful lives by seeking deadly medication prescribed by a doctor.

"There's no doubt what the voters want today," said Barbara Coombs Lee, the chief petitioner of Measure 16, the Oregon Death with Dignity Act. "The momentum against repeal and referral is building."

A special five-member committee opened hearings late Tuesday on HB2954, a measure to refer the issue back to voters. The House approved the bill two weeks ago by a narrow 32-26 vote, and if passed by the Senate it could go to a special election this November.

Voters approved Measure 16 by a margin of 51 percent to 49 percent in 1994. The law made

Oregon the first state in the nation to allow physician-assisted suicide, but legal challenges have prevented the law from taking effect.

Opponents of the law, including the Oregon Medical Association, testified Tuesday that doctors have new information that wasn't available to Oregon voters in 1994, creating the need for a re-vote.

Restating an argument served them well during the House debate, opponents referred to a study in the Netherlands that shows 25 percent of patients who take the prescribed dose of pills don't die right away. In those cases, doctors then give patients a lethal injection, an option that isn't allowed under Measure 16. Assisted suicide is not legal in the Netherlands, but the government has not prosecuted doctors who do it.

The study says patients often vomit, slip into a coma or linger for hours, causing physical stress to their bodies and emotional anguish for their families.

"The limitation of the lethal act to oral ingestion ... has not and cannot guarantee the patient a swift, soft, painless and sure death," said Jerome Wernow, an Oregon pharmacist.

Measure 16's supporters dismissed the argument, saying opponents used it throughout the

heated 1994 political campaign. Supporters argue a slower death is still better than prolonging a patient's agony.

"What's the hurry?" Coombs Lee said. "Someone who takes oral medication and who dies hours later, I don't consider that a failure."

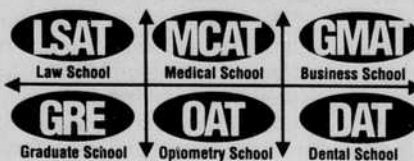
Other doctors said they are now better at managing a patient's pain. They said depression, not the pain itself, often makes people want to die.

"A request for assisted suicide is a cry for help," said Dr. Thomas Reardon, a Portland physician and vice-chairman of the American Medical Association's board of trustees. "It's an indication their needs are not being met, and that we must do a better job in taking care of them."

Committee chairman Sen. Ken Baker, R-Clackamas and Sens. Joan Dukes, D-Astoria, and Eileen Qutub, R-Beaverton, support the repeal measure and will likely vote Thursday to move it to the full Senate. The bill's opponents, Sens. Neil Bryant, R-Bend, and Kate Brown, D-Portland, will likely file minority reports in an attempt to change the measure.

Minority reports offered in the House stiffened residency requirements for potential patients and made other technical changes.

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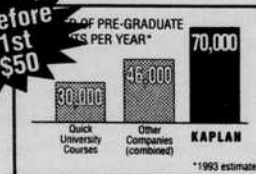
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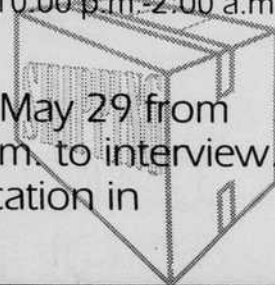
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