

Woman has no option for death with dignity

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Laurie Falco wants to die soon. She isn't sure exactly when, but soon. She underlined the word on the sheet of notebook paper on which she answered my questions Thursday. Her writing is light and spidery, making it difficult to read. But it is her only means of communicating. Amyotrophic lateral sclerosis, ALS, has taken her voice, just as it has taken her ability to swallow food, to walk more than a few feet, to breathe on her own at night.

She doesn't fear death. She fears being trapped inside a silent, useless shell that was once her body. She knows, no matter what her church friends say, that life can be worse than death. She saw it firsthand while caring for her mother as she descended into the tumultuous fog of Alzheimer's, slowly losing her mind, her bowel control, her ability to tame her abusive language and violent outbursts.

"I feel I have to make my own way with Jehovah," she wrote in her notebook Thursday morning.

Falco, 58, sat on the couch in her sunny Santa Rosa home, where she has lived for more than 30 years. She ran Laurie's Dog Grooming out

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of this house. She and her four children kept a menagerie of pets -- from snakes to ponies to goats -- on the sprawling property. Her youngest daughter, 24-year-old Mia, sat cross-legged on the floor by her feet, jumping up to retrieve her mother's glasses from the bedroom when Falco pointed at her eyes. Mia and her 22-year-old brother, Mike, moved back home over the winter to care for their mother, who has been battling the disease for 18 months.

"I prayed to Jehovah," Falco continued in her slow hand, "and came back with the idea to get ahold of a doctor and hospice to get the medication."

But assisted suicide is illegal in California, as it is in every state except Oregon. Falco cannot be prescribed a lethal dose of medication to bring about her own death. She could order the medicine over the Internet, but she would need her children's help to do so, putting them at risk of prosecution. She could lie to her doctor about needing stronger sleeping pills, and then hoard them until she has enough, but she won't lie.

So when she decides the time is right -- soon -- she will have to end her life by starving because it is one of the few legal options open to her. We live in a society that understands the compassion in ending a beloved pet's painful life through lethal overdose, but still can't see why people should be afforded the same loving option.

Hospice can give Falco enough morphine or barbiturates to keep her comfortable as she starves, but death can take days. It will be serene and painless, though not as dignified and controlled as she would wish. If Falco lived in Oregon, she could fill out a request for

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physician-assisted death. Two doctors would verify her terminal status and her competency. Then she would make a second written request 15 days after the first, both signed by two witnesses.

Then at the time she chose, in her own bed surrounded by her family and her two adoring dogs, Falco could consume a lethal dose of prescription medicine. She would slip away in 15 or 20 minutes.

Oregon voters passed the Death with Dignity Act in 1994 and again in 1997, triumphing over those who warned of state-sanctioned killings of vulnerable elders at the hands of their heirs and of severely disabled people whose care had become too burdensome. But after nearly seven years, Oregon has seen none of the abuses predicted.

Still, U.S. Attorney General John Ashcroft challenged the law in 2001, unilaterally deciding it violated federal policy -- even though he has no problem with allowing states to decide for themselves whether to put criminals to death. Ashcroft said any doctor who assisted in a patient's death would be prosecuted. A U.S. district court ruled that the attorney general didn't have the authority to issue the directive. Ashcroft then took the case to the Ninth Circuit U.S. Court of Appeals, where it has sat for almost a year.

"(If the Oregon law is struck down), we lose the careful, open discussion, the collegial support, the state oversight," says Barbara Coombs Lee, the president and CEO of Compassion in Dying, a national organization that provides counseling to terminally ill people about end-of-life choices. "We lose the assurance that it's a safe and open practice. We'd have to go back underground, like every other state."

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Falco's children called Compassion in Dying last spring at their mother's request. A Bay Area caseworker has been counseling the family in thinking through the decision and considering the options.

Not everyone is comfortable with Falco's plan. Some say "it is shocking and not normal," Mia said. "But this is not a normal situation. The only thing that gives Mom relief is knowing she won't end her life on a respirator in a hospital bed."

Falco listened as her daughter spoke, then picked up the pen again.

"If I hadn't heard about Compassion (in Dying), I would be crying because without this you have no hope," she wrote.

What Falco wants isn't immoral or unreasonable. People get to make choices in everything from how to give birth to whether to have a cosmetic surgeon slice them up in the name of beauty. Falco simply wants the freedom to decide for herself when her life is no longer worth living. She wants her exit, unlike her horrible disease, to be on her own terms. She wants, as much as possible, to make her death a loving and powerful experience for her and her family instead of a lingering, wrenching disintegration.

"I think she'll decide the time is right when she's ready to say goodbye to her family," said her eldest daughter, Stacie Lautrup, whom I reached by phone in Sacramento, where she lives with her husband and children. "But at this point, I can still think of lots of things she can cackle about. She still loves being around everybody."

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Falco knows her family will let her go when she asks. She won't ask today and probably not tomorrow. But, as she wrote in her notebook Thursday, soon, before ALS takes away everything but her beating heart.

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